

As Reported by the House Education Committee

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

Sub. S. B. No. 96

Senator LaRose

**Cosponsors: Senators Cafaro, Hite, Lehner, Eklund, Hughes, Obhof,
Peterson, Sawyer, Schiavoni, Smith, Tavares, Turner, Uecker
Representative Fedor**

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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
division (A)(2)(c) of section 3301.0710 of the Revised Code. 47

(2) Administer the mathematics assessment prescribed under 48
division (A)(1)(a) of section 3301.0710 of the Revised Code at 49

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

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

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

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

(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 271
protection of student confidentiality at all times. The rules may 272
require the use of the data verification codes assigned to 273
students pursuant to division (D)(2) of section 3301.0714 of the 274
Revised Code to protect the confidentiality of student scores. 275

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

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

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

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

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

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

(K)(1)(a) Except as otherwise provided in division (K)(1)(a) 307
or (K)(1)(c) of this section, each chartered nonpublic school for 308
which at least sixty-five per cent of its total enrollment is made 309
up of students who are participating in state scholarship programs 310
shall administer the ~~elementary~~ assessments prescribed by 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) ~~If (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 the chancellor shall select the end-of-course examinations in American history and American government.

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

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

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

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

(ii) If a student is enrolled in an appropriate course under

any other advanced standing program, as described in section 584
3313.6013 of the Revised Code, that student shall not be required 585
to take the physical science or biology, American history, or 586
American government end-of-course examination, whichever is 587
applicable, prescribed under division (B)(2) of this section. 588
Instead, that student's final course grade shall be used in lieu 589
of the applicable end-of-course examination prescribed under that 590
section. The state superintendent and the chancellor jointly shall 591
adopt guidelines for purposes of calculating the minimum final 592
course grade that demonstrates the level of academic achievement 593
necessary to earn a high school diploma. 594

Division (B)(4)(a)(ii) of this section shall apply only to 595
courses for which students receive transcribed credit, as defined 596
in division (U) of section 3365.01 of the Revised Code. It shall 597
not apply to remedial or developmental courses. 598

(b) No student shall take a substitute examination or 599
examination prescribed under division (B)(4)(a) of this section in 600
place of the end-of-course examinations in English language arts 601
I, English language arts II, Algebra I, or geometry prescribed 602
under division (B)(2) of this section. 603

(c) The state board shall consider additional assessments 604
that may be used, beginning with the 2016-2017 school year, as 605
substitute examinations in lieu of the end-of-course examinations 606
prescribed under division (B)(2) of this section. 607

(5)~~(a)~~ The state board shall ~~determine~~ do all of the 608
following: 609

(a) Determine and designate at least five ranges of scores on 610
each of the end-of-course examinations prescribed under division 611
(B)(2) of this section, and substitute examinations prescribed 612
under division (B)(4) of this section. Each range of scores shall 613
be considered to demonstrate a level of achievement so that any 614

student attaining a score within such range has achieved one of 615
the following: 616

(i) An advanced level of skill; 617

(ii) An accelerated level of skill; 618

(iii) A proficient level of skill; 619

(iv) A basic level of skill; 620

(v) A limited level of skill. 621

(b) Determine a method by which to calculate a cumulative 622
performance score based on the results of a student's 623
end-of-course examinations or substitute examinations; 624

(c) Determine the minimum cumulative performance score that 625
demonstrates the level of academic achievement necessary to earn a 626
high school diploma; 627

(d) Develop a table of corresponding score equivalents for 628
the end-of-course examinations and substitute examinations in 629
order to calculate student performance consistently across the 630
different examinations. A score of two on an advanced placement 631
examination shall be considered equivalent to a proficient level 632
of skill as specified under division (B)(5)(a)(iii) of this 633
section. A score of three on an advanced placement examinations 634
shall be considered equivalent to an accelerated level of skill as 635
specified under division (B)(5)(a)(ii) of this section. 636

(6) Any student who received high school credit prior to July 637
1, 2014, for a course for which an end-of-course examination is 638
prescribed by division (B)(2) of this section shall not be 639
required to take that end-of-course examination. Receipt of credit 640
for that course shall satisfy the requirement to take the 641
end-of-course examination. 642

(7)(a) Notwithstanding anything to the contrary in this 643
section, the state board may replace the algebra I end-of-course 644

examination prescribed under division (B)(2) of this section with 645
an algebra II end-of-course examination, beginning with the 646
2016-2017 school year for students who enter ninth grade on or 647
after July 1, 2016. 648

(b) If the state board replaces the algebra I end-of-course 649
examination with an algebra II end-of-course examination as 650
authorized under division (B)(7)(a) of this section, a both of the 651
following shall apply: 652

(i) A student who is enrolled in an advanced placement or 653
international baccalaureate course in algebra II ~~or is enrolled~~ 654
~~under any other dual enrollment or advanced standing program in~~ 655
~~algebra II~~ shall take the advanced placement or international 656
baccalaureate examination ~~or applicable examination under dual~~ 657
~~enrollment or advanced standing~~ in lieu of the algebra II 658
end-of-course examination. 659

(ii) A student who is enrolled in an algebra II course under 660
any other advanced standing program, as described in section 661
3313.6013 of the Revised Code, shall not be required to take the 662
algebra II end-of-course examination, so long as the course is not 663
remedial or developmental and the student receives transcribed 664
credit, as defined in division (U) of section 3365.01 of the 665
Revised Code, for the course. Instead, that student's final course 666
grade shall be used in lieu of the examination. 667

(c) If a school district or school utilizes an integrated 668
approach to mathematics instruction, the district or school may do 669
either or both of the following: 670

(i) Administer an integrated mathematics I end-of-course 671
examination in lieu of the prescribed algebra I end-of-course 672
examination; 673

(ii) Administer an integrated mathematics II end-of-course 674
examination in lieu of the prescribed geometry end-of-course 675

examination. 676

(8)(a) Until July 1, 2016, the department of education shall 677
make available end-of-course examinations in both physical science 678
and biology. 679

(b) For any school year that begins on or after July 1, 2016, 680
the state board may choose to provide one or both of the 681
end-of-course examinations in physical science and biology. 682

(9) Neither the state board nor the department of education 683
shall develop or administer an end-of-course examination in the 684
area of world history. 685

(C) The state board shall convene a group of national 686
experts, state experts, and local practitioners to provide advice, 687
guidance, and recommendations for the alignment of standards and 688
model curricula to the assessments and in the design of the 689
end-of-course examinations prescribed by this section. 690

(D) Upon completion of the development of the assessment 691
system, the state board shall adopt rules prescribing all of the 692
following: 693

(1) A timeline and plan for implementation of the assessment 694
system, including a phased implementation if the state board 695
determines such a phase-in is warranted; 696

(2) The date after which a person shall meet the requirements 697
of the entire assessment system as a prerequisite for a diploma of 698
adult education under section 3313.611 of the Revised Code; 699

(3) Whether and the extent to which a person may be excused 700
from an American history end-of-course examination and an American 701
government end-of-course examination under division (H) of section 702
3313.61 and division (B)(3) of section 3313.612 of the Revised 703
Code; 704

(4) The date after which a person who has fulfilled the 705

curriculum requirement for a diploma but has not passed one or 706
more of the required assessments at the time the person fulfilled 707
the curriculum requirement shall meet the requirements of the 708
entire assessment system as a prerequisite for a high school 709
diploma under division (B) of section 3313.614 of the Revised 710
Code; 711

(5) The extent to which the assessment system applies to 712
students enrolled in a dropout recovery and prevention program for 713
purposes of division (F) of section 3313.603 and section 3314.36 714
of the Revised Code. 715

(E) Not later than forty-five days prior to the state board's 716
adoption of a resolution directing the department of education to 717
file the rules prescribed by division (D) of this section in final 718
form under section 119.04 of the Revised Code, the superintendent 719
of public instruction shall present the assessment system 720
developed under this section to the respective committees of the 721
house of representatives and senate that consider education 722
legislation. 723

(F)(1) Any person enrolled in a nonchartered nonpublic school 724
or any person who has been excused from attendance at school for 725
the purpose of home instruction under section 3321.04 of the 726
Revised Code may choose to participate in the system of 727
assessments administered under divisions (B)(1) and (2) of this 728
section. However, no such person shall be required to participate 729
in the system of assessments. 730

(2) The department shall adopt rules for the administration 731
and scoring of any assessments under division (F)(1) of this 732
section. 733

(G) Not later than December 31, 2014, the state board shall 734
select at least one nationally recognized job skills assessment. 735
Each school district shall administer that assessment to those 736

students who opt to take it. The state shall reimburse a school 737
district for the costs of administering that assessment. The state 738
board shall establish the minimum score a student must attain on 739
the job skills assessment in order to demonstrate a student's 740
workforce readiness and employability. The administration of the 741
job skills assessment to a student under this division shall not 742
exempt a school district from administering the assessments 743
prescribed in division (B) of this section to that student. 744

Sec. 3302.02. Not later than one year after the adoption of 745
rules under division (D) of section 3301.0712 of the Revised Code 746
and at least every sixth year thereafter, upon recommendations of 747
the superintendent of public instruction, the state board of 748
education shall establish a set of performance indicators that 749
considered as a unit will be used as one of the performance 750
categories for the report cards required by section 3302.03 of the 751
Revised Code. In establishing these indicators, the superintendent 752
shall consider inclusion of student performance on assessments 753
prescribed under section 3301.0710 or 3301.0712 of the Revised 754
Code, rates of student improvement on such assessments, the 755
breadth of coursework available within the district, and other 756
indicators of student success. 757

Beginning with the report card for the 2014-2015 school year, 758
the performance indicators shall include an indicator that 759
reflects the level of services provided to, and the performance 760
of, students identified as gifted under Chapter 3324. of the 761
Revised Code. The indicator shall include the performance of 762
students identified as gifted on state assessments and value-added 763
growth measure disaggregated for students identified as gifted. 764

For the 2013-2014 school year, except as otherwise provided 765
in this section, for any indicator based on the percentage of 766
students attaining a proficient score on the assessments 767

prescribed by divisions (A) and (B)(1) of section 3301.0710 of the Revised Code, a school district or building shall be considered to have met the indicator if at least eighty per cent of the tested students attain a score of proficient or higher on the assessment. A school district or building shall be considered to have met the indicator for the assessments prescribed by division (B)(1) of section 3301.0710 of the Revised Code and only as administered to eleventh grade students, if at least eighty-five per cent of the tested students attain a score of proficient or higher on the assessment. ~~Not later than July 1, 2014, the~~

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

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

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

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

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 799
the Revised Code. 800

Sec. 3302.03. Annually, not later than the fifteenth day of 801
September or the preceding Friday when that day falls on a 802
Saturday or Sunday, the department of education shall assign a 803
letter grade for overall academic performance and for each 804
separate performance measure for each school district, and each 805
school building in a district, in accordance with this section. 806
The state board shall adopt rules pursuant to Chapter 119. of the 807
Revised Code to establish performance criteria for each letter 808
grade and prescribe a method by which the department assigns each 809
letter grade. For a school building to which any of the 810
performance measures do not apply, due to grade levels served by 811
the building, the state board shall designate the performance 812
measures that are applicable to the building and that must be 813
calculated separately and used to calculate the building's overall 814
grade. The department shall issue annual report cards reflecting 815
the performance of each school district, each building within each 816
district, and for the state as a whole using the performance 817
measures and letter grade system described in this section. The 818
department shall include on the report card for each district and 819
each building within each district the most recent two-year trend 820
data in student achievement for each subject and each grade. 821

(A)(1) For the 2012-2013 school year, the department shall 822
issue grades as described in division (E) of this section for each 823
of the following performance measures: 824

(a) Annual measurable objectives; 825

(b) Performance index score for a school district or 826
building. Grades shall be awarded as a percentage of the total 827
possible points on the performance index system as adopted by the 828
state board. In adopting benchmarks for assigning letter grades 829

under division (A)(1)(b) of this section, the state board of 830
education shall designate ninety per cent or higher for an "A," at 831
least seventy per cent but not more than eighty per cent for a 832
"C," and less than fifty per cent for an "F." 833

(c) The extent to which the school district or building meets 834
each of the applicable performance indicators established by the 835
state board under section 3302.02 of the Revised Code and the 836
percentage of applicable performance indicators that have been 837
achieved. In adopting benchmarks for assigning letter grades under 838
division (A)(1)(c) of this section, the state board shall 839
designate ninety per cent or higher for an "A." 840

(d) The four- and five-year adjusted cohort graduation rates. 841

In adopting benchmarks for assigning letter grades under 842
division (A)(1)(d), (B)(1)(d), or (C)(1)(d) of this section, the 843
department shall designate a four-year adjusted cohort graduation 844
rate of ninety-three per cent or higher for an "A" and a five-year 845
cohort graduation rate of ninety-five per cent or higher for an 846
"A." 847

(e) The overall score under the value-added progress 848
dimension of a school district or building, for which the 849
department shall use up to three years of value-added data as 850
available. The letter grade assigned for this growth measure shall 851
be as follows: 852

(i) A score that is at least two standard errors of measure 853
above the mean score shall be designated as an "A." 854

(ii) A score that is at least one standard error of measure 855
but less than two standard errors of measure above the mean score 856
shall be designated as a "B." 857

(iii) A score that is less than one standard error of measure 858
above the mean score but greater than or equal to one standard 859
error of measure below the mean score shall be designated as a 860

"C." 861

(iv) A score that is not greater than one standard error of 862
measure below the mean score but is greater than or equal to two 863
standard errors of measure below the mean score shall be 864
designated as a "D." 865

(v) A score that is not greater than two standard errors of 866
measure below the mean score shall be designated as an "F." 867

Whenever the value-added progress dimension is used as a 868
graded performance measure, whether as an overall measure or as a 869
measure of separate subgroups, the grades for the measure shall be 870
calculated in the same manner as prescribed in division (A)(1)(e) 871
of this section. 872

(f) The value-added progress dimension score for a school 873
district or building disaggregated for each of the following 874
subgroups: students identified as gifted, students with 875
disabilities, and students whose performance places them in the 876
lowest quintile for achievement on a statewide basis. Each 877
subgroup shall be a separate graded measure. 878

(2) Not later than April 30, 2013, the state board of 879
education shall adopt a resolution describing the performance 880
measures, benchmarks, and grading system for the 2012-2013 school 881
year and, not later than June 30, 2013, shall adopt rules in 882
accordance with Chapter 119. of the Revised Code that prescribe 883
the methods by which the performance measures under division 884
(A)(1) of this section shall be assessed and assigned a letter 885
grade, including performance benchmarks for each letter grade. 886

At least forty-five days prior to the state board's adoption 887
of rules to prescribe the methods by which the performance 888
measures under division (A)(1) of this section shall be assessed 889
and assigned a letter grade, the department shall conduct a public 890
presentation before the standing committees of the house of 891

representatives and the senate that consider education legislation 892
describing such methods, including performance benchmarks. 893

(3) There shall not be an overall letter grade for a school 894
district or building for the 2012-2013 school year. 895

(B)(1) For the 2013-2014 school year, the department shall 896
issue grades as described in division (E) of this section for each 897
of the following performance measures: 898

(a) Annual measurable objectives; 899

(b) Performance index score for a school district or 900
building. Grades shall be awarded as a percentage of the total 901
possible points on the performance index system as created by the 902
department. In adopting benchmarks for assigning letter grades 903
under division (B)(1)(b) of this section, the state board shall 904
designate ninety per cent or higher for an "A," at least seventy 905
per cent but not more than eighty per cent for a "C," and less 906
than fifty per cent for an "F." 907

(c) The extent to which the school district or building meets 908
each of the applicable performance indicators established by the 909
state board under section 3302.03 of the Revised Code and the 910
percentage of applicable performance indicators that have been 911
achieved. In adopting benchmarks for assigning letter grades under 912
division (B)(1)(c) of this section, the state board shall 913
designate ninety per cent or higher for an "A." 914

(d) The four- and five-year adjusted cohort graduation rates; 915

(e) The overall score under the value-added progress 916
dimension of a school district or building, for which the 917
department shall use up to three years of value-added data as 918
available. 919

(f) The value-added progress dimension score for a school 920
district or building disaggregated for each of the following 921

subgroups: students identified as gifted in superior cognitive 922
ability and specific academic ability fields under Chapter 3324. 923
of the Revised Code, students with disabilities, and students 924
whose performance places them in the lowest quintile for 925
achievement on a statewide basis. Each subgroup shall be a 926
separate graded measure. 927

(g) Whether a school district or building is making progress 928
in improving literacy in grades kindergarten through three, as 929
determined using a method prescribed by the state board. The state 930
board shall adopt rules to prescribe benchmarks and standards for 931
assigning grades to districts and buildings for purposes of 932
division (B)(1)(g) of this section. In adopting benchmarks for 933
assigning letter grades under divisions (B)(1)(g) and (C)(1)(g) of 934
this section, the state board shall determine progress made based 935
on the reduction in the total percentage of students scoring below 936
grade level, or below proficient, compared from year to year on 937
the reading and writing diagnostic assessments administered under 938
section 3301.0715 of the Revised Code and the third grade English 939
language arts assessment under section 3301.0710 of the Revised 940
Code, as applicable. The state board shall designate for a "C" 941
grade a value that is not lower than the statewide average value 942
for this measure. No grade shall be issued under divisions 943
(B)(1)(g) and (C)(1)(g) of this section for a district or building 944
in which less than five per cent of students have scored below 945
grade level on the diagnostic assessment administered to students 946
in kindergarten under division (B)(1) of section 3313.608 of the 947
Revised Code. 948

(h) For a high mobility school district or building, an 949
additional value-added progress dimension score. For this measure, 950
the department shall use value-added data from the most recent 951
school year available and shall use assessment scores for only 952
those students to whom the district or building has administered 953

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 include any that are remedial or developmental and shall include those that count toward the curriculum requirements established for completion of a degree.

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

students who are determined to be remediation-free in accordance 985
with standards adopted under division (F) of section 3345.061 of 986
the Revised Code; 987

(d) The percentage of the district's or the building's 988
students who receive industry-recognized credentials. The state 989
board shall adopt criteria for acceptable industry-recognized 990
credentials. 991

(e) The percentage of students enrolled in a district or 992
building who are participating in an international baccalaureate 993
program and the percentage of those students who receive a score 994
of four or better on the international baccalaureate examinations. 995

(f) The percentage of the district's or building's students 996
who receive an honors diploma under division (B) of section 997
3313.61 of the Revised Code. 998

(3) Not later than December 31, 2013, the state board shall 999
adopt rules in accordance with Chapter 119. of the Revised Code 1000
that prescribe the methods by which the performance measures under 1001
divisions (B)(1)(f) and (B)(1)(g) of this section will be assessed 1002
and assigned a letter grade, including performance benchmarks for 1003
each grade. 1004

At least forty-five days prior to the state board's adoption 1005
of rules to prescribe the methods by which the performance 1006
measures under division (B)(1) of this section shall be assessed 1007
and assigned a letter grade, the department shall conduct a public 1008
presentation before the standing committees of the house of 1009
representatives and the senate that consider education legislation 1010
describing such methods, including performance benchmarks. 1011

(4) There shall not be an overall letter grade for a school 1012
district or building for the 2013-2014 school year. 1013

(C)(1) For the 2014-2015 school year and each school year 1014
thereafter, the department shall issue grades as described in 1015

division (E) of this section for each of the performance measures 1016
prescribed in division (C)(1) of this section and an overall 1017
letter grade based on an aggregate of those measures, except for 1018
the performance measure set forth in division (C)(1)(h) of this 1019
section. The graded measures are as follows: 1020

(a) Annual measurable objectives; 1021

(b) Performance index score for a school district or 1022
building. Grades shall be awarded as a percentage of the total 1023
possible points on the performance index system as created by the 1024
department. In adopting benchmarks for assigning letter grades 1025
under division (C)(1)(b) of this section, the state board shall 1026
designate ninety per cent or higher for an "A," at least seventy 1027
per cent but not more than eighty per cent for a "C," and less 1028
than fifty per cent for an "F." 1029

(c) The extent to which the school district or building meets 1030
each of the applicable performance indicators established by the 1031
state board under section 3302.03 of the Revised Code and the 1032
percentage of applicable performance indicators that have been 1033
achieved. In adopting benchmarks for assigning letter grades under 1034
division (C)(1)(c) of this section, the state board shall 1035
designate ninety per cent or higher for an "A." 1036

(d) The four- and five-year adjusted cohort graduation rates; 1037

(e) The overall score under the value-added progress 1038
dimension, or another measure of student academic progress if 1039
adopted by the state board, of a school district or building, for 1040
which the department shall use up to three years of value-added 1041
data as available. 1042

In adopting benchmarks for assigning letter grades for 1043
overall score on value-added progress dimension under division 1044
(C)(1)(e) of this section, the state board shall prohibit the 1045
assigning of a grade of "A" for that measure unless the district's 1046

or building's grade assigned for value-added progress dimension 1047
for all subgroups under division (C)(1)(f) of this section is a 1048
"B" or higher. 1049

For the metric prescribed by division (C)(1)(e) of this 1050
section, the state board may adopt a student academic progress 1051
measure to be used instead of the value-added progress dimension. 1052
If the state board adopts such a measure, it also shall prescribe 1053
a method for assigning letter grades for the new measure that is 1054
comparable to the method prescribed in division (A)(1)(e) of this 1055
section. 1056

(f) The value-added progress dimension score of a school 1057
district or building disaggregated for each of the following 1058
subgroups: students identified as gifted in superior cognitive 1059
ability and specific academic ability fields under Chapter 3324. 1060
of the Revised Code, students with disabilities, and students 1061
whose performance places them in the lowest quintile for 1062
achievement on a statewide basis, as determined by a method 1063
prescribed by the state board. Each subgroup shall be a separate 1064
graded measure. 1065

The state board may adopt student academic progress measures 1066
to be used instead of the value-added progress dimension. If the 1067
state board adopts such measures, it also shall prescribe a method 1068
for assigning letter grades for the new measures that is 1069
comparable to the method prescribed in division (A)(1)(e) of this 1070
section. 1071

(g) Whether a school district or building is making progress 1072
in improving literacy in grades kindergarten through three, as 1073
determined using a method prescribed by the state board. The state 1074
board shall adopt rules to prescribe benchmarks and standards for 1075
assigning grades to a district or building for purposes of 1076
division (C)(1)(g) of this section. The state board shall 1077
designate for a "C" grade a value that is not lower than the 1078

previous year's statewide average value for this measure. No grade 1079
shall be issued under division (C)(1)(g) of this section for a 1080
district or building in which less than five per cent of students 1081
have scored below grade level on the kindergarten diagnostic 1082
assessment under division (B)(1) of section 3313.608 of the 1083
Revised Code, unless five per cent or more of students fail to 1084
score proficient or above on the English language arts assessment 1085
prescribed under division (A)(1)(a) of section 3301.0710 of the 1086
Revised Code. 1087

(h) For a high mobility school district or building, an 1088
additional value-added progress dimension score. For this measure, 1089
the department shall use value-added data from the most recent 1090
school year available and shall use assessment scores for only 1091
those students to whom the district or building has administered 1092
the assessments prescribed by section 3301.0710 of the Revised 1093
Code for each of the two most recent consecutive school years. 1094

As used in this division, "high mobility school district or 1095
building" means a school district or building where at least 1096
twenty-five per cent of its total enrollment is made up of 1097
students who have attended that school district or building for 1098
less than one year. 1099

(2) In addition to the graded measures in division (C)(1) of 1100
this section, the department shall include on a school district's 1101
or building's report card all of the following without an assigned 1102
letter grade: 1103

(a) The percentage of students enrolled in a district or 1104
building who have taken a national standardized test used for 1105
college admission determinations and the percentage of those 1106
students who are determined to be remediation-free in accordance 1107
with the standards adopted under division (F) of section 3345.061 1108
of the Revised Code; 1109

(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 1141
shall group the performance measures in divisions (C)(1) and (2) 1142
of this section into the following components: 1143

(a) Gap closing, which shall include the performance measure 1144
in division (C)(1)(a) of this section; 1145

(b) Achievement, which shall include the performance measures 1146
in divisions (C)(1)(b) and (c) of this section; 1147

(c) Progress, which shall include the performance measures in 1148
divisions (C)(1)(e) and (f) of this section; 1149

(d) Graduation, which shall include the performance measure 1150
in division (C)(1)(d) of this section; 1151

(e) Kindergarten through third-grade literacy, which shall 1152
include the performance measure in division (C)(1)(g) of this 1153
section; 1154

(f) Prepared for success, which shall include the performance 1155
measures in divisions (C)(2)(a), (b), (c), (d), (e), and (f) of 1156
this section. The state board shall develop a method to determine 1157
a grade for the component in division (C)(3)(f) of this section 1158
using the performance measures in divisions (C)(2)(a), (b), (c), 1159
(d), (e), and (f) of this section. When available, the state board 1160
may incorporate the performance measure under division (C)(2)(g) 1161
of this section into the component under division (C)(3)(f) of 1162
this section. When determining the overall grade for the prepared 1163
for success component prescribed by division (C)(3)(f) of this 1164
section, no individual student shall be counted in more than one 1165
performance measure. However, if a student qualifies for more than 1166
one performance measure in the component, the state board may, in 1167
its method to determine a grade for the component, specify an 1168
additional weight for such a student that is not greater than or 1169
equal to 1.0. In determining the overall score under division 1170
(C)(3)(f) of this section, the state board shall ensure that the 1171

pool of students included in the performance measures aggregated 1172
under that division are all of the students included in the four- 1173
and five-year adjusted graduation cohort. 1174

In the rules adopted under division (C)(3) of this section, 1175
the state board shall adopt a method for determining a grade for 1176
each component in divisions (C)(3)(a) to (f) of this section. The 1177
state board also shall establish a method to assign an overall 1178
grade of "A," "B," "C," "D," or "F" using the grades assigned for 1179
each component. The method the state board adopts for assigning an 1180
overall grade shall give equal weight to the components in 1181
divisions (C)(3)(b) and (c) of this section. 1182

At least forty-five days prior to the state board's adoption 1183
of rules to prescribe the methods for calculating the overall 1184
grade for the report card, as required by this division, the 1185
department shall conduct a public presentation before the standing 1186
committees of the house of representatives and the senate that 1187
consider education legislation describing the format for the 1188
report card, weights that will be assigned to the components of 1189
the overall grade, and the method for calculating the overall 1190
grade. 1191

(D) Not later than July 1, 2015, the state board shall 1192
develop a measure of student academic progress for high school 1193
students using only data from assessments in English language arts 1194
and mathematics. For the 2014-2015 school year, the department 1195
shall include this measure on a school district or building's 1196
report card, as applicable, without an assigned letter grade. 1197
Beginning with the report card for the 2015-2016 school year, each 1198
school district and applicable school building shall be assigned a 1199
separate letter grade for this measure and the district's or 1200
building's grade for that measure shall be included in determining 1201
the district's or building's overall letter grade. This measure 1202
shall be included within the measure prescribed in division 1203

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| (C)(3)(c) of this section in the calculation for the overall letter grade. | 1204 1205 |
| (E) The letter grades assigned to a school district or building under this section shall be as follows: | 1206 1207 |
| (1) "A" for a district or school making excellent progress; | 1208 |
| (2) "B" for a district or school making above average progress; | 1209 1210 |
| (3) "C" for a district or school making average progress; | 1211 |
| (4) "D" for a district or school making below average progress; | 1212 1213 |
| (5) "F" for a district or school failing to meet minimum progress. | 1214 1215 |
| (F) When reporting data on student achievement and progress, the department shall disaggregate that data according to the following categories: | 1216 1217 1218 |
| (1) Performance of students by grade-level; | 1219 |
| (2) Performance of students by race and ethnic group; | 1220 |
| (3) Performance of students by gender; | 1221 |
| (4) Performance of students grouped by those who have been enrolled in a district or school for three or more years; | 1222 1223 |
| (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; | 1224 1225 1226 |
| (6) Performance of students grouped by those who have been enrolled in a district or school for one year or less; | 1227 1228 |
| (7) Performance of students grouped by those who are economically disadvantaged; | 1229 1230 |
| (8) Performance of students grouped by those who are enrolled | 1231 |

in a conversion community school established under Chapter 3314. 1232
of the Revised Code; 1233

(9) Performance of students grouped by those who are 1234
classified as limited English proficient; 1235

(10) Performance of students grouped by those who have 1236
disabilities; 1237

(11) Performance of students grouped by those who are 1238
classified as migrants; 1239

(12) Performance of students grouped by those who are 1240
identified as gifted in superior cognitive ability and the 1241
specific academic ability fields of reading and math pursuant to 1242
Chapter 3324. of the Revised Code. In disaggregating specific 1243
academic ability fields for gifted students, the department shall 1244
use data for those students with specific academic ability in math 1245
and reading. If any other academic field is assessed, the 1246
department shall also include data for students with specific 1247
academic ability in that field as well. 1248

(13) Performance of students grouped by those who perform in 1249
the lowest quintile for achievement on a statewide basis, as 1250
determined by a method prescribed by the state board. 1251

The department may disaggregate data on student performance 1252
according to other categories that the department determines are 1253
appropriate. To the extent possible, the department shall 1254
disaggregate data on student performance according to any 1255
combinations of two or more of the categories listed in divisions 1256
(F)(1) to (13) of this section that it deems relevant. 1257

In reporting data pursuant to division (F) of this section, 1258
the department shall not include in the report cards any data 1259
statistical in nature that is statistically unreliable or that 1260
could result in the identification of individual students. For 1261
this purpose, the department shall not report student performance 1262

data for any group identified in division (F) of this section that 1263
contains less than ten students. If the department does not report 1264
student performance data for a group because it contains less than 1265
ten students, the department shall indicate on the report card 1266
that is why data was not reported. 1267

(G) The department may include with the report cards any 1268
additional education and fiscal performance data it deems 1269
valuable. 1270

(H) The department shall include on each report card a list 1271
of additional information collected by the department that is 1272
available regarding the district or building for which the report 1273
card is issued. When available, such additional information shall 1274
include student mobility data disaggregated by race and 1275
socioeconomic status, college enrollment data, and the reports 1276
prepared under section 3302.031 of the Revised Code. 1277

The department shall maintain a site on the world wide web. 1278
The report card shall include the address of the site and shall 1279
specify that such additional information is available to the 1280
public at that site. The department shall also provide a copy of 1281
each item on the list to the superintendent of each school 1282
district. The district superintendent shall provide a copy of any 1283
item on the list to anyone who requests it. 1284

(I) Division (I) of this section does not apply to conversion 1285
community schools that primarily enroll students between sixteen 1286
and twenty-two years of age who dropped out of high school or are 1287
at risk of dropping out of high school due to poor attendance, 1288
disciplinary problems, or suspensions. 1289

(1) For any district that sponsors a conversion community 1290
school under Chapter 3314. of the Revised Code, the department 1291
shall combine data regarding the academic performance of students 1292
enrolled in the community school with comparable data from the 1293

schools of the district for the purpose of determining the 1294
performance of the district as a whole on the report card issued 1295
for the district under this section or section 3302.033 of the 1296
Revised Code. 1297

(2) Any district that leases a building to a community school 1298
located in the district or that enters into an agreement with a 1299
community school located in the district whereby the district and 1300
the school endorse each other's programs may elect to have data 1301
regarding the academic performance of students enrolled in the 1302
community school combined with comparable data from the schools of 1303
the district for the purpose of determining the performance of the 1304
district as a whole on the district report card. Any district that 1305
so elects shall annually file a copy of the lease or agreement 1306
with the department. 1307

(3) Any municipal school district, as defined in section 1308
3311.71 of the Revised Code, that sponsors a community school 1309
located within the district's territory, or that enters into an 1310
agreement with a community school located within the district's 1311
territory whereby the district and the community school endorse 1312
each other's programs, may exercise either or both of the 1313
following elections: 1314

(a) To have data regarding the academic performance of 1315
students enrolled in that community school combined with 1316
comparable data from the schools of the district for the purpose 1317
of determining the performance of the district as a whole on the 1318
district's report card; 1319

(b) To have the number of students attending that community 1320
school noted separately on the district's report card. 1321

The election authorized under division (I)(3)(a) of this 1322
section is subject to approval by the governing authority of the 1323
community school. 1324

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 assessment prescribed by division (A)(1) or (B)(1) of section 3301.0710 or division (B) of section 3301.0712 of the Revised Code that is administered to the student's grade level;

(b) Include cumulative totals from both the fall and spring

administrations of the third grade English language arts 1356
achievement assessment; 1357

(c) Except as required by the No Child Left Behind Act of 1358
2001, exclude for each district or building any limited English 1359
proficient student who has been enrolled in United States schools 1360
for less than one full school year. 1361

(L) Beginning with the 2015-2016 school year and at least 1362
once every three years thereafter, the state board of education 1363
shall review and may adjust the benchmarks for assigning letter 1364
grades to the performance measures and components prescribed under 1365
divisions (C)(3) and (D) of this section. 1366

Sec. 3302.035. (A) Not later than October 1, 2015, and not 1367
later than the first day of October each year thereafter, the 1368
department of education shall report for each school district, 1369
each community school established under Chapter 3314., each STEM 1370
school established under Chapter 3326., and each 1371
college-preparatory boarding school established under Chapter 1372
3328. of the Revised Code, the following measures for students 1373
with disabilities enrolled in that school district or community, 1374
STEM, or college-preparatory boarding school: 1375

(1) The value-added progress dimension score, as 1376
disaggregated for that subgroup under division (C)(1)(f) of 1377
section 3302.03 of the Revised Code; 1378

(2) The performance index score for that subgroup, as defined 1379
under division (A) of section 3302.01 of the Revised Code; 1380

(3) ~~The four- and five-year, five-, six-, seven-, and~~ 1381
~~eight-year~~ adjusted cohort graduation rates, ~~as defined under~~ 1382
~~divisions (C)(1) and (2) of section 3302.01 of the Revised Code,~~ 1383
for that subgroup; 1384

(4) Annual measurable objectives for that subgroup; 1385

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| <u>(5) Data regarding disciplinary actions taken by the district</u> | 1386 |
| <u>or school against students with disabilities compared with such</u> | 1387 |
| <u>actions taken against students without disabilities.</u> | 1388 |
| <u>(B) The department shall also calculate and report all of the</u> | 1389 |
| <u>following:</u> | 1390 |
| <u>(1) The state average for each of the measures specified in</u> | 1391 |
| <u>division (A) of this section;</u> | 1392 |
| <u>(2) The state average for the value-added progress dimension</u> | 1393 |
| <u>score for students with disabilities, disaggregated by grade level</u> | 1394 |
| <u>and subject area;</u> | 1395 |
| <u>(3) The state average for the performance index score for</u> | 1396 |
| <u>students with disabilities, disaggregated for each category of</u> | 1397 |
| <u>disability described in divisions (A) to (F) of section 3317.013</u> | 1398 |
| <u>of the Revised Code.</u> | 1399 |
| <u>(C) The department shall make each report completed pursuant</u> | 1400 |
| <u>to division divisions (A) and (B) of this section available on its</u> | 1401 |
| <u>web site for comparison purposes.</u> | 1402 |
| <u>(D) As used in this section:</u> | 1403 |
| <u>(1) "Four-year adjusted cohort graduation rate" and</u> | 1404 |
| <u>"five-year adjusted cohort graduation rate" have the same meanings</u> | 1405 |
| <u>as in divisions (G)(1) and (2) of section 3302.01 of the Revised</u> | 1406 |
| <u>Code.</u> | 1407 |
| <u>(2) "Six-year adjusted cohort graduation rate" means the</u> | 1408 |
| <u>number of students who graduate in six years with a regular high</u> | 1409 |
| <u>school diploma divided by the number of students who form the</u> | 1410 |
| <u>adjusted cohort for the four-year graduation rate.</u> | 1411 |
| <u>(3) "Seven-year adjusted cohort graduation rate" means the</u> | 1412 |
| <u>number of students who graduate in seven years with a regular high</u> | 1413 |
| <u>school diploma divided by the number of students who form the</u> | 1414 |
| <u>adjusted cohort for the four-year graduation rate.</u> | 1415 |

(4) "Eight-year adjusted cohort graduation rate" means the 1416
number of students who graduate in eight years with a regular high 1417
school diploma divided by the number of students who form the 1418
adjusted cohort for the four-year graduation rate. 1419

Sec. 3313.534. ~~Not~~ (A) Not later than July 1, 1998, the board 1420
of education of each city, exempted village, and local school 1421
district shall adopt a policy of zero tolerance for violent, 1422
disruptive, or inappropriate behavior, including excessive 1423
truancy, and establish strategies to address such behavior that 1424
range from prevention to intervention. 1425

~~Not~~ (B) Not later than July 1, 1999, each of the big eight 1426
school districts, as defined in section 3314.02 of the Revised 1427
Code, shall establish under section 3313.533 of the Revised Code 1428
at least one alternative school to meet the educational needs of 1429
students with severe discipline problems, including, but not 1430
limited to, excessive truancy, excessive disruption in the 1431
classroom, and multiple suspensions or expulsions. Any other 1432
school district that attains after that date a significantly 1433
substandard graduation rate, as defined by the department of 1434
education, shall also establish such an alternative school under 1435
that section. 1436

(C)(1) Not later than June 30, 2015, the state board of 1437
education shall develop a model disciplinary policy for violent, 1438
disruptive, or inappropriate behavior, including excessive 1439
truancy, that stresses preventive strategies and alternatives to 1440
suspension and expulsion. 1441

(2) Not later than December 31, 2015, the department of 1442
education shall do both of the following: 1443

(a) Provide to each school district a copy of the policy 1444
adopted by the state board pursuant to division (C)(1) of this 1445
section; 1446

(b) Develop materials to assist school districts in providing 1447
teacher and staff training on the implementation of the strategies 1448
included in that policy. 1449

Sec. 3313.603. (A) As used in this section: 1450

(1) "One unit" means a minimum of one hundred twenty hours of 1451
course instruction, except that for a laboratory course, "one 1452
unit" means a minimum of one hundred fifty hours of course 1453
instruction. 1454

(2) "One-half unit" means a minimum of sixty hours of course 1455
instruction, except that for physical education courses, "one-half 1456
unit" means a minimum of one hundred twenty hours of course 1457
instruction. 1458

(B) Beginning September 15, 2001, except as required in 1459
division (C) of this section and division (C) of section 3313.614 1460
of the Revised Code, the requirements for graduation from every 1461
high school shall include twenty units earned in grades nine 1462
through twelve and shall be distributed as follows: 1463

(1) English language arts, four units; 1464

(2) Health, one-half unit; 1465

(3) Mathematics, three units; 1466

(4) Physical education, one-half unit; 1467

(5) Science, two units until September 15, 2003, and three 1468
units thereafter, which at all times shall include both of the 1469
following: 1470

(a) Biological sciences, one unit; 1471

(b) Physical sciences, one unit. 1472

(6) History and government, one unit, which shall comply with 1473
division (M) of this section and shall include both of the 1474
following: 1475

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| (a) American history, one-half unit; | 1476 |
| (b) American government, one-half unit. | 1477 |
| (7) Social studies, two units. | 1478 |
| <u>Beginning with students who enter ninth grade for the first</u> | 1479 |
| <u>time on or after July 1, 2017, the two units of instruction</u> | 1480 |
| <u>prescribed by division (B)(7) of this section shall include at</u> | 1481 |
| <u>least one-half unit of instruction in the study of world history</u> | 1482 |
| <u>and civilizations.</u> | 1483 |
| (8) Elective units, seven units until September 15, 2003, and | 1484 |
| six units thereafter. | 1485 |
| Each student's electives shall include at least one unit, or | 1486 |
| two half units, chosen from among the areas of | 1487 |
| business/technology, fine arts, and/or foreign language. | 1488 |
| (C) Beginning with students who enter ninth grade for the | 1489 |
| first time on or after July 1, 2010, except as provided in | 1490 |
| divisions (D) to (F) of this section, the requirements for | 1491 |
| graduation from every public and chartered nonpublic high school | 1492 |
| shall include twenty units that are designed to prepare students | 1493 |
| for the workforce and college. The units shall be distributed as | 1494 |
| follows: | 1495 |
| (1) English language arts, four units; | 1496 |
| (2) Health, one-half unit, which shall include instruction in | 1497 |
| nutrition and the benefits of nutritious foods and physical | 1498 |
| activity for overall health; | 1499 |
| (3) Mathematics, four units, which shall include one unit of | 1500 |
| algebra II or the equivalent of algebra II; | 1501 |
| (4) Physical education, one-half unit; | 1502 |
| (5) Science, three units with inquiry-based laboratory | 1503 |
| experience that engages students in asking valid scientific | 1504 |
| questions and gathering and analyzing information, which shall | 1505 |

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| include the following, or their equivalent: | 1506 |
| (a) Physical sciences, one unit; | 1507 |
| (b) Life sciences, one unit; | 1508 |
| (c) Advanced study in one or more of the following sciences, one unit: | 1509 1510 |
| (i) Chemistry, physics, or other physical science; | 1511 |
| (ii) Advanced biology or other life science; | 1512 |
| (iii) Astronomy, physical geology, or other earth or space science. | 1513 1514 |
| (6) History and government, one unit, which shall comply with division (M) of this section and shall include both of the following: | 1515 1516 1517 |
| (a) American history, one-half unit; | 1518 |
| (b) American government, one-half unit. | 1519 |
| (7) Social studies, two units. | 1520 |
| Each school shall integrate the study of economics and financial literacy, as expressed in the social studies academic content standards adopted by the state board of education under division (A)(1) of section 3301.079 of the Revised Code and the academic content standards for financial literacy and entrepreneurship adopted under division (A)(2) of that section, into one or more existing social studies credits required under division (C)(7) of this section, or into the content of another class, so that every high school student receives instruction in those concepts. In developing the curriculum required by this paragraph, schools shall use available public-private partnerships and resources and materials that exist in business, industry, and through the centers for economics education at institutions of higher education in the state. | 1521 1522 1523 1524 1525 1526 1527 1528 1529 1530 1531 1532 1533 1534 |

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

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

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

The requirements for graduation prescribed in division (C) of this section are the standard expectation for all students entering ninth grade for the first time at a public or chartered nonpublic high school on or after July 1, 2010. A student may satisfy this expectation through a variety of methods, including, but not limited to, integrated, applied, career-technical, and traditional coursework.

Whereas teacher quality is essential for student success when 1567
completing the requirements for graduation, the general assembly 1568
shall appropriate funds for strategic initiatives designed to 1569
strengthen schools' capacities to hire and retain highly qualified 1570
teachers in the subject areas required by the curriculum. Such 1571
initiatives are expected to require an investment of \$120,000,000 1572
over five years. 1573

Stronger coordination between high schools and institutions 1574
of higher education is necessary to prepare students for more 1575
challenging academic endeavors and to lessen the need for academic 1576
remediation in college, thereby reducing the costs of higher 1577
education for Ohio's students, families, and the state. The state 1578
board and the chancellor of the Ohio board of regents shall 1579
develop policies to ensure that only in rare instances will 1580
students who complete the requirements for graduation prescribed 1581
in division (C) of this section require academic remediation after 1582
high school. 1583

School districts, community schools, and chartered nonpublic 1584
schools shall integrate technology into learning experiences 1585
across the curriculum in order to maximize efficiency, enhance 1586
learning, and prepare students for success in the 1587
technology-driven twenty-first century. Districts and schools 1588
shall use distance and web-based course delivery as a method of 1589
providing or augmenting all instruction required under this 1590
division, including laboratory experience in science. Districts 1591
and schools shall utilize technology access and electronic 1592
learning opportunities provided by the broadcast educational media 1593
commission, chancellor, the Ohio learning network, education 1594
technology centers, public television stations, and other public 1595
and private providers. 1596

(D) Except as provided in division (E) of this section, a 1597
student who enters ninth grade on or after July 1, 2010, and 1598

before July 1, 2016, may qualify for graduation from a public or 1599
chartered nonpublic high school even though the student has not 1600
completed the requirements for graduation prescribed in division 1601
(C) of this section if all of the following conditions are 1602
satisfied: 1603

(1) During the student's third year of attending high school, 1604
as determined by the school, the student and the student's parent, 1605
guardian, or custodian sign and file with the school a written 1606
statement asserting the parent's, guardian's, or custodian's 1607
consent to the student's graduating without completing the 1608
requirements for graduation prescribed in division (C) of this 1609
section and acknowledging that one consequence of not completing 1610
those requirements is ineligibility to enroll in most state 1611
universities in Ohio without further coursework. 1612

(2) The student and parent, guardian, or custodian fulfill 1613
any procedural requirements the school stipulates to ensure the 1614
student's and parent's, guardian's, or custodian's informed 1615
consent and to facilitate orderly filing of statements under 1616
division (D)(1) of this section. Annually, each district or school 1617
shall notify the department of education of the number of students 1618
who choose to qualify for graduation under division (D) of this 1619
section and the number of students who complete the student's 1620
success plan and graduate from high school. 1621

(3) The student and the student's parent, guardian, or 1622
custodian and a representative of the student's high school 1623
jointly develop a student success plan for the student in the 1624
manner described in division (C)(1) of section 3313.6020 of the 1625
Revised Code that specifies the student matriculating to a 1626
two-year degree program, acquiring a business and 1627
industry-recognized credential, or entering an apprenticeship. 1628

(4) The student's high school provides counseling and support 1629
for the student related to the plan developed under division 1630

(D)(3) of this section during the remainder of the student's high school experience. 1631
1632

(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. 1633
1634
1635

(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: 1636
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(i) Mathematics, four units, one unit which shall be one of the following: 1640
1641

(I) Probability and statistics; 1642

(II) Computer programming; 1643

(III) Applied mathematics or quantitative reasoning; 1644

(IV) Any other course approved by the department using standards established by the superintendent not later than October 1, 2014. 1645
1646
1647

(ii) Elective units, five units; 1648

(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. 1649
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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 by division (D) of this section to high school classes beyond those entering ninth grade before July 1, 2016. The department shall submit its findings and any recommendations not later than December 1, 2015, to the speaker and minority leader of the house of representatives, the president and minority leader of the 1653
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senate, the chairpersons and ranking minority members of the 1661
standing committees of the house of representatives and the senate 1662
that consider education legislation, the state board of education, 1663
and the superintendent of public instruction. 1664

(E) Each school district and chartered nonpublic school 1665
retains the authority to require an even more challenging minimum 1666
curriculum for high school graduation than specified in division 1667
(B) or (C) of this section. A school district board of education, 1668
through the adoption of a resolution, or the governing authority 1669
of a chartered nonpublic school may stipulate any of the 1670
following: 1671

(1) A minimum high school curriculum that requires more than 1672
twenty units of academic credit to graduate; 1673

(2) An exception to the district's or school's minimum high 1674
school curriculum that is comparable to the exception provided in 1675
division (D) of this section but with additional requirements, 1676
which may include a requirement that the student successfully 1677
complete more than the minimum curriculum prescribed in division 1678
(B) of this section; 1679

(3) That no exception comparable to that provided in division 1680
(D) of this section is available. 1681

(F) A student enrolled in a dropout prevention and recovery 1682
program, which program has received a waiver from the department, 1683
may qualify for graduation from high school by successfully 1684
completing a competency-based instructional program administered 1685
by the dropout prevention and recovery program in lieu of 1686
completing the requirements for graduation prescribed in division 1687
(C) of this section. The department shall grant a waiver to a 1688
dropout prevention and recovery program, within sixty days after 1689
the program applies for the waiver, if the program meets all of 1690
the following conditions: 1691

(1) The program serves only students not younger than sixteen 1692
years of age and not older than twenty-one years of age. 1693

(2) The program enrolls students who, at the time of their 1694
initial enrollment, either, or both, are at least one grade level 1695
behind their cohort age groups or experience crises that 1696
significantly interfere with their academic progress such that 1697
they are prevented from continuing their traditional programs. 1698

(3) The program requires students to attain at least the 1699
applicable score designated for each of the assessments prescribed 1700
under division (B)(1) of section 3301.0710 of the Revised Code or, 1701
to the extent prescribed by rule of the state board under division 1702
(D)(5) of section 3301.0712 of the Revised Code, division (B)(2) 1703
of that section. 1704

(4) The program develops a student success plan for the 1705
student in the manner described in division (C)(1) of section 1706
3313.6020 of the Revised Code that specifies the student's 1707
matriculating to a two-year degree program, acquiring a business 1708
and industry-recognized credential, or entering an apprenticeship. 1709

(5) The program provides counseling and support for the 1710
student related to the plan developed under division (F)(4) of 1711
this section during the remainder of the student's high school 1712
experience. 1713

(6) The program requires the student and the student's 1714
parent, guardian, or custodian to sign and file, in accordance 1715
with procedural requirements stipulated by the program, a written 1716
statement asserting the parent's, guardian's, or custodian's 1717
consent to the student's graduating without completing the 1718
requirements for graduation prescribed in division (C) of this 1719
section and acknowledging that one consequence of not completing 1720
those requirements is ineligibility to enroll in most state 1721
universities in Ohio without further coursework. 1722

(7) Prior to receiving the waiver, the program has submitted 1723
to the department an instructional plan that demonstrates how the 1724
academic content standards adopted by the state board under 1725
section 3301.079 of the Revised Code will be taught and assessed. 1726

(8) Prior to receiving the waiver, the program has submitted 1727
to the department a policy on career advising that satisfies the 1728
requirements of section 3313.6020 of the Revised Code, with an 1729
emphasis on how every student will receive career advising. 1730

(9) Prior to receiving the waiver, the program has submitted 1731
to the department a written agreement outlining the future 1732
cooperation between the program and any combination of local job 1733
training, postsecondary education, nonprofit, and health and 1734
social service organizations to provide services for students in 1735
the program and their families. 1736

Divisions (F)(8) and (9) of this section apply only to 1737
waivers granted on or after July 1, 2015. 1738

If the department does not act either to grant the waiver or 1739
to reject the program application for the waiver within sixty days 1740
as required under this section, the waiver shall be considered to 1741
be granted. 1742

(G) Every high school may permit students below the ninth 1743
grade to take advanced work. If a high school so permits, it shall 1744
award high school credit for successful completion of the advanced 1745
work and shall count such advanced work toward the graduation 1746
requirements of division (B) or (C) of this section if the 1747
advanced work was both: 1748

(1) Taught by a person who possesses a license or certificate 1749
issued under section 3301.071, 3319.22, or 3319.222 of the Revised 1750
Code that is valid for teaching high school; 1751

(2) Designated by the board of education of the city, local, 1752
or exempted village school district, the board of the cooperative 1753

education school district, or the governing authority of the 1754
chartered nonpublic school as meeting the high school curriculum 1755
requirements. 1756

Each high school shall record on the student's high school 1757
transcript all high school credit awarded under division (G) of 1758
this section. In addition, if the student completed a seventh- or 1759
eighth-grade fine arts course described in division (K) of this 1760
section and the course qualified for high school credit under that 1761
division, the high school shall record that course on the 1762
student's high school transcript. 1763

(H) The department shall make its individual academic career 1764
plan available through its Ohio career information system web site 1765
for districts and schools to use as a tool for communicating with 1766
and providing guidance to students and families in selecting high 1767
school courses. 1768

(I) Units earned in English language arts, mathematics, 1769
science, and social studies that are delivered through integrated 1770
academic and career-technical instruction are eligible to meet the 1771
graduation requirements of division (B) or (C) of this section. 1772

(J) The state board, in consultation with the chancellor, 1773
shall adopt a statewide plan implementing methods for students to 1774
earn units of high school credit based on a demonstration of 1775
subject area competency, instead of or in combination with 1776
completing hours of classroom instruction. The state board shall 1777
adopt the plan not later than March 31, 2009, and commence phasing 1778
in the plan during the 2009-2010 school year. The plan shall 1779
include a standard method for recording demonstrated proficiency 1780
on high school transcripts. Each school district and community 1781
school shall comply with the state board's plan adopted under this 1782
division and award units of high school credit in accordance with 1783
the plan. The state board may adopt existing methods for earning 1784
high school credit based on a demonstration of subject area 1785

competency as necessary prior to the 2009-2010 school year. 1786

(K) This division does not apply to students who qualify for 1787
graduation from high school under division (D) or (F) of this 1788
section, or to students pursuing a career-technical instructional 1789
track as determined by the school district board of education or 1790
the chartered nonpublic school's governing authority. 1791
Nevertheless, the general assembly encourages such students to 1792
consider enrolling in a fine arts course as an elective. 1793

Beginning with students who enter ninth grade for the first 1794
time on or after July 1, 2010, each student enrolled in a public 1795
or chartered nonpublic high school shall complete two semesters or 1796
the equivalent of fine arts to graduate from high school. The 1797
coursework may be completed in any of grades seven to twelve. Each 1798
student who completes a fine arts course in grade seven or eight 1799
may elect to count that course toward the five units of electives 1800
required for graduation under division (C)(8) of this section, if 1801
the course satisfied the requirements of division (G) of this 1802
section. In that case, the high school shall award the student 1803
high school credit for the course and count the course toward the 1804
five units required under division (C)(8) of this section. If the 1805
course in grade seven or eight did not satisfy the requirements of 1806
division (G) of this section, the high school shall not award the 1807
student high school credit for the course but shall count the 1808
course toward the two semesters or the equivalent of fine arts 1809
required by this division. 1810

(L) Notwithstanding anything to the contrary in this section, 1811
the board of education of each school district and the governing 1812
authority of each chartered nonpublic school may adopt a policy to 1813
excuse from the high school physical education requirement each 1814
student who, during high school, has participated in 1815
interscholastic athletics, marching band, or cheerleading for at 1816
least two full seasons or in the junior reserve officer training 1817

corps for at least two full school years. If the board or 1818
authority adopts such a policy, the board or authority shall not 1819
require the student to complete any physical education course as a 1820
condition to graduate. However, the student shall be required to 1821
complete one-half unit, consisting of at least sixty hours of 1822
instruction, in another course of study. In the case of a student 1823
who has participated in the junior reserve officer training corps 1824
for at least two full school years, credit received for that 1825
participation may be used to satisfy the requirement to complete 1826
one-half unit in another course of study. 1827

(M) It is important that high school students learn and 1828
understand United States history and the governments of both the 1829
United States and the state of Ohio. Therefore, beginning with 1830
students who enter ninth grade for the first time on or after July 1831
1, 2012, the study of American history and American government 1832
required by divisions (B)(6) and (C)(6) of this section shall 1833
include the study of all of the following documents: 1834

(1) The Declaration of Independence; 1835

(2) The Northwest Ordinance; 1836

(3) The Constitution of the United States with emphasis on 1837
the Bill of Rights; 1838

(4) The Ohio Constitution. 1839

The study of each of the documents prescribed in divisions 1840
(M)(1) to (4) of this section shall include study of that document 1841
in its original context. 1842

The study of American history and government required by 1843
divisions (B)(6) and (C)(6) of this section shall include the 1844
historical evidence of the role of documents such as the 1845
Federalist Papers and the Anti-Federalist Papers to firmly 1846
establish the historical background leading to the establishment 1847
of the provisions of the Constitution and Bill of Rights. 1848

Sec. 3313.612. (A) No nonpublic school chartered by the state 1849
board of education shall grant a high school diploma to any person 1850
unless, subject to section 3313.614 of the Revised Code, the 1851
person has met the assessment requirements of division (A)(1) or 1852
(2) of this section, as applicable. 1853

(1) If the person entered the ninth grade prior to July 1, 1854
2014, the person has attained at least the applicable scores 1855
designated under division (B)(1) of section 3301.0710 of the 1856
Revised Code on all the assessments required by that division, or 1857
has satisfied the alternative conditions prescribed in section 1858
3313.615 of the Revised Code. 1859

(2) If the person entered the ninth grade on or after July 1, 1860
2014, the person has met the requirement prescribed by section 1861
3313.618 of the Revised Code. 1862

(B) This section does not apply to any of the following: 1863

(1) Any person with regard to any assessment from which the 1864
person was excused pursuant to division (C)(1)(c) of section 1865
3301.0711 of the Revised Code; 1866

(2) Any person ~~that~~ who attends a nonpublic school acting in 1867
accordance with division (D) of this section ~~with regard to any~~ 1868
~~end-of-course examination required under divisions (B)(2) and (3)~~ 1869
~~of section 3301.0712 of the Revised Code, unless that person is a~~ 1870
student attending the school under a state scholarship program as 1871
defined in section 3301.0711 of the Revised Code; 1872

(3) Any person with regard to the social studies assessment 1873
under division (B)(1) of section 3301.0710 of the Revised Code, 1874
any American history end-of-course examination and any American 1875
government end-of-course examination required under division (B) 1876
of section 3301.0712 of the Revised Code if such an exemption is 1877
prescribed by rule of the state board of education under division 1878

(D)(3) of section 3301.0712 of the Revised Code, or the citizenship test under former division (B) of section 3301.0710 of the Revised Code as it existed prior to September 11, 2001, if all of the following apply:

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

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

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

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

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

(D) ~~A chartered nonpublic school chartered by the state board may forgo the end of course examinations required by divisions (B)(2) and (3) of section 3301.0712 of the Revised Code shall not be subject to division (A)(2) of this section,~~ if that school publishes the results of the standardized assessment prescribed under division (B)(1) of section 3301.0712 of the Revised Code for each graduating class. The published results shall include the overall composite scores, mean scores, twenty-fifth percentile scores, and seventy-fifth percentile scores for each subject area of the assessment.

The exemption prescribed in division (D) of this section is not available to a school that is subject to division (K)(1)(a) of

section 3301.0711 of the Revised Code nor does it apply to any 1910
student attending a nonpublic school under a state scholarship 1911
program as defined in that section. 1912

(E) The state board shall not impose additional requirements 1913
or assessments for the granting of a high school diploma under 1914
this section that are not prescribed by this section. 1915

(F) The department of education shall furnish the assessment 1916
administered by a nonpublic school pursuant to division (B)(1) of 1917
section 3301.0712 of the Revised Code. 1918

~~(G) The exemption provided for in divisions (B)(2) and (D) of~~ 1919
~~this section shall be effective on and after October 1, 2015, but~~ 1920
~~only if the general assembly does not enact different requirements~~ 1921
~~regarding end of course examinations for chartered nonpublic~~ 1922
~~schools that are effective by that date.~~ 1923

Sec. 3313.672. (A)(1) At the time of initial entry to a 1924
public or nonpublic school, a pupil shall present to the person in 1925
charge of admission any records given the pupil by the public or 1926
nonpublic elementary or secondary school the pupil most recently 1927
attended; a certified copy of an order or decree, or modification 1928
of such an order or decree allocating parental rights and 1929
responsibilities for the care of a child and designating a 1930
residential parent and legal custodian of the child, as provided 1931
in division (B) of this section, if that type of order or decree 1932
has been issued; a copy of a power of attorney or caretaker 1933
authorization affidavit, if either has been executed with respect 1934
to the child pursuant to sections 3109.51 to 3109.80 of the 1935
Revised Code; and a certification of birth issued pursuant to 1936
Chapter 3705. of the Revised Code, a comparable certificate or 1937
certification issued pursuant to the statutes of another state, 1938
territory, possession, or nation, or a document in lieu of a 1939
certificate or certification as described in divisions (A)(1)(a) 1940

to (e) of this section. Any of the following shall be accepted in lieu of a certificate or certification of birth by the person in charge of admission:

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

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

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

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

(e) A birth affidavit.

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

(3) No public or nonpublic school official shall deny a protected child admission to the school solely because the child does not present a birth certificate described in division (A)(1) of this section, a comparable certificate or certification from another state, territory, possession, or nation, or another document specified in divisions (A)(1)(a) to (e) of this section upon registration for entry into the school. However, the protected child, or the parent, custodian, or guardian of that child, shall present a birth certificate or other document

specified in divisions (A)(1)(a) to (e) of this section to the 1972
person in charge of admission of the school within ninety days 1973
after the child's initial entry into the school. 1974

(4) Except as otherwise provided in division (A)(2) or (3) of 1975
this section, within twenty-four hours of the entry into the 1976
school of a pupil described in division (A)(1) of this section, a 1977
school official shall request the pupil's official records from 1978
the public or nonpublic elementary or secondary school the pupil 1979
most recently attended. If the public or nonpublic school the 1980
pupil claims to have most recently attended indicates that it has 1981
no record of the pupil's attendance or the records are not 1982
received within fourteen days of the date of request, or if the 1983
pupil does not present a certification of birth described in 1984
division (A)(1) of this section, a comparable certificate or 1985
certification from another state, territory, possession, or 1986
nation, or another document specified in divisions (A)(1)(a) to 1987
(e) of this section, the principal or chief administrative officer 1988
of the school shall notify the law enforcement agency having 1989
jurisdiction in the area where the pupil resides of this fact and 1990
of the possibility that the pupil may be a missing child, as 1991
defined in section 2901.30 of the Revised Code. 1992

(B)(1) Whenever an order or decree allocating parental rights 1993
and responsibilities for the care of a child and designating a 1994
residential parent and legal custodian of the child, including a 1995
temporary order, is issued resulting from an action of divorce, 1996
alimony, annulment, or dissolution of marriage, and the order or 1997
decree pertains to a child who is a pupil in a public or nonpublic 1998
school, the residential parent of the child shall notify the 1999
school of those allocations and designations by providing the 2000
person in charge of admission at the pupil's school with a 2001
certified copy of the order or decree that made the allocation and 2002
designation. Whenever there is a modification of any order or 2003

decree allocating parental rights and responsibilities for the 2004
care of a child and designating a residential parent and legal 2005
custodian of the child that has been submitted to a school, the 2006
residential parent shall provide the person in charge of admission 2007
at the pupil's school with a certified copy of the order or decree 2008
that makes the modification. 2009

(2) Whenever a power of attorney is executed under sections 2010
3109.51 to 3109.62 of the Revised Code that pertains to a child 2011
who is a pupil in a public or nonpublic school, the attorney in 2012
fact shall notify the school of the power of attorney by providing 2013
the person in charge of admission with a copy of the power of 2014
attorney. Whenever a caretaker authorization affidavit is executed 2015
under sections 3109.64 to 3109.73 of the Revised Code that 2016
pertains to a child who is in a public or nonpublic school, the 2017
grandparent who executed the affidavit shall notify the school of 2018
the affidavit by providing the person in charge of admission with 2019
a copy of the affidavit. 2020

(C) If, at the time of a pupil's initial entry to a public or 2021
nonpublic school, the pupil is under the care of a shelter for 2022
victims of domestic violence, as defined in section 3113.33 of the 2023
Revised Code, the pupil or the pupil's parent shall notify the 2024
school of that fact. Upon being so informed, the school shall 2025
inform the elementary or secondary school from which it requests 2026
the pupil's records of that fact. 2027

(D) Whenever a public or nonpublic school is notified by a 2028
law enforcement agency pursuant to division (D) of section 2901.30 2029
of the Revised Code that a missing child report has been filed 2030
regarding a pupil who is currently or was previously enrolled in 2031
the school, the person in charge of admission at the school shall 2032
mark that pupil's records in such a manner that whenever a copy of 2033
or information regarding the records is requested, any school 2034
official responding to the request is alerted to the fact that the 2035

records are those of a missing child. Upon any request for a copy 2036
of or information regarding a pupil's records that have been so 2037
marked, the person in charge of admission immediately shall report 2038
the request to the law enforcement agency that notified the school 2039
that the pupil is a missing child. When forwarding a copy of or 2040
information from the pupil's records in response to a request, the 2041
person in charge of admission shall do so in such a way that the 2042
receiving district or school would be unable to discern that the 2043
pupil's records are marked pursuant to this division but shall 2044
retain the mark in the pupil's records until notified that the 2045
pupil is no longer a missing child. Upon notification by a law 2046
enforcement agency that a pupil is no longer a missing child, the 2047
person in charge of admission shall remove the mark from the 2048
pupil's records in such a way that if the records were forwarded 2049
to another district or school, the receiving district or school 2050
would be unable to discern that the records were ever marked. 2051

(E) As used in this section: 2052

(1) "Protected child" means a child placed in a foster home, 2053
as that term is defined in section 5103.02 of the Revised Code, or 2054
in a residential facility. 2055

(2) "Residential facility" means a group home for children, 2056
children's crisis care facility, children's residential center, 2057
residential parenting facility that provides twenty-four-hour 2058
child care, county children's home, or district children's home. 2059

Sec. 3313.814. (A) As used in this section and sections 2060
3313.816 and 3313.817 of the Revised Code: 2061

(1) "A la carte item" means an individually priced food or 2062
beverage item that is available for sale to students through any 2063
of the following: 2064

(a) A school food service program; 2065

| | |
|--|--|
| (b) A vending machine located on school property; | 2066 |
| (c) A store operated by the school, a student association, or other school-sponsored organization. | 2067 2068 |
| "A la carte item" does not include any food or beverage item available for sale in connection with a school-sponsored fundraiser held outside of the regular school day, any other school-sponsored event held outside of the regular school day, or an interscholastic athletic event. "A la carte item" also does not include any food or beverage item that is part of a reimbursable meal and that is available for sale as an individually priced item in a serving portion of the same size as in the reimbursable meal, regardless of whether the food or beverage item is included in the reimbursable meal served on a particular school day. | 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 |
| (2) "Added sweeteners" means any additives that enhance the sweetness of a beverage, including processed sugar. "Added sweeteners" do not include any natural sugars found in fruit juices that are a component of the beverage. | 2079 2080 2081 2082 |
| (3) "Extended school day" means the period before and after the regular school day during which students participate in school-sponsored extracurricular activities, latchkey programs as defined in section 3313.207 of the Revised Code, or other academic or enrichment programs. | 2083 2084 2085 2086 2087 |
| (4) "Regular school day" means the period each school day between the designated arrival time for students and the end of the final instructional period. | 2088 2089 2090 |
| (5) "Reimbursable meal" means a meal that is provided to students through a school breakfast or lunch program established under the "National School Lunch Act," 60 Stat. 230 (1946), 42 U.S.C. 1751, as amended, and the "Child Nutrition Act of 1966," 80 Stat. 885, 42 U.S.C. 1771, as amended, and that meets the criteria for reimbursement established by the United States department of | 2091 2092 2093 2094 2095 2096 |

agriculture. 2097

(6) "School food service program" means a school food service 2098
program operated under section 3313.81 or 3313.813 of the Revised 2099
Code. 2100

(B) Each school district board of education and each 2101
chartered nonpublic school governing authority shall adopt and 2102
enforce nutrition standards governing the types of food and 2103
beverages that may be sold on the premises of its schools, and 2104
specifying the time and place each type of food or beverage may be 2105
sold. 2106

(1) In adopting the standards, the board or governing 2107
authority shall do all of the following: 2108

(a) Consider the nutritional value of each food or beverage; 2109

(b) Consult with a dietitian licensed under Chapter 4759. of 2110
the Revised Code, a dietetic technician registered by the 2111
commission on dietetic registration, or a school nutrition 2112
specialist certified or credentialed by the school nutrition 2113
association. The person with whom the board or governing authority 2114
consults may be an employee of the board or governing authority, a 2115
person contracted by the board or governing authority, or a 2116
volunteer, provided the person meets the requirements of this 2117
division. 2118

(c) Consult the dietary guidelines for Americans jointly 2119
developed by the United States department of agriculture and the 2120
United States department of health and human services and, to the 2121
maximum extent possible, incorporate the guidelines into the 2122
standards. 2123

(2) No food or beverage may be sold on any school premises 2124
except in accordance with the standards adopted by the board or 2125
governing authority. 2126

(3) The standards shall comply with sections 3313.816 and 2127
3313.817 of the Revised Code, but nothing in this section shall 2128
prohibit the standards from being more restrictive than otherwise 2129
required by those sections. 2130

(C) The nutrition standards adopted under this section shall 2131
prohibit the placement of vending machines in any classroom where 2132
students are provided instruction, unless the classroom also is 2133
used to serve students meals. This division does not apply to 2134
vending machines that sell only milk, reimbursable meals, or food 2135
and beverage items that are part of a reimbursable meal and are 2136
available for sale as individually priced items in serving 2137
portions of the same size as in the reimbursable meal. 2138

(D) Each board or governing authority shall designate staff 2139
to be responsible for ensuring that the school district or school 2140
meets the nutrition standards adopted under this section. The 2141
staff shall prepare an annual report regarding the district's or 2142
school's compliance with the standards and submit it to the 2143
department of education. The board or governing authority annually 2144
shall schedule a presentation on the report at one of its regular 2145
meetings. Each district or school shall make copies of the report 2146
available to the public upon request. 2147

(E) The state board of education shall ~~formulate~~ do both of 2148
the following: 2149

(1) Formulate and adopt guidelines, which boards of education 2150
and chartered nonpublic schools may follow in enforcing and 2151
implementing this section. 2152

(2) Not later than ninety days after the effective date of 2153
this amendment, adopt rules pursuant to Chapter 119. of the 2154
Revised Code regarding the sale of beverages and food during the 2155
regular school day in connection with a school-sponsored 2156
fundraiser. The rules shall specify that, if a fundraiser takes 2157

place during the regular school day for not more than the 2158
equivalent of thirty school days during a school year, the sale of 2159
beverages and food in connection with that fundraiser, shall be 2160
exempt from sections 3313.816 and 3313.817 of the Revised Code, so 2161
long as no beverages or food are sold in connection with the 2162
fundraiser during the time of a meal service in the food service 2163
area. Each school district board of education or chartered 2164
nonpublic school governing authority may incorporate the rules 2165
adopted by the state board pursuant to this division into the 2166
guidelines adopted by the district board or school governing 2167
authority under division (B) of this section. 2168

Sec. 3314.06. The governing authority of each community 2169
school established under this chapter shall adopt admission 2170
procedures that specify the following: 2171

(A) That, except as otherwise provided in this section, 2172
admission to the school shall be open to any individual age five 2173
to twenty-two entitled to attend school pursuant to section 2174
3313.64 or 3313.65 of the Revised Code in a school district in the 2175
state. 2176

Additionally, except as otherwise provided in this section, 2177
admission to the school may be open on a tuition basis to any 2178
individual age five to twenty-two who is not a resident of this 2179
state. The school shall not receive state funds under section 2180
3314.08 of the Revised Code for any student who is not a resident 2181
of this state. 2182

An individual younger than five years of age may be admitted 2183
to the school in accordance with division (A)(2) of section 2184
3321.01 of the Revised Code. The school shall receive funds for an 2185
individual admitted under that division in the manner provided 2186
under section 3314.08 of the Revised Code. 2187

If the school operates a program that uses the Montessori 2188

method endorsed by the American Montessori society, the Montessori 2189
accreditation council for teacher education, or the association 2190
Montessori internationale as its primary method of instruction, 2191
admission to the school may be open to individuals younger than 2192
five years of age, but the school shall not receive funds under 2193
this chapter for those individuals. Notwithstanding anything to 2194
the contrary in this chapter, individuals younger than five years 2195
of age who are enrolled in a Montessori program shall be offered 2196
at least four hundred fifty-five hours of learning opportunities 2197
per school year. 2198

(B)(1) That admission to the school may be limited to 2199
students who have attained a specific grade level or are within a 2200
specific age group; to students that meet a definition of 2201
"at-risk," as defined in the contract; to residents of a specific 2202
geographic area within the district, as defined in the contract; 2203
or to separate groups of autistic students and nondisabled 2204
students, as authorized in section 3314.061 of the Revised Code 2205
and as defined in the contract. 2206

(2) For purposes of division (B)(1) of this section, 2207
"at-risk" students may include those students identified as gifted 2208
students under section 3324.03 of the Revised Code. 2209

(C) Whether enrollment is limited to students who reside in 2210
the district in which the school is located or is open to 2211
residents of other districts, as provided in the policy adopted 2212
pursuant to the contract. 2213

(D)(1) That there will be no discrimination in the admission 2214
of students to the school on the basis of race, creed, color, 2215
disability, or sex except that: 2216

(a) The governing authority may do either of the following 2217
for the purpose described in division (G) of this section: 2218

(i) Establish a single-gender school for either sex; 2219

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

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

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

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

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

(G) That the purpose of single-gender schools that are established shall be to take advantage of the academic benefits some students realize from single-gender instruction and facilities and to offer students and parents residing in the district the option of a single-gender education.

(H) That, except as otherwise provided under division (B) of this section or section 3314.061 of the Revised Code, if the number of applicants exceeds the capacity restrictions of division

(F) of this section, students shall be admitted by lot from all 2251
those submitting applications, except preference shall be given to 2252
students attending the school the previous year and to students 2253
who reside in the district in which the school is located. 2254
Preference may be given to siblings of students attending the 2255
school the previous year. 2256

Notwithstanding divisions (A) to (H) of this section, in the 2257
event the racial composition of the enrollment of the community 2258
school is violative of a federal desegregation order, the 2259
community school shall take any and all corrective measures to 2260
comply with the desegregation order. 2261

Sec. 3317.034. For purposes of section 3317.03 of the Revised 2262
Code: 2263

(A) A student shall be considered to be enrolled in the 2264
district for any portion of the school year the student is 2265
participating at a college under Chapter 3365. of the Revised 2266
Code. 2267

(B) A student shall be considered to be enrolled in the 2268
district for the period of time beginning on the date on which the 2269
school has both received the documentation of the student's 2270
enrollment from a parent and the student has commenced 2271
participation in learning opportunities offered by the district. 2272
For purposes of applying divisions (B) and (C) of this section, 2273
"learning opportunities" means both classroom-based and 2274
nonclassroom-based learning opportunities overseen by licensed 2275
educational employees of the district that is in compliance with 2276
criteria and documentation requirements for student participation, 2277
which shall be established by the department. Any student's 2278
instruction time in nonclassroom-based learning opportunities 2279
shall be certified by an employee of the district. 2280

(C) A student's enrollment shall be considered to cease on 2281

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| the date on which any of the following occur: | 2282 |
| (1) The district receives documentation from a parent terminating enrollment of the student. | 2283 2284 |
| (2) The district is provided documentation of a student's enrollment in another public or nonpublic school. | 2285 2286 |
| (3) The student fails to participate in learning opportunities and has not received an excused absence for one hundred and five continuous hours. If a student is withdrawn from the district for failure to participate in learning opportunities under division (C)(1)(a)(v) of this section and the district board determines that the student is truant, the district shall take the appropriate action required under sections 3321.19 and 3321.191 of the Revised Code. | 2287 2288 2289 2290 2291 2292 2293 2294 |
| (4) The student ceases to participate in learning opportunities provided by the school. | 2295 2296 |
| (D) No public school may enroll or withdraw a student from the education management information system established under section 3310.0714 of the Revised Code later than thirty days after the student's actual enrollment or withdrawal from the school. | 2297 2298 2299 2300 |
| <u>(E) A student in any of grades nine through twelve shall be considered a full-time equivalent student if the student is enrolled in at least five units of instruction, as defined in section 3313.603 of the Revised Code, per school year.</u> | 2301 2302 2303 2304 |
| Sec. 3319.227. (A) Notwithstanding any other provision of the Revised Code or any rule adopted by the state board of education to the contrary, the state board shall issue a resident educator license under section 3319.22 of the Revised Code to each person who is assigned to teach in this state as a participant in the teach for America program and who meets the following conditions: | 2305 2306 2307 2308 2309 2310 2311 |

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| (1) Holds a bachelor's degree from an accredited institution | 2312 |
| of higher education; | 2313 |
| (2) Maintained a cumulative undergraduate grade point average | 2314 |
| of at least 2.5 out of 4.0, or its equivalent; | 2315 |
| (3) Has passed an examination prescribed by the state board | 2316 |
| in the subject area to be taught; | 2317 |
| (4) Has successfully completed the summer training institute | 2318 |
| operated by teach for America. | 2319 |
| (B) The state board shall issue a resident educator license | 2320 |
| under this section for teaching in any grade level or subject area | 2321 |
| for which a person may obtain a resident educator license under | 2322 |
| section 3319.22 of the Revised Code. The state board shall not | 2323 |
| adopt rules establishing any additional qualifications for the | 2324 |
| license beyond those specified in this section. | 2325 |
| (C) Notwithstanding any other provision of the Revised Code | 2326 |
| or any rule adopted by the state board to the contrary, the state | 2327 |
| board shall issue a resident educator license under section | 2328 |
| 3319.22 of the Revised Code to any applicant who has completed at | 2329 |
| least two years of teaching in another state as a participant in | 2330 |
| the teach for America program and meets all of the conditions of | 2331 |
| divisions (A)(1) to (4) of this section. The state board shall | 2332 |
| credit an applicant under this division as having completed two | 2333 |
| years of the teacher residency program under section 3319.223 of | 2334 |
| the Revised Code. | 2335 |
| (D) In order to place teachers in this state, the teach for | 2336 |
| America program shall enter into an agreement with one or more | 2337 |
| accredited four-year public or private institutions of higher | 2338 |
| education in the state to provide optional training of teach for | 2339 |
| America participants for the purpose of enabling those | 2340 |
| participants to complete an optional master's degree or an | 2341 |
| equivalent amount of coursework. Nothing in this division shall | 2342 |

require any teach for America participant to complete a master's 2343
degree as a condition of holding a license issued under this 2344
section. 2345

(E)(1) Each participant in the teach for America program 2346
shall successfully complete that program as a condition of 2347
continuing to hold a license issued pursuant to divisions (A) and 2348
(B) of this section. 2349

(2) If a participant in the teach for America program 2350
assigned to teach in a school district in this state resigns or is 2351
otherwise removed from the program prior to the program's 2352
completion, the board of education of that school district shall 2353
provide written notice of the participant's resignation to the 2354
department of education. 2355

Sec. 3319.261. (A) Notwithstanding any other provision of the 2356
Revised Code or any rule adopted by the state board of education 2357
to the contrary, the state board shall issue an alternative 2358
resident educator license under division (C) of section 3319.26 of 2359
the Revised Code to each applicant who meets the following 2360
conditions: 2361

(1) Holds a bachelor's degree from an accredited institution 2362
of higher education; 2363

(2) Has successfully completed a teacher education program 2364
offered by one of the following entities: 2365

(a) ~~Graduation from an~~ The American Montessori 2366
~~society-affiliated teacher education program society;~~ 2367

(b) ~~Receipt of a certificate from the~~ The association 2368
Montessori internationale; 2369

(c) An institution accredited by the Montessori accreditation 2370
council for teacher education. 2371

(3) Is employed in a school that operates a program that uses 2372

the Montessori method endorsed by the American Montessori society, 2373
the Montessori accreditation council for teacher education, or the 2374
association Montessori internationale as its primary method of 2375
instruction. 2376

(B) The holder of an alternative resident educator license 2377
issued under this section shall be subject to divisions (A), (B), 2378
(D), and (E) of section 3319.26 of the Revised Code and shall be 2379
granted a professional educator license upon successful completion 2380
of the requirements described in division (F) of section 3319.26 2381
of the Revised Code. 2382

Sec. 3365.04. Each public and participating nonpublic 2383
secondary school shall do all of the following with respect to the 2384
college credit plus program: 2385

(A) Provide information about the program prior to the first 2386
day of March of each year to all students enrolled in grades six 2387
through eleven; 2388

(B) Provide counseling services to students in grades six 2389
through eleven and to their parents before the students 2390
participate in the program under this chapter to ensure that 2391
students and parents are fully aware of the possible consequences 2392
and benefits of participation. Counseling information shall 2393
include: 2394

(1) Program eligibility; 2395

(2) The process for granting academic credits; 2396

(3) Any necessary financial arrangements for tuition, 2397
textbooks, and fees; 2398

(4) Criteria for any transportation aid; 2399

(5) Available support services; 2400

(6) Scheduling; 2401

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| (7) Communicating the possible consequences and benefits of participation, including all of the following: | 2402 |
| | 2403 |
| (a) The consequences of failing or not completing a course under the program, including the effect on the student's ability to complete the secondary school's graduation requirements; | 2404 |
| | 2405 |
| | 2406 |
| (b) The effect of the grade attained in a course under the program being included in the student's grade point average, as applicable; | 2407 |
| | 2408 |
| | 2409 |
| (c) The benefits to the student for successfully completing a course under the program, including the ability to reduce the overall costs of, and the amount of time required for, a college education. | 2410 |
| | 2411 |
| | 2412 |
| | 2413 |
| (8) The academic and social responsibilities of students and parents under the program; | 2414 |
| | 2415 |
| (9) Information about and encouragement to use the counseling services of the college in which the student intends to enroll; | 2416 |
| | 2417 |
| (10) The standard packet of information for the program developed by the chancellor of the Ohio board of regents pursuant to section 3365.15 of the Revised Code; | 2418 |
| | 2419 |
| | 2420 |
| For a participating nonpublic secondary school, counseling information shall also include an explanation that funding may be limited and that not all students who wish to participate may be able to do so. | 2421 |
| | 2422 |
| | 2423 |
| | 2424 |
| (C) Promote the program on the school's web site, including the details of the school's current agreements with partnering colleges; | 2425 |
| | 2426 |
| | 2427 |
| (D) Schedule at least one informational session per school year to allow each partnering college that is located within thirty miles of the school to meet with interested students and parents. The session shall include the benefits and consequences | 2428 |
| | 2429 |
| | 2430 |
| | 2431 |

of participation and shall outline any changes or additions to the 2432
requirements of the program. If there are no partnering colleges 2433
located within thirty miles of the school, the school shall 2434
coordinate with the closest partnering college to offer an 2435
informational session. 2436

(E) Implement a policy for the awarding of grades and the 2437
calculation of class standing for courses taken under division 2438
(A)(2) or (B) of section 3365.06 of the Revised Code. The policy 2439
adopted under this division shall be equivalent to the school's 2440
policy for courses taken under the advanced standing programs 2441
described in divisions (A)(2) and (3) of section 3313.6013 of the 2442
Revised Code or for other courses designated as honors courses by 2443
the school. If the policy includes awarding a weighted grade or 2444
enhancing a student's class standing for these courses, the policy 2445
adopted under this section shall ~~also provide for these~~ require 2446
the same procedures to be applied to all courses taken in the 2447
areas of mathematics, English language arts, science, and social 2448
studies under the college credit plus program, regardless of 2449
whether a similar course is offered at the school. 2450

(F) Develop model course pathways, pursuant to section 2451
3365.13 of the Revised Code, and publish the course pathways among 2452
the school's official list of course offerings for the program. 2453

(G) Annually collect, report, and track specified data 2454
related to the program according to data reporting guidelines 2455
adopted by the chancellor and the superintendent of public 2456
instruction pursuant to section 3365.15 of the Revised Code. 2457

Sec. 3365.05. Each public and participating private college 2458
shall do all of the following with respect to the college credit 2459
plus program: 2460

(A) Apply established standards and procedures for admission 2461
to the college and for course placement for participants. When 2462

determining admission and course placement, the college shall do 2463
all of the following: 2464

(1) Consider all available student data that may be an 2465
indicator of college readiness, including grade point average and 2466
end-of-course examination scores, if applicable; 2467

(2) Give priority to its current students regarding 2468
enrollment in courses. However, once a participant has been 2469
accepted into a course, the college shall not displace the 2470
participant for another student. 2471

(3) Adhere to any capacity limitations that the college has 2472
established for specified courses. 2473

If a participant meets the applicable eligibility criteria 2474
required for participation under the college credit plus program, 2475
no public or participating private college shall prohibit the 2476
admission of that participant based solely on the grade in which 2477
the participant is currently enrolled. 2478

(B) Send written notice to a participant, the participant's 2479
parent, the participant's secondary school, and the superintendent 2480
of public instruction, not later than fourteen calendar days prior 2481
to the first day of classes for that term, of the participant's 2482
admission to the college and to specified courses under the 2483
program. 2484

(C) Provide both of the following, not later than twenty-one 2485
calendar days after the first day of classes for that term, to 2486
each participant, participant's secondary school, and the 2487
superintendent of public instruction: 2488

(1) The courses and hours of enrollment of the participant; 2489

(2) The option elected by the participant under division (A) 2490
or (B) of section 3365.06 of the Revised Code for each course. 2491

The college shall also provide to each partnering school a 2492

roster of participants from that school that are enrolled in the 2493
college and a list of course assignments for each participant. 2494

(D) Promote the program on the college's web site, including 2495
the details of the college's current agreements with partnering 2496
secondary schools. 2497

(E) Coordinate with each partnering secondary school that is 2498
located within thirty miles of the college to present at least one 2499
informational session per school year for interested students and 2500
parents. The session shall include the benefits and consequences 2501
of participation and shall outline any changes or additions to the 2502
requirements of the program. If there are no partnering schools 2503
located within thirty miles of the college, the college shall 2504
coordinate with the closest partnering school to offer an 2505
informational session. 2506

(F) Assign an academic advisor that is employed by the 2507
college to each participant enrolled in that college. Prior to the 2508
date on which a withdrawal from a course would negatively affect a 2509
participant's transcribed grade, as prescribed by the college's 2510
established withdrawal policy, the college shall ensure that the 2511
academic advisor and the participant meet at least once to discuss 2512
the program and the courses in which the participant is enrolled. 2513

(G) Do both of the following with regard to high school 2514
teachers that are teaching courses for the college at a secondary 2515
school under the program: 2516

(1) Provide at least one professional development session per 2517
school year; 2518

(2) Conduct at least one classroom observation per school 2519
year for each course that is authorized by the college and taught 2520
by a high school teacher to ensure that the course meets the 2521
quality of a college-level course. 2522

(H) Annually collect, report, and track specified data 2523

related to the program according to data reporting guidelines 2524
adopted by the chancellor and the superintendent of public 2525
instruction pursuant to section 3365.15 of the Revised Code. 2526

(I) With the exception of divisions (D) and (E) of this 2527
section, any eligible out-of-state college participating in the 2528
college credit plus program shall be subject to the same 2529
requirements as a participating private college under this 2530
section. 2531

Sec. 3365.07. The department of education shall calculate and 2532
pay state funds to colleges for participants in the college credit 2533
plus program under division (B) of section 3365.06 of the Revised 2534
Code pursuant to this section. For a nonpublic secondary school 2535
participant, a nonchartered nonpublic secondary school 2536
participant, or a home-instructed participant, the department 2537
shall pay state funds pursuant to this section only if that 2538
participant is awarded funding according to rules adopted by the 2539
chancellor of the Ohio board of regents, in consultation with the 2540
superintendent of public instruction, pursuant to section 3365.071 2541
of the Revised Code. The program shall be the sole mechanism by 2542
which state funds are paid to colleges for students to earn 2543
college-level credit while enrolled in a secondary school, with 2544
the exception of the programs listed in division (A) of section 2545
3365.02 of the Revised Code. 2546

(A) For each public or nonpublic secondary school participant 2547
enrolled in a public college: 2548

(1) If no agreement has been entered into under division 2549
(A)(2) of this section, both of the following shall apply: 2550

(a) The department shall pay to the college the applicable 2551
amount as follows: 2552

(i) For a participant enrolled in a college course delivered 2553

on the college campus, at another location operated by the 2554
college, or online, the default ceiling amount; 2555

(ii) For a participant enrolled in a college course delivered 2556
at the participant's secondary school but taught by college 2557
faculty, fifty per cent of the default ceiling amount; 2558

(iii) For a participant enrolled in a college course 2559
delivered at the participant's secondary school and taught by a 2560
high school teacher who has met the credential requirements 2561
established for purposes of the program in rules adopted by the 2562
chancellor of the Ohio board of regents, the default floor amount. 2563

(b) The participant's secondary school shall pay for 2564
textbooks, and the college shall waive payment of all other fees 2565
related to participation in the program. 2566

(2) The governing entity of a participant's secondary school 2567
and the college may enter into an agreement to establish an 2568
alternative payment structure for tuition, textbooks, and fees. 2569
Under such an agreement, payments for each participant made by the 2570
department shall be not less than the default floor amount, unless 2571
approved by the chancellor, and not more than the default ceiling 2572
amount. The chancellor shall approve an agreement that includes a 2573
payment below the default floor amount, as long as the provisions 2574
of the agreement comply with all other requirements of this 2575
chapter to ensure program quality. If no agreement is entered into 2576
under division (A)(2) of this section, both of the following shall 2577
apply: 2578

(a) The department shall pay to the college the applicable 2579
default amounts prescribed by division (A)(1)(a) of this section, 2580
depending upon the method of delivery and instruction. 2581

(b) In accordance with division (A)(1)(b) of this section, 2582
the participant's secondary school shall pay for textbooks, and 2583
the college shall waive payment of all other fees related to 2584

participation in the program. 2585

(3) No participant that is enrolled in a public college shall 2586
be charged for any tuition, textbooks, or other fees related to 2587
participation in the program. 2588

(B) For each public secondary school participant enrolled in 2589
a private college: 2590

(1) If no agreement has been entered into under division 2591
(B)(2) of this section, the department shall pay to the college 2592
the applicable amount calculated in the same manner as in division 2593
(A)(1)(a) of this section. 2594

(2) The governing entity of a participant's secondary school 2595
and the college may enter into an agreement to establish an 2596
alternative payment structure for tuition, textbooks, and fees. 2597
Under such an agreement, payments shall be not less than the 2598
default floor amount, unless approved by the chancellor, and not 2599
more than the default ceiling amount. 2600

If an agreement is entered into under division (B)(2) of this 2601
section, both of the following shall apply: 2602

(a) The department shall make a payment to the college for 2603
each participant that is equal to the default floor amount, unless 2604
approved by the chancellor to pay an amount below the default 2605
floor amount. The chancellor shall approve an agreement that 2606
includes a payment below the default floor amount, as long as the 2607
provisions of the agreement comply with all other requirements of 2608
this chapter to ensure program quality. 2609

(b) Payment for costs for the participant that exceed the 2610
amount paid by the department pursuant to division (B)(2)(a) of 2611
this section shall be negotiated by the school and the college. 2612
The agreement may include a stipulation permitting the charging of 2613
a participant, so long as the school provides information to all 2614
participants on the no-cost options available under this chapter. 2615

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| However, under no circumstances shall: | 2616 |
| (i) Payments for a participant made by the department under | 2617 |
| this division (B)(2) of this section exceed the default ceiling | 2618 |
| amount; | 2619 |
| (ii) The amount charged to a participant under division | 2620 |
| (B)(2) of this section exceed the difference between the maximum | 2621 |
| per participant charge amount and the default floor amount; | 2622 |
| (iii) The sum of the payments made by the department for a | 2623 |
| participant and the amount charged to that participant under | 2624 |
| division (B)(2) of this section exceed the following amounts, as | 2625 |
| applicable: | 2626 |
| (I) For a participant enrolled in a college course delivered | 2627 |
| on the college campus, at another location operated by the | 2628 |
| college, or online, the maximum per participant charge amount; | 2629 |
| (II) For a participant enrolled in a college course delivered | 2630 |
| at the participant's secondary school but taught by college | 2631 |
| faculty, one hundred twenty-five dollars; | 2632 |
| (III) For a participant enrolled in a college course | 2633 |
| delivered at the participant's secondary school and taught by a | 2634 |
| high school teacher who has met the credential requirements | 2635 |
| established for purposes of the program in rules adopted by the | 2636 |
| chancellor of the Ohio board of regents, one hundred dollars. | 2637 |
| (iv) A participant that is identified as economically | 2638 |
| disadvantaged according to rules adopted by the department be | 2639 |
| charged under division (B)(2) of this section for any tuition, | 2640 |
| textbooks, or other fees related to participation in the program. | 2641 |
| (C) For each nonpublic secondary school participant enrolled | 2642 |
| in a private or eligible out-of-state college, the department | 2643 |
| shall pay to the college the applicable amount calculated in the | 2644 |
| same manner as in division (A)(1)(a) of this section. Payment for | 2645 |

costs for the participant that exceed the amount paid by the 2646
department shall be negotiated by the governing body of the 2647
nonpublic secondary school and the college. 2648

However, under no circumstances shall: 2649

(1) The payments for a participant made by the department 2650
under this division exceed the default ceiling amount. 2651

(2) Any nonpublic secondary school participant, who is 2652
enrolled in that secondary school with a scholarship awarded under 2653
either the educational choice scholarship pilot program, as 2654
prescribed by sections 3310.01 to 3310.17, or the pilot project 2655
scholarship program, as prescribed by sections 3313.974 to 2656
3313.979 of the Revised Code, and who qualifies as a low-income 2657
student under either of those programs, be charged for any 2658
tuition, textbooks, or other fees related to participation in the 2659
college credit plus program. 2660

(D) For each nonchartered nonpublic secondary school 2661
participant and each home-instructed participant enrolled in a 2662
public, private, or eligible out-of-state college, the department 2663
shall pay to the college the default ceiling amount, if that 2664
participant is enrolled in a college course delivered on the 2665
college campus, at another location operated by the college, or 2666
online. 2667

(E) Not later than thirty days after the end of each term, 2668
each college expecting to receive payment for the costs of a 2669
participant under this section shall notify the department of the 2670
number of enrolled credit hours for each participant. 2671

(F) Each January and July, or as soon as possible thereafter, 2672
the department shall make the applicable payments under this 2673
section to each college, which provided proper notification to the 2674
department under division (E) of this section, for the number of 2675
enrolled credit hours for participants enrolled in the college 2676

under division (B) of section 3365.06 of the Revised Code. The 2677
department shall not make any payments to a college under this 2678
section if a participant withdrew from a course prior to the date 2679
on which a withdrawal from the course would have negatively 2680
affected the participant's transcribed grade, as prescribed by 2681
the college's established withdrawal policy. 2682

(1) Payments made for public secondary school participants 2683
under this section shall be deducted from the school foundation 2684
payments made to the participant's school district or, if the 2685
participant is enrolled in a community school, a STEM school, or a 2686
college-preparatory boarding school, from the payments made to 2687
that school under section 3314.08, 3326.33, or 3328.34 of the 2688
Revised Code. If the participant is enrolled in a joint vocational 2689
school district, a portion of the amount shall be deducted from 2690
the payments to the joint vocational school district and a portion 2691
shall be deducted from the payments to the participant's city, 2692
local, or exempted village school district in accordance with the 2693
full-time equivalency of the student's enrollment in each 2694
district. Amounts deducted under division (F)(1) of this section 2695
shall be calculated in accordance with rules adopted by the 2696
chancellor, in consultation with the state superintendent, 2697
pursuant to division (B) of section 3365.071 of the Revised Code. 2698

(2) Payments made for nonpublic secondary school 2699
participants, nonchartered nonpublic secondary school 2700
participants, and home-instructed participants under this section 2701
shall be deducted from moneys appropriated by the general assembly 2702
for such purpose. Payments shall be allocated and distributed in 2703
accordance with rules adopted by the chancellor, in consultation 2704
with the state superintendent, pursuant to division (A) of section 2705
3365.071 of the Revised Code. 2706

(G) Any public college that enrolls a student under division 2707
(B) of section 3365.06 of the Revised Code may include that 2708

student in the calculation used to determine its state share of 2709
instruction funds appropriated to the Ohio board of regents by the 2710
general assembly. 2711

Section 2. That existing sections 3301.0711, 3301.0712, 2712
3302.02, 3302.03, 3302.035, 3313.534, 3313.603, 3313.612, 2713
3313.672, 3313.814, 3314.06, 3317.034, 3319.227, 3319.261, 2714
3365.04, 3365.05, and 3365.07 of the Revised Code are hereby 2715
repealed. 2716

Section 3. That Section 263.20 of Am. Sub. H.B. 59 of the 2717
130th General Assembly, as amended by Am. Sub. H.B. 487 of the 2718
130th General Assembly, be amended to read as follows: 2719

Sec. 263.20. OPERATING EXPENSES 2720

A portion of the foregoing appropriation item 200321, 2721
Operating Expenses, shall be used by the Department of Education 2722
to provide matching funds under 20 U.S.C. 2321. 2723

EARLY CHILDHOOD EDUCATION 2724

Of the foregoing appropriation item 200408, Early Childhood 2725
Education, up to \$50,000 in each fiscal year shall be used to 2726
support the operations of the "Ready, Set, Go...to Kindergarten" 2727
Program at the Horizon Education Center in Lorain County. The 2728
effectiveness of the program shall be evaluated and reported to 2729
the Department of Education in a study that includes statistics on 2730
program participants' scores for the "Get It, Got It, Go!" 2731
assessment and the kindergarten readiness assessment. 2732

The Department of Education shall distribute the remainder of 2733
the foregoing appropriation item 200408, Early Childhood 2734
Education, to pay the costs of early childhood education programs. 2735
The Department shall distribute such funds directly to qualifying 2736
providers. 2737

| | |
|--|--|
| (A) As used in this section: | 2738 |
| (1) "Provider" means a city, local, exempted village, or joint vocational school district; an educational service center; a community school; a chartered nonpublic school; an early childhood education child care provider licensed under Chapter 5104. of the Revised Code that participates in and meets at least the third highest tier of the tiered quality rating and improvement system described in section 5104.30 of the Revised Code; or a combination of entities described in this paragraph. | 2739 2740 2741 2742 2743 2744 2745 2746 |
| (2)(a) In the case of a city, local, or exempted village school district or early childhood education child care provider licensed under Chapter 5104. of the Revised Code, "new eligible provider" means a provider that did not receive state funding for Early Childhood Education in the previous fiscal year or demonstrates a need for early childhood programs as defined in division (D) of this section. | 2747 2748 2749 2750 2751 2752 2753 |
| (b) In the case of a community school, "new eligible provider" means a community school that operates a program that uses the Montessori method endorsed by the American Montessori society, <u>the Montessori accreditation council for teacher education</u> , or the association Montessori internationale as its primary method of instruction, as authorized by division (A) of section 3314.06 of the Revised Code, that did not receive state funding for Early Childhood Education in the previous fiscal year or demonstrates a need for early childhood programs as defined in division (D) of this section. | 2754 2755 2756 2757 2758 2759 2760 2761 2762 2763 |
| (3) "Eligible child" means a child who is at least three years of age as of the district entry date for kindergarten, is not of the age to be eligible for kindergarten, and whose family earns not more than two hundred per cent of the federal poverty guidelines as defined in division (A)(3) of section 5101.46 of the Revised Code. Children with an Individualized Education Program | 2764 2765 2766 2767 2768 2769 |

and where the Early Childhood Education program is the least 2770
restrictive environment may be enrolled on their third birthday. 2771

(4) "Early learning program standards" means early learning 2772
program standards for school readiness developed by the Department 2773
to assess the operation of early learning programs. 2774

(B) In each fiscal year, up to two per cent of the total 2775
appropriation may be used by the Department for program support 2776
and technical assistance. The Department shall distribute the 2777
remainder of the appropriation in each fiscal year to serve 2778
eligible children. 2779

(C) The Department shall provide an annual report to the 2780
Governor, the Speaker of the House of Representatives, and the 2781
President of the Senate and post the report to the Department's 2782
web site, regarding early childhood education programs operated 2783
under this section and the early learning program standards. 2784

(D) After setting aside the amounts to make payments due from 2785
the previous fiscal year, in fiscal year 2014, the Department 2786
shall distribute funds first to recipients of funds for early 2787
childhood education programs under Section 267.10.10 of Am. Sub. 2788
H.B. 153 of the 129th General Assembly, as amended by Am. Sub. 2789
H.B. 487 of the 129th General Assembly, in the previous fiscal 2790
year and the balance to new eligible providers of early childhood 2791
education programs under this section or to existing providers to 2792
serve more eligible children or for purposes of program expansion, 2793
improvement, or special projects to promote quality and 2794
innovation. 2795

After setting aside the amounts to make payments due from the 2796
previous fiscal year, in fiscal year 2015, the Department shall 2797
distribute funds first to providers of early childhood education 2798
programs under this section in the previous fiscal year and the 2799
balance to new eligible providers or to existing providers to 2800

serve more eligible children as outlined under division (E) of 2801
this section or for purposes of program expansion, improvement, or 2802
special projects to promote quality and innovation. 2803

(E) The Department shall distribute any new or remaining 2804
funding to existing providers of early childhood education 2805
programs or any new eligible providers in an effort to invest in 2806
high quality early childhood programs where there is a need as 2807
determined by the Department. The Department shall distribute the 2808
new or remaining funds to existing providers of early childhood 2809
education programs or any new eligible providers to serve 2810
additional eligible children based on community economic 2811
disadvantage, limited access to high quality preschool or 2812
childcare services, and demonstration of high quality preschool 2813
services as determined by the Department using new metrics 2814
developed pursuant to Ohio's Race to the Top-Early Learning 2815
Challenge Grant, awarded to the Department in December 2011. 2816

Awards under divisions (D) and (E) of this section shall be 2817
distributed on a per-pupil basis, and in accordance with division 2818
(I) of this section. The Department may adjust the per-pupil 2819
amount so that the per-pupil amount multiplied by the number of 2820
eligible children enrolled and receiving services on the first day 2821
of December or the business day closest to that date equals the 2822
amount allocated under this section. 2823

(F) Costs for developing and administering an early childhood 2824
education program may not exceed fifteen per cent of the total 2825
approved costs of the program. 2826

All providers shall maintain such fiscal control and 2827
accounting procedures as may be necessary to ensure the 2828
disbursement of, and accounting for, these funds. The control of 2829
funds provided in this program, and title to property obtained, 2830
shall be under the authority of the approved provider for purposes 2831
provided in the program unless, as described in division (K) of 2832

this section, the program waives its right for funding or a 2833
program's funding is eliminated or reduced due to its inability to 2834
meet financial or early learning program standards. The approved 2835
provider shall administer and use such property and funds for the 2836
purposes specified. 2837

(G) The Department may examine a provider's financial and 2838
program records. If the financial practices of the program are not 2839
in accordance with standard accounting principles or do not meet 2840
financial standards outlined under division (F) of this section, 2841
or if the program fails to substantially meet the early learning 2842
program standards, meet a quality rating level in the tiered 2843
quality rating and improvement system developed under section 2844
5104.30 of the Revised Code as prescribed by the Department, or 2845
exhibits below average performance as measured against the 2846
standards, the early childhood education program shall propose and 2847
implement a corrective action plan that has been approved by the 2848
Department. The approved corrective action plan shall be signed by 2849
the chief executive officer and the executive of the official 2850
governing body of the provider. The corrective action plan shall 2851
include a schedule for monitoring by the Department. Such 2852
monitoring may include monthly reports, inspections, a timeline 2853
for correction of deficiencies, and technical assistance to be 2854
provided by the Department or obtained by the early childhood 2855
education program. The Department may withhold funding pending 2856
corrective action. If an early childhood education program fails 2857
to satisfactorily complete a corrective action plan, the 2858
Department may deny expansion funding to the program or withdraw 2859
all or part of the funding to the program and establish a new 2860
eligible provider through a selection process established by the 2861
Department. 2862

(H)(1) If the early childhood education program is licensed 2863
by the Department of Education and is not highly rated, as 2864

determined by the Director of Job and Family Services, under the 2865
tiered quality rating and improvement system described in section 2866
5104.30 of the Revised Code, the program shall do all of the 2867
following: 2868

(a) Meet teacher qualification requirements prescribed by 2869
section 3301.311 of the Revised Code; 2870

(b) Align curriculum to the early learning content standards 2871
developed by the Department; 2872

(c) Meet any child or program assessment requirements 2873
prescribed by the Department; 2874

(d) Require teachers, except teachers enrolled and working to 2875
obtain a degree pursuant to section 3301.311 of the Revised Code, 2876
to attend a minimum of twenty hours every two years of 2877
professional development as prescribed by the Department; 2878

(e) Document and report child progress as prescribed by the 2879
Department; 2880

(f) Meet and report compliance with the early learning 2881
program standards as prescribed by the Department; 2882

(g) Participate in the tiered quality rating and improvement 2883
system developed under section 5104.30 of the Revised Code. 2884
Effective July 1, 2016, all programs shall be rated through the 2885
system. 2886

(2) If the program is highly rated, as determined by the 2887
Director of Job and Family Services, under the tiered quality 2888
rating and improvement system developed under section 5104.30 of 2889
the Revised Code, the program shall comply with the requirements 2890
of that system. 2891

(I) Per-pupil funding for programs subject to this section 2892
shall be sufficient to provide eligible children with services for 2893
a standard early childhood schedule which shall be defined in this 2894

section as a minimum of twelve and one-half hours per school week 2895
as defined in section 3313.62 of the Revised Code for the minimum 2896
school year as defined in sections 3313.48, 3313.481, and 3313.482 2897
of the Revised Code. Nothing in this section shall be construed to 2898
prohibit program providers from utilizing other funds to serve 2899
eligible children in programs that exceed the twelve and one-half 2900
hours per week or that exceed the minimum school year. For any 2901
provider for which a standard early childhood education schedule 2902
creates a hardship or for which the provider shows evidence that 2903
the provider is working in collaboration with a preschool special 2904
education program, the provider may submit a waiver to the 2905
Department requesting an alternate schedule. If the Department 2906
approves a waiver for an alternate schedule that provides services 2907
for less time than the standard early childhood education 2908
schedule, the Department may reduce the provider's annual 2909
allocation proportionately. Under no circumstances shall an annual 2910
allocation be increased because of the approval of an alternate 2911
schedule. 2912

(J) Each provider shall develop a sliding fee scale based on 2913
family incomes and shall charge families who earn more than two 2914
hundred per cent of the federal poverty guidelines, as defined in 2915
division (A)(3) of section 5101.46 of the Revised Code, for the 2916
early childhood education program. 2917

The Department shall conduct an annual survey of each 2918
provider to determine whether the provider charges families 2919
tuition or fees, the amount families are charged relative to 2920
family income levels, and the number of families and students 2921
charged tuition and fees for the early childhood program. 2922

(K) If an early childhood education program voluntarily 2923
waives its right for funding, or has its funding eliminated for 2924
not meeting financial standards or the early learning program 2925
standards, the provider shall transfer control of title to 2926

property, equipment, and remaining supplies obtained through the 2927
program to providers designated by the Department and return any 2928
unexpended funds to the Department along with any reports 2929
prescribed by the Department. The funding made available from a 2930
program that waives its right for funding or has its funding 2931
eliminated or reduced may be used by the Department for new grant 2932
awards or expansion grants. The Department may award new grants or 2933
expansion grants to eligible providers who apply. The eligible 2934
providers who apply must do so in accordance with the selection 2935
process established by the Department. 2936

(L) Eligible expenditures for the Early Childhood Education 2937
Program shall be claimed each fiscal year to help meet the state's 2938
TANF maintenance of effort requirement. The Superintendent of 2939
Public Instruction and the Director of Job and Family Services 2940
shall enter into an interagency agreement to carry out the 2941
requirements under this division, which shall include developing 2942
reporting guidelines for these expenditures. 2943

(M) The Early Childhood Advisory Council established under 2944
section 3301.90 of the Revised Code shall provide, by October 1, 2945
2013, recommendations including, but not limited to, the 2946
administration, implementation, and distribution of funding for an 2947
early childhood voucher program, to the Superintendent of Public 2948
Instruction, the Governor's Office of 21st Century Education, the 2949
Speaker of the House of Representatives, the President of the 2950
Senate, and the chairpersons of the standing committees of the 2951
House of Representatives and the Senate that deal primarily with 2952
issues of education. Decisions on the implementation of the 2953
voucher program shall be made by the Governor's Office of 21st 2954
Century Education with recommendations from the State 2955
Superintendent of Public Instruction and the Early Childhood 2956
Advisory Council. 2957

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 Instruction to create the Career Advising and Mentoring Grant Program. The Superintendent shall develop guidelines for the grants. The program shall award competitive matching grants to provide funding for local networks of volunteers and organizations to sponsor career advising and mentoring for students in eligible school districts. Each grant award shall match up to three times the funds allocated to the project by the local network. Eligible

school districts are those with a high percentage of students in 2987
poverty, a high number of students not graduating on time, and 2988
other criteria as determined by the State Superintendent. Eligible 2989
school districts shall partner with members of the business 2990
community, civic organizations, or the faith-based community to 2991
provide sustainable career advising and mentoring services. 2992

An amount equal to the unexpended, unencumbered portion of 2993
the foregoing appropriation item 200629, Career Advising and 2994
Mentoring Program, at the end of fiscal year 2015 is hereby 2995
reappropriated to the Department of Education for the same purpose 2996
for fiscal year 2016. 2997

STRAIGHT A FUND 2998

Of the foregoing appropriation item 200648, Straight A Fund, 2999
up to \$70,000 in each fiscal year shall be used by Kids Unlimited 3000
of Toledo for quality after-school tutoring and mentoring programs 3001
in two elementary school buildings in Lucas County. The school 3002
buildings may include any community school, chartered nonpublic 3003
school, or building that is part of a city, local, or exempted 3004
village school district. Kids Unlimited of Toledo shall provide 3005
local matching funds equal to the set-aside. 3006

Of the foregoing appropriation item 200648, Straight A Fund, 3007
up to \$250,000 in each fiscal year may be used to make competitive 3008
grants in accordance with Section 263.324 of this act. 3009

Of the foregoing appropriation item 200648, Straight A Fund, 3010
up to \$6,000,000 in fiscal year 2014 shall be distributed to the 3011
Cleveland Municipal School District to be used, as determined by 3012
the Department of Education, to implement provisions of Am. Sub. 3013
H.B. 525 of the 129th General Assembly. 3014

Of the foregoing appropriation item 200648, Straight A Fund, 3015
up to \$5,000,000 in each fiscal year shall be provided to school 3016
districts that meet the conditions prescribed in division (G)(3) 3017

of section 3317.0212 of the Revised Code to support innovations 3018
that improve the efficiency of pupil transportation. This may 3019
include, but is not limited to, the purchase of buses and other 3020
equipment. The Department of Education shall distribute these 3021
funds to districts based on each district's qualifying ridership 3022
as reported under division (B) of section 3317.0212 of the Revised 3023
Code. 3024

The remainder of appropriation item 200648, Straight A Fund, 3025
shall be used to make competitive grants in accordance with 3026
Section 263.325 of this act. 3027

EDCHOICE EXPANSION 3028

The foregoing appropriation item 200666, EdChoice Expansion, 3029
shall be used as follows: 3030

(A) In fiscal year 2014, notwithstanding section 3310.032 of 3031
the Revised Code, the Department of Education shall administer an 3032
expansion of the Educational Choice Scholarship program as 3033
follows: 3034

(1) A student is an "eligible student" for purposes of the 3035
expansion of the Educational Choice Scholarship Pilot Program 3036
under division (A) of this section if the student's resident 3037
district is not a school district in which the pilot project 3038
scholarship program is operating under sections 3313.974 to 3039
3313.979 of the Revised Code and the student's family income is at 3040
or below two hundred per cent of the federal poverty guidelines, 3041
as defined in section 5101.46 of the Revised Code. 3042

(2) The Department shall pay scholarships to attend chartered 3043
nonpublic schools in accordance with section 3310.08 of the 3044
Revised Code. The number of scholarships awarded under division 3045
(A) of this section shall not exceed the number that can be funded 3046
with appropriations made by the general assembly for this purpose. 3047

(3) Scholarships under division (A) of this section shall be 3048

awarded for the 2013-2014 school year, to eligible students who 3049
are entering kindergarten in that school year for the first time. 3050

(4) If the number of eligible students who apply for a 3051
scholarship exceeds the scholarships available based on the 3052
appropriation for division (A) of this section, the department 3053
shall award scholarships in the following order of priority: 3054

(a) First, to eligible students with family incomes at or 3055
below one hundred per cent of the federal poverty guidelines. 3056

(b) Second, to other eligible students who qualify under 3057
division (A) of this section. If the number of students described 3058
in division (A)(4)(b) of this section exceeds the number of 3059
available scholarships after awards are made under division 3060
(A)(4)(a) of this section, the department shall select students 3061
described in division (A)(4)(b) of this section by lot to receive 3062
any remaining scholarships. 3063

(5) A student who receives a scholarship under division (A) 3064
of this section remains an eligible student and may continue to 3065
receive scholarships under section 3310.032 of the Revised Code in 3066
subsequent school years until the student completes grade twelve, 3067
so long as the student satisfies the conditions specified in 3068
divisions (E)(2) and (3) of section 3310.03 of the Revised Code. 3069

Once a scholarship is awarded under this section, the student 3070
shall remain eligible for that scholarship for the current and 3071
subsequent school years, even if the student's family income rises 3072
above the amount specified in division (A) of section 3310.032 of 3073
the Revised Code, provided the student remains enrolled in a 3074
chartered nonpublic school. 3075

(B) In fiscal year 2015, to provide for the scholarships 3076
awarded under the expansion of the educational choice program 3077
established under section 3310.032 of the Revised Code. The number 3078
of scholarships awarded under the expansion of the educational 3079

choice program shall not exceed the number that can be funded with 3080
the appropriations made by the General Assembly for this purpose. 3081

COMMUNITY SCHOOL FACILITIES 3082

The foregoing appropriation item 200684, Community School 3083
Facilities, shall be used to pay each community school established 3084
under Chapter 3314. of the Revised Code that is not an internet- 3085
or computer-based community school and each STEM school 3086
established under Chapter 3326. of the Revised Code an amount 3087
equal to \$100 for each full-time equivalent pupil for assistance 3088
with the cost associated with facilities. If the amount 3089
appropriated is not sufficient, the Department of Education shall 3090
prorate the amounts so that the aggregate amount appropriated is 3091
not exceeded. 3092

Section 6. That existing Section 263.320 of Am. Sub. H.B. 59 3093
of the 130th General Assembly, as amended by Am. Sub. H.B. 483 of 3094
the 130th General Assembly, is hereby repealed. 3095

Section 7. That Section 9 of Am. Sub. H.B. 487 of the 130th 3096
General Assembly be amended to read as follows: 3097

Sec. 9. (A) For the 2014-2015 school year, each school 3098
district, community school established under Chapter 3314., or 3099
STEM school established under Chapter 3326. of the Revised Code 3100
shall administer to third grade students, for purposes of section 3101
3313.608 of the Revised Code, the English language arts assessment 3102
required under division (A)(1)(a) of section 3301.0710 of the 3103
Revised Code ~~to third grade students for purposes of section~~ 3104
~~3313.608 of the Revised Code as follows:~~ 3105

~~(1) For the fall administration of the assessment, each~~ 3106
~~district or school shall administer the English language arts~~ 3107
~~assessment for third graders~~ that the school administered for the 3108

previous year under that section 3301.0710 of the Revised Code. 3109

~~(2) For the spring administration of the assessment to any 3110
student who fails to attain at least the score range prescribed by 3111
division (A)(3) of section 3301.0710 of the Revised Code, 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 section 3301.0710 of the Revised Code. 3115~~

~~(3) For the spring administration of the assessment to any 3116
student who has attained 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 developed by the Partnership for Assessment of 3120
Readiness for College and Careers (PARCC). 3121~~

(B) ~~The~~ For the 2014-2015 school year, the Department shall 3122
use the assessments described in ~~divisions~~ division (A)(1) and (2) 3123
of this section to calculate a district's or school's grades on 3124
the state report card prescribed by section 3302.03 of the Revised 3125
Code. 3126

A school district or building shall be considered to have met 3127
the performance indicator for the third-grade English language 3128
arts assessment described in division (A) of this section, if at 3129
least eighty per cent of the tested students attain a score of 3130
proficient or higher on the assessment. 3131

Section 8. That existing Section 9 of Am. Sub. H.B. 487 of 3132
the 130th General Assembly is hereby repealed. 3133

Section 9. Notwithstanding division (G)(2) of section 3134
3301.0711 of the Revised Code, for the 2014-2015 school year only, 3135
the Department of Education or an entity with which the Department 3136
contracts for the scoring of the assessments prescribed by 3137
divisions (A)(1) and (B)(1) and (2) of section 3301.0710 of the 3138

Revised Code shall send to each school district board a list of 3139
the individual scores of all persons taking such an assessment for 3140
that school year not later than December 31, 2015. 3141

Section 10. For the 2014-2015 school year, for the state 3142
report card prescribed by section 3302.03 of the Revised Code, 3143
notwithstanding anything to the contrary in the Revised Code, the 3144
Department of Education shall calculate the performance index 3145
score and the performance indicators met report card measures 3146
based on the following assessments as follows: 3147

(A) For students enrolled in any of grades nine through 3148
twelve, the scores from the assessments administered under 3149
division (B)(1) of section 3301.0710 of the Revised Code. 3150

Any scores from assessments under division (B)(2) of section 3151
3301.0712 of the Revised Code taken by students in any of grades 3152
nine through twelve shall be reported only and shall not be 3153
included in the calculation of a letter grade for a school 3154
district or building's performance index or performance indicator 3155
score. 3156

(B) For students enrolled in grade eight or below, the scores 3157
from the assessments administered under division (B)(2) of section 3158
3301.0712 of the Revised Code. 3159

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

section 3301.0712 of the Revised Code. Instead, that student's 3169
final course grade shall be used in lieu of the applicable 3170
end-of-course examination prescribed under that section. 3171

(2) For the 2014-2015 school year, if a student is enrolled 3172
in an appropriate course under the dual enrollment program 3173
described in former division (A)(3) of section 3313.6013 of the 3174
Revised Code, as it existed prior to September 17, 2014, in the 3175
area of physical science or biology, American history, or American 3176
government, that student shall either: 3177

(a) Take the applicable examination under that dual 3178
enrollment program in lieu of the physical science or biology, 3179
American history, or American government end-of-course 3180
examination, whichever is applicable, prescribed under division 3181
(B)(2) of section 3301.0712 of the Revised Code; 3182

(b) Not be required to take the physical science or biology, 3183
American history, or American government end-of-course 3184
examination, whichever is applicable, prescribed under division 3185
(B)(2) of section 3301.0712 of the Revised Code. Instead, that 3186
student's final course grade shall be used in lieu of the 3187
applicable end-of-course examination prescribed under that 3188
section. 3189

Divisions (A)(1) and (A)(2)(b) of this section shall apply 3190
only to courses for which students receive transcribed credit, as 3191
defined in division (U) of section 3365.01 of the Revised Code. 3192
Neither division shall apply to remedial or developmental courses. 3193

(B) For purposes of this section: 3194

(1) The State Board of Education shall specify the score 3195
levels for each examination required under this section for 3196
purposes of calculating the minimum cumulative performance score 3197
that demonstrates the level of academic achievement necessary to 3198

earn a high school diploma. 3199

(2) The Superintendent of Public Instruction and the 3200
Chancellor of the Ohio Board of Regents jointly shall adopt 3201
guidelines for purposes of calculating the minimum final course 3202
grade that demonstrates the level of academic achievement 3203
necessary to earn a high school diploma. 3204

Section 12. Notwithstanding section 3302.03 of the Revised 3205
Code, the Department of Education shall issue grades as described 3206
in division (E) of section 3302.03 of the Revised Code for each of 3207
the performance measures prescribed in division (C)(1) of that 3208
section for the 2014-2015 school year not later than January 15, 3209
2016. 3210

Section 13. Notwithstanding anything to the contrary in 3211
section 3302.035 of the Revised Code, the Department of Education 3212
shall issue the reports required under that section on the 3213
performance measures for a school district's or school's students 3214
with disabilities subgroup, using data from the 2014-2015 school 3215
year, not later than January 15, 2016. 3216

For each school year thereafter, the Department shall issue 3217
those reports on the first day of October as required under that 3218
section. 3219

Section 14. Not later than November 1, 2015, the State Board 3220
of Education shall make a recommendation on whether or not to 3221
extend by one year the safe harbor provisions prescribed by 3222
section 3302.036 of the Revised Code and Section 13 of Am. Sub. 3223
H.B. 487 of the 130th General Assembly. 3224

Section 15. Notwithstanding section 3302.21 of the Revised 3225
Code, for the 2014-2015 school year only, the Department of 3226
Education shall not rank school districts, community schools, and 3227

STEM schools according to the performance measures prescribed in 3228
divisions (A)(1), (2), and (5) of that section. However, the 3229
Department shall rank districts and schools according to the 3230
measures prescribed in divisions (A)(3) and (4) of that section 3231
for the 2014-2015 school year not later than January 15, 2016." 3232

Section 16. Notwithstanding section 3302.22 of the Revised 3233
Code, the State Board of Education may adopt a resolution excusing 3234
the Department of Education from determining the top ten per cent 3235
of schools for the Governor's Effective and Efficient Schools 3236
Recognition Program under section 3302.22 of the Revised Code for 3237
the 2014-2015 school year. 3238