

OHIO

SENATE

JOURNAL

WEDNESDAY, JUNE 4, 2014

ONE HUNDRED NINETIETH DAY
Senate Chamber, Columbus, Ohio
Wednesday, June 4, 2014, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Reverend Thomas Wise, Valleyview Church, Dayton, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of the last legislative day was read and approved.

The following guests were recognized by the Senate prior to the commencement of business:

Senator Bacon recognized Lynda Murray on her retirement from the Ohio Library Council.

Senator Schiavoni recognized the Youngstown State University baseball team on winning its first NCAA tournament game.

Senator Gentile recognized Ms. Emi Olin for winning the "Google Doodle" competition.

Senator Patton recognized Nathan Griffin on winning the Division I State Championship in boys tennis.

Senator Coley recognized the Miami University women's figure skating team on winning the 2014 National Championship.

Senator Smith recognized Councilman Zack Reed on his visit to the Statehouse.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Coley submitted the following report:

The standing committee on Civil Justice, to which was re-referred **Am. Sub. H. B. No. 309**-Representatives Pelanda, Antonio, et al., having had the same under consideration, re-reports back a substitute bill and recommends its passage.

Co-Sponsor: Brown.

YES - 8: BILL SEITZ, SCOTT OELSLAGER, JOE UECKER,
KEVIN BACON, EDNA BROWN, BILL COLEY, ERIC
H. KEARNEY, JOHN EKLUND.

NO - 0.

Senator Eklund submitted the following report:

The standing committee on Criminal Justice, to which was referred **S. B. No. 316**-Senator Cafaro, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: LaRose, Obhof.

YES - 10: BILL SEITZ, JOHN EKLUND, ERIC H. KEARNEY, SHIRLEY A. SMITH, JIM HUGHES, FRANK LAROSE, PEGGY B. LEHNER, TIMOTHY O. SCHAFFER, LARRY OBHOF, MICHAEL J. SKINDELL.

NO - 0.

Senator Manning submitted the following report:

The standing committee on Transportation, to which was referred **Am. Sub. H. B. No. 533**-Representatives McGregor, Mallory, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 9: GAYLE MANNING, TOM PATTON, TROY BALDERSON, BILL SEITZ, CAPRI S. CAFARO, LOU GENTILE, NINA TURNER, FRANK LAROSE, RANDY GARDNER.

NO - 0.

Senator Oelslager submitted the following report:

The standing committee on Finance, to which was referred **S. B. No. 252**-Senators Patton, Brown, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: LaRose, Gardner, Sawyer, Tavares.

YES - 11: BILL COLEY, TOM PATTON, JIM HUGHES, SHANNON JONES, FRANK LAROSE, DAVE BURKE, RANDY GARDNER, SCOTT OELSLAGER, THOMAS SAWYER, SHIRLEY A. SMITH, CHARLETA B. TAVARES.

NO - 0.

The question being, "Shall the reports of the committees be accepted?"

The reports of the committees were accepted.

On the motion of Senator Widener the Senate advanced to the Sixth Order of Business, Bills for Third Consideration.

BILLS FOR THIRD CONSIDERATION

Senator Widener moved that the vote, whereby **Am. Sub. H. B. No. 292**-Representative Perales al. was passed, be now reconsidered.

The question being, "Shall the motion be agreed to?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|-----------|-----------|---------|-----------|
| Bacon | Balderson | Beagle | Brown |
| Burke | Cafaro | Coley | Eklund |
| Gardner | Gentile | Hite | Hughes |
| Jones | Jordan | Kearney | LaRose |
| Lehner | Manning | Obhof | Oelslager |
| Patton | Peterson | Sawyer | Schaffer |
| Schiavoni | Seitz | Smith | Tavares |
| Turner | Uecker | Widener | Faber-32. |

The motion was agreed to.

Am. Sub. H. B. No. 292-Representative Perales.

Cosponsors: Representatives Grossman, Rosenberger, Fedor, Landis, Baker, Rogers, Sheehy, Blair, Stebelton, Foley, Butler, Barnes, Burkley, Driehaus, Hagan, C., Henne, Williams, Adams, R., Amstutz, Anielski, Antonio, Beck, Bishoff, Blessing, Boose, Boyce, Brown, Buchy, Carney, Celebrezze, Clyde, Conditt, Derickson, DeVitis, Dovilla, Duffey, Gerberry, Gonzales, Green, Hackett, Hayes, Huffman, Kunze, Letson, Lundy, McClain, McGregor, Milkovich, O'Brien, Patterson, Pelanda, Pillich, Ramos, Retherford, Roegner, Romanchuk, Ruhl, Scherer, Schuring, Slesnick, Strahorn, Terhar, Thompson, Winburn, Young, Speaker Batchelder. Senators Bacon, LaRose, Uecker, Smith, Brown, Balderson, Beagle, Burke, Coley, Eklund, Faber, Gardner, Hite, Hughes, Jones, Kearney, Manning, Obhof, Peterson, Schaffer, Tavares, Widener.

To enact section 122.98 of the Revised Code to create the Ohio Aerospace and Aviation Technology Committee, was considered the third time.

The question being, "Shall the bill, **Am. Sub. H. B. No. 292**, pass?"

Senator LaRose moved to amend as follows:

In line 50, after " (C)" insert " The Ohio aerospace and aviation council shall serve as an advisory council to the committee.

(D)"

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question recurred, "Shall the bill, **Am. Sub. H. B. No. 292**, pass?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|-----------|-----------|---------|-----------|
| Bacon | Balderson | Beagle | Brown |
| Burke | Cafaro | Coley | Eklund |
| Gardner | Gentile | Hite | Hughes |
| Jones | Jordan | Kearney | LaRose |
| Lehner | Manning | Obhof | Oelslager |
| Patton | Peterson | Sawyer | Schaffer |
| Schiavoni | Seitz | Smith | Tavares |
| Turner | Uecker | Widener | Faber-32. |

So the bill passed.

The question being, "Shall the title be agreed to?"

The title was agreed to.

On the motion of Senator Widener the Senate reverted to the Second Order of Business, Reports of Standing and Select Committees.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Faber submitted the following report:

The Standing Committee on Rules to which was referred the appointment by the Governor of:

Lauren Bowden Thomas, Democrat, from Columbus, Franklin County, Ohio, as Member of the Motor Vehicle Dealers Board for a term beginning April 25, 2014, ending at the close of business October 4, 2016, replacing David Raizk, term expired.

Having had the same under consideration, reports back the recommendation that the Senate advise and consent to said appointment.

YES - 12: KEITH L. FABER, CHRIS WIDENER, TOM PATTON, LARRY OBHOF, SCOTT OELSLAGER, DAVE BURKE, BILL COLEY, JIM HUGHES, LOU GENTILE, EDNA BROWN, CHARLETA B. TAVARES, JOSEPH SCHIAVONI.

NO - 0.

The question being, "Shall the Senate advise and consent to the appointment by the Governor?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|-----------|-----------|---------|-----------|
| Bacon | Balderson | Beagle | Brown |
| Burke | Cafaro | Coley | Eklund |
| Gardner | Gentile | Hite | Hughes |
| Jones | Jordan | Kearney | LaRose |
| Lehner | Manning | Obhof | Oelslager |
| Patton | Peterson | Sawyer | Schaffer |
| Schiavoni | Seitz | Smith | Tavares |
| Turner | Uecker | Widener | Faber-32. |

So the Senate advised and consented to said appointment.

HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

Am. Sub. S. B. No. 3-Senator LaRose.

Cosponsors: Senators Faber, Eklund, Gardner, Obhof, Widener, Uecker, Hite, Balderson, Beagle, Coley, Patton, Jones, Manning, Lehner, Seitz, Bacon, Burke, Oelslager, Peterson. Representatives Grossman, Hackett, Brown, Burkley, Amstutz, Blair, Boose, Conditt, Duffey, Green, Hayes, McClain, McGregor, Roegner, Sears, Thompson, Speaker Batchelder.

To amend sections 101.35, 103.0511, 107.52, 107.53, 107.54, 107.55, 107.62, 107.63, 111.15, 119.01, 119.03, 119.04, 121.39, 121.73, 121.74, 121.81, 121.82, 121.83, 121.91, 127.18, 1531.08, 3319.22, 3319.221, 3333.021, 3333.048, 3701.34, 3737.88, 3746.04, 4117.02, 4141.14, 5103.0325, 5117.02, 5703.14, 6111.31, and 6111.51; to enact sections 101.351, 106.01, 106.02, 106.021, 106.022, 106.023, 106.03, 106.031, 106.04, 106.041, 106.042, 106.05, 121.811, and 3345.033; and to repeal sections 119.031 and 119.032 of the Revised Code to revise rule-making and rule review procedures and to make administrative reforms, were taken up.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|-----------|-----------|---------|-----------|
| Bacon | Balderson | Beagle | Brown |
| Burke | Cafaro | Coley | Eklund |
| Gardner | Gentile | Hite | Hughes |
| Jones | Jordan | Kearney | LaRose |
| Lehner | Manning | Obhof | Oelslager |
| Patton | Peterson | Sawyer | Schaffer |
| Schiavoni | Seitz | Smith | Tavares |
| Turner | Uecker | Widener | Faber-32. |

So the Senate concurred in the amendments of the House of Representatives.

The amendments of the House of Representatives to:

Am. Sub. S. B. No. 43-Senators Burke, Tavares.

Cosponsors: Senators Balderson, Kearney, Seitz, Sawyer, Coley, Bacon, Beagle, Brown, Gardner, Hite, Jones, Lehner, Manning, Oelslager, Peterson, Schaffer, Smith. Representatives Stautberg, Amstutz, Antonio, Beck, Boose, Brown, Burkley, Butler, Carney, Driehaus, Grossman, Hackett, Hayes, McClain, Milkovich, Ruhl, Strahorn, Terhar, Winburn, Speaker Batchelder.

To amend sections 2101.16, 2151.011, 2151.23, 2923.125, 2923.1213, 2923.13, 2945.37, 2945.38, 2945.39, 2945.40, 2945.401, 2967.22, 5119.311, 5120.17, 5122.01, 5122.03, 5122.05, 5122.10, 5122.11, 5122.13, 5122.141, 5122.15, 5122.19, 5122.21, 5122.27, 5122.30, 5122.31, 5122.311, 5122.34, 5122.43, 5139.54, 5305.22, 5907.06, and 5907.09 and to enact section 5122.111 of the Revised Code to make changes to the laws governing the civil commitment of and treatment provided to mentally ill persons, were taken up.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|-----------|-----------|---------|-----------|
| Bacon | Balderson | Beagle | Brown |
| Burke | Cafaro | Coley | Eklund |
| Gardner | Gentile | Hite | Hughes |
| Jones | Jordan | Kearney | LaRose |
| Lehner | Manning | Obhof | Oelslager |
| Patton | Peterson | Sawyer | Schaffer |
| Schiavoni | Seitz | Smith | Tavares |

Turner

Uecker

Widener

Faber-32.

So the Senate concurred in the amendments of the House of Representatives.

The amendments of the House of Representatives to:

Am. S. B. No. 230-Senators Manning, Oelslager.

Cosponsors: Senators Jones, Lehner, Patton, Cafaro, Brown, Tavares, Eklund, LaRose, Schiavoni, Seitz, Skindell, Turner. Representatives Antonio, Barnes, Bishoff, Brown, Schuring, Sprague, Burkley, Grossman, Hackett, Lundy, Maag, Sears, Smith, Young, Speaker Batchelder.

To amend section 4729.03 and to enact section 4729.43 of the Revised Code to change the requirements to serve as the Executive Director of the State Board of Pharmacy and to establish standards for the delivery of non-self-injectable cancer drugs, were taken up.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

The yeas and nays were taken and resulted - yeas 29, nays 3, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|---------|-----------|-----------|-----------|
| Bacon | Balderson | Beagle | Brown |
| Cafaro | Coley | Eklund | Gardner |
| Gentile | Hite | Hughes | Jones |
| Kearney | LaRose | Lehner | Manning |
| Obhof | Oelslager | Patton | Peterson |
| Sawyer | Schaffer | Schiavoni | Seitz |
| Smith | Tavares | Turner | Widener |
| | | | Faber-29. |

Senators Burke, Jordan, and Uecker voted in the negative-3.

So the Senate concurred in the amendments of the House of Representatives.

The amendments of the House of Representatives to:

Am. Sub. S. B. No. 263-Senators Peterson, Beagle.

Cosponsors: Senators Jones, Obhof, Bacon, Patton, Schaffer, Hughes, Gardner, Burke, Coley, Balderson, Eklund, Faber, Jordan, LaRose, Manning, Oelslager, Schiavoni, Tavares, Uecker, Widener. Representatives Amstutz, Beck, Adams, R., Antonio, Baker, Bishoff, Blessing, Boose, Brown, Buchy, Burkley, Butler, Conditt, Curtin, Damschroder, DeVitis, Duffey, Green,

Grossman, Hackett, Hall, Hayes, Henne, Hottinger, Huffman, Johnson, Kunze, Landis, Lynch, Mallory, McClain, McGregor, Milkovich, O'Brien, Patmon, Patterson, Perales, Phillips, Pillich, Reece, Retherford, Rogers, Romanchuk, Ruhl, Scherer, Sears, Sheehy, Slaby, Sprague, Stinziano, Terhar, Thompson, Winburn, Young, Speaker Batchelder.

To amend section 5703.05 and to enact section 5703.77 of the Revised Code to require the Tax Commissioner to notify taxpayers of tax or fee overpayments, to authorize the Commissioner to either apply an overpayment to future tax liabilities or issue a refund, and to make an appropriation, were taken up.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|-----------|-----------|---------|-----------|
| Bacon | Balderson | Beagle | Brown |
| Burke | Cafaro | Coley | Eklund |
| Gardner | Gentile | Hite | Hughes |
| Jones | Jordan | Kearney | LaRose |
| Lehner | Manning | Obhof | Oelslager |
| Patton | Peterson | Sawyer | Schaffer |
| Schiavoni | Seitz | Smith | Tavares |
| Turner | Uecker | Widener | Faber-32. |

So the Senate concurred in the amendments of the House of Representatives.

REPORTS OF CONFERENCE COMMITTEES

Am. Sub. H. B. No. 483-Representative Amstutz.

Cosponsors: Representatives Sprague, McGregor, Grossman, Hackett, McClain, Sears, Stebelton, Wachtmann, Speaker Batchelder. Senators Bacon, Burke, Coley, Faber, Oelslager, Peterson.

To amend sections 7.10, 7.16, 9.37, 9.482, 9.90, 9.91, 103.63, 118.27, 121.084, 122.12, 122.121, 122.861, 124.32, 125.13, 125.182, 126.21, 126.25, 131.35, 133.06, 133.07, 135.143, 149.311, 149.38, 153.56, 156.03, 163.15, 163.53, 163.54, 163.55, 164.26, 173.47, 175.04, 175.05, 175.06, 191.01, 306.04, 307.699, 307.982, 340.02, 340.021, 341.12, 757.03, 757.04, 757.05, 757.06, 757.07, 757.08, 955.01, 955.05, 1321.535, 1321.55, 1322.03, 1322.031, 1322.04, 1322.041, 1322.051, 1322.06, 1322.11, 1345.06, 1711.50, 1711.53, 1724.10, 1901.08, 2101.026, 2151.417, 2151.421, 2152.19, 2305.09, 2710.06, 2743.191, 2907.28, 2915.08, 2929.20, 2945.402, 3123.89, 3303.41, 3313.372, 3314.08, 3317.02, 3317.0217, 3317.06, 3318.36, 3358.03, 3517.20,

3701.132, 3701.34, 3701.74, 3701.83, 3702.511, 3702.52, 3702.526, 3702.59, 3702.71, 3702.74, 3702.75, 3702.91, 3702.95, 3721.02, 3730.09, 3735.31, 3735.67, 3737.02, 3745.71, 3772.02, 4141.01, 4141.09, 4141.11, 4141.131, 4141.20, 4141.25, 4141.29, 4141.35, 4303.021, 4503.44, 4511.191, 4715.14, 4715.30, 4715.302, 4717.10, 4723.28, 4723.486, 4723.487, 4725.01, 4725.091, 4725.092, 4725.16, 4725.19, 4729.12, 4729.54, 4729.541, 4729.65, 4729.80, 4729.83, 4729.86, 4730.25, 4730.48, 4730.53, 4731.055, 4731.15, 4731.155, 4731.22, 4731.24, 4731.241, 4731.281, 4737.045, 4758.01, 4758.02, 4758.06, 4758.16, 4758.20, 4758.21, 4758.23, 4758.24, 4758.26, 4758.28, 4758.29, 4758.30, 4758.31, 4758.35, 4758.36, 4758.50, 4758.51, 4758.55, 4758.561, 4758.59, 4758.60, 4758.61, 4758.71, 4781.04, 4905.911, 4906.20, 4906.201, 4923.02, 5104.03, 5104.34, 5104.341, 5104.38, 5119.40, 5123.01, 5123.011, 5123.012, 5123.16, 5123.162, 5123.19, 5123.191, 5123.21, 5123.61, 5123.75, 5123.76, 5123.89, 5124.01, 5124.101, 5124.106, 5124.15, 5124.151, 5124.17, 5124.19, 5124.21, 5124.28, 5124.38, 5124.60, 5124.61, 5124.62, 5124.67, 5126.01, 5126.02, 5126.022, 5126.0219, 5126.041, 5126.046, 5126.051, 5126.08, 5126.21, 5126.25, 5126.42, 5126.43, 5126.45, 5139.05, 5139.34, 5139.36, 5139.41, 5153.21, 5153.42, 5165.03, 5165.031, 5165.10, 5165.106, 5165.15, 5165.23, 5165.25, 5165.65, 5165.68, 5513.01, 5531.10, 5703.052, 5703.21, 5705.10, 5709.12, 5709.121, 5709.40, 5713.012, 5713.08, 5715.19, 5715.27, 5717.01, 5727.111, 5739.05, 5739.09, 5747.02, 5747.025, 5747.50, and 5747.71; to amend for the purpose of codifying and changing the number of Section 323.280 of Am. Sub. H.B. 59 of the 130th General Assembly to section 5165.157 of the Revised Code; to enact sections 5.074, 5.077, 9.54, 9.911, 127.163, 127.164, 164.261, 175.053, 193.01, 193.02, 193.03, 193.04, 193.05, 193.07, 193.09, 193.11, 193.13, 306.14, 307.678, 307.6910, 307.863, 341.121, 1541.50, 2935.012, 3123.90, 3302.15, 3313.351, 3313.902, 3326.29, 3345.56, 3721.122, 4121.443, 4715.15, 4723.433, 4729.861, 4730.093, 4731.77, 4741.49, 4758.48, 4758.62, 4758.63, 4758.64, 5101.345, 5101.90, 5103.05, 5103.051, 5119.401, 5122.36, 5123.0420, 5139.12, 5139.45, and 5155.28; to repeal sections 1322.063, 3125.191, 3702.93, 4171.03, 4171.04, 5124.63, 5124.64, and 5126.037 of the Revised Code; to amend Sections 207.10, 209.30, 221.10, 241.10, 245.10, 257.10, 257.20, 259.10, 259.210, 263.10, 263.230, 263.240, 263.250, 263.270, 263.320, 263.325, 275.10, 282.10, 282.30, 285.10, 285.20, 301.10, 301.33, 301.40, 301.143, 327.10, 327.83, 333.10, 340.10, 349.10, 359.10, 363.10, 365.10, 395.10, 403.10, 512.70, 512.80, and 751.10 of Am. Sub. H.B. 59 of the 130th General Assembly; to amend Sections 207.100, 207.250, 207.340, 207.440, 223.10, 239.10, 253.330, 269.10, and 701.50 of Am. H.B. 497 of the 130th General Assembly; to amend Section 9 of Am. Sub. S.B. 206 of the 130th General Assembly; and to repeal Section 747.40 of Am. Sub. H.B. 59 of the 130th General Assembly to make operating and other appropriations and to provide authorization and conditions for the operation of state programs and to repeal section 5101.345 of the Revised Code on the first day of the forty-ninth month after its effective date.

The question being, "Shall the report of the Committee of Conference be agreed to?"

The yeas and nays were taken and resulted - yeas 23, nays 9, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|----------|-----------|-----------|-----------|
| Bacon | Balderson | Beagle | Burke |
| Coley | Eklund | Gardner | Hite |
| Hughes | Jones | LaRose | Lehner |
| Manning | Obhof | Oelslager | Patton |
| Peterson | Schaffer | Seitz | Smith |
| Uecker | Widener | | Faber-23. |

Those who voted in the negative were: Senators

| | | | |
|---------|--------|-----------|-----------|
| Brown | Cafaro | Gentile | Jordan |
| Kearney | Sawyer | Schiavoni | Tavares |
| | | | Turner-9. |

So the report of Committee of Conference was agreed to.

Senator Lehner submitted the following report:

The Committee of Conference to which the matters of difference between the two houses were referred on Am. Sub. H.B. 487, Representative Brenner – et al., having had the same under consideration, recommends to the respective houses as follows:

The bill as passed by the Senate with the following amendments:

In line 8872, delete " state board of education" and insert " chancellor of the Ohio board of regents"

In line 8873, delete " chancellor"

In line 8874, delete everything before the underlined comma and insert " superintendent of public instruction"

In line 8954, delete " state board" and insert " chancellor of the Ohio board of regents"; delete " chancellor" and insert " superintendent of public instruction"

In line 9328, delete " state board of education" and insert " chancellor of the Ohio board of regents"; delete " chancellor of"

In line 9329, delete everything before the underlined comma and insert " superintendent of public instruction"

In line 9462, delete " state"

In line 9463, delete " board of education" and insert " chancellor, in

consultation with the state superintendent"

In line 9470, delete " state board" and insert " chancellor"

In line 9471, delete " chancellor of the Ohio board of regents" and insert " state superintendent"

In line 9478, delete " state board of education" and insert " chancellor of the Ohio board of regents"

In line 9480, delete " chancellor of the Ohio board of regents" and insert " superintendent of public instruction"

In line 9488, delete " state board" and insert " chancellor, in consultation with the state superintendent."

In line 10317, delete "State Board of"

In line 10318, delete "Education" and insert "Superintendent of Public Instruction"

In line 52, after "3301.163," insert "3301.28,"

Between lines 1974 and 1975, insert:

" Sec. 3301.28. Not later than July 1, 2015, the department of education shall establish a clearinghouse of information regarding the identification of and intervention for at-risk students. The clearinghouse shall include, but not be limited to, the following:

(A) Indicators of at-risk status that have been proven accurate or effective by research;

(B) Identification and intervention programs used in this state, categorized by type of district using the department's most recent district typology categories;

(C) National identification and intervention programs.

The programs included under divisions (B) and (C) of this section shall be ones that have been confirmed effective through research."

Delete lines 9940 through 10226

In line 10227, delete "6" and insert "3"

In line 10306, delete "7" and insert "4"

In line 10366, delete "8" and insert "5"

In line 10397, delete "9" and insert "6"

In line 10403, delete "10" and insert "7"

In line 10409, delete "11" and insert "8"

In line 10421, delete "12" and insert "9"

In line 10453, delete "13" and insert "10"

In line 10464, delete "14" and insert "11"

In line 10492, delete "15" and insert "12"

In line 10499, delete "16" and insert "13"

In line 10519, delete "17" and insert "14"

In line 22 of the title, after "3301.163," insert "3301.28,"

In line 29 of the title, delete "; and to amend the"

Delete lines 30 through 32 of the title

In line 33 of the title, delete "Code on July 1, 2015,"

In line 41, after "3314.03," insert "3314.06,"

In line 53, after "3314.352," insert "3319.261,"

Between lines 6097 and 6098, insert:

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

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

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

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

If the school operates a program that uses the Montessori method endorsed by the American Montessori society or the association Montessori internationale as its primary method of instruction, admission to the school may be open to individuals younger than five years of age, but the school shall not receive funds under this chapter for those individuals.

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

3314.061 of the Revised Code and as defined in the contract.

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

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

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

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

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

(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 those submitting applications, except preference shall be given to students attending the school the previous year and to students who reside in the

district in which the school is located. Preference may be given to siblings of students attending the school the previous year.

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

Between lines 7823 and 7824, insert:

" **Sec. 3319.261.** (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 an alternative resident educator license under division (C) of section 3319.26 of the Revised Code to each applicant who meets the following conditions:

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

(2) Has successfully completed one of the following:

(a) Graduation from an American Montessori society-affiliated teacher education program;

(b) Receipt of a certificate from the association Montessori internationale.

(3) Is employed in a school that operates a program that uses the Montessori method endorsed by the American Montessori society or the association Montessori internationale as its primary method of instruction.

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

In line 10227, after the period insert "That Section 263.20 of Am. Sub. H.B. 59 of the 130th General Assembly be amended to read as follows:

Sec. 263.20. OPERATING EXPENSES

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

EARLY CHILDHOOD EDUCATION

Of the foregoing appropriation item 200408, Early Childhood Education, up to \$50,000 in each fiscal year shall be used to support the operations of the "Ready, Set, Go...to Kindergarten" Program at the Horizon Education Center in Lorain County. The effectiveness of the program shall be evaluated and reported to the Department of Education in a study that includes statistics on program

participants' scores for the "Get It, Got It, Go!" assessment and the kindergarten readiness assessment.

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

(A) As used in this section:

(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.

(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.

(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 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.

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

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

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

(C) The Department shall provide an annual report to the Governor, the

Speaker of the House of Representatives, and the President of the Senate and post the report to the Department's web site, regarding early childhood education programs operated under this section and the early learning program standards.

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

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

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

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

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

All providers shall maintain such fiscal control and accounting procedures as may be necessary to ensure the disbursement of, and accounting for, these funds. The control of funds provided in this program, and title to property obtained, shall be under the authority of the approved provider for

purposes provided in the program unless, as described in division (K) of this section, the program waives its right for funding or a program's funding is eliminated or reduced due to its inability to meet financial or early learning program standards. The approved provider shall administer and use such property and funds for the purposes specified.

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

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

- (a) Meet teacher qualification requirements prescribed by section 3301.311 of the Revised Code;
- (b) Align curriculum to the early learning content standards developed by the Department;
- (c) Meet any child or program assessment requirements prescribed by the Department;
- (d) Require teachers, except teachers enrolled and working to obtain a degree pursuant to section 3301.311 of the Revised Code, to attend a minimum of twenty hours every two years of professional development as prescribed by the Department;
- (e) Document and report child progress as prescribed by the Department;
- (f) Meet and report compliance with the early learning program standards

as prescribed by the Department;

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

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

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

(J) Each provider shall develop a sliding fee scale based on family incomes and shall charge families who earn 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, for the early childhood education program.

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

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

apply must do so in accordance with the selection process established by the Department.

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

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

Section 7. That existing Section 263.20 of Am. Sub. H.B. 59 of the 130th General Assembly is hereby repealed.

Section 8."

In line 10306, delete "7" and insert "9"

In line 10366, delete "8" and insert "10"

In line 10397, delete "9" and insert "11"

In line 10403, delete "10" and insert "12"

In line 10409, delete "11" and insert "13"

In line 10421, delete "12" and insert "14"

In line 10453, delete "13" and insert "15"

In line 10464, delete "14" and insert "16"

In line 10492, delete "15" and insert "17"

In line 10499, delete "16" and insert "18"

In line 10519, delete "17" and insert "19"

In line 8 of the title, after "3314.03," insert "3314.06,"

In line 24 of the title, after "3314.352," insert "3319.261,"

In line 29 of the title, after the semicolon insert "to amend Section 263.20

of Am. Sub. H.B. 59 of the 130th General Assembly;"

In line 38, delete "3311.25,"

In line 52, delete "3311.251,"

Delete lines 3337 through 3572

In line 9929, delete "3311.25,"

In line 4 of the title, delete "3311.25,"

In line 23 of the title, delete "3311.251,"

In line 53, after "3314.352," insert "3324.09,"

Between lines 8023 and 8024, insert:

" **Sec. 3324.09.** Not later than the thirtieth day of October of each year, the department of education shall publish on its web site each school district's expenditures for the previous fiscal year of funds received under division (A)(7) of section 3317.022 of the Revised Code for the identification of and services provided to the district's gifted students."

In line 24 of the title, after "3314.352," insert "3324.09,"

In line 4204, after " (1)" insert " "Licensing agency" has the same meaning as in section 4745.01 of the Revised Code.

(2) "Licensed health care professional" means an individual, other than a physician, who is authorized under Title XLVII of the Revised Code to practice a health care profession.

(3)"

Delete lines 4207 through 4209

In line 4273, delete " and continuing education"

In line 4275, after " Code" insert " by the professional's licensing agency"

In line 4296, delete " one hundred eighty days" and insert " one year"

In line 4300, delete " and continuing education"

In line 4301, after " Code" insert " by their respective licensing agencies"

In line 9712, after " (1)" insert " "Licensing agency" has the same meaning as in section 4745.01 of the Revised Code.

(2) "Licensed health care professional" means an individual, other than a physician, who is authorized under Title XLVII of the Revised Code to practice a health care profession.

(3)"

Delete lines 9715 through 9717

In line 9770, delete "and continuing education"

In line 9772, after "Code" insert "by the professional's licensing agency"

In line 9792, delete "one hundred eighty days" and insert "one year"

In line 9796, delete "and continuing education"

In line 9797, after "Code" insert "by their respective licensing agencies"

In line 9809, after "(A)" insert "As used in this section:

(1) "Chiropractor" means an individual licensed under Chapter 4734. of the Revised Code.

(2) "License," "licensee," and "licensing agency" have the same meanings as in section 4745.01 of the Revised Code.

(3) "Licensed health care professional" means an individual, other than a physician, who is authorized under Title XLVII of the Revised Code to practice a health care profession.

(4) "Physician" means an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.

(5) "Youth sports organization" has the same meaning as in section 3707.51 of the Revised Code.

(B)(1)"; delete " , in consultation"

Delete lines 9810 through 9815

In line 9816, delete "(1) Develop" and insert "shall establish a committee regarding concussions and head injuries sustained by athletes while participating in interscholastic athletic events and athletic activities organized by youth sports organizations and the provisions of sections 3313.539 and 3707.511 of the Revised Code. The department of health shall provide administrative support to the committee.

(2) The director shall serve as a member of the committee and shall appoint all of the following as the remaining members, each of whom must have substantial experience in the diagnosis and treatment of concussions and head injuries:

(a) A representative of the state medical board;

(b) A physician who practices as a neurologist;

(c) A physician who practices sports medicine;

(d) A representative of the state chiropractic board;

(e) A chiropractor who has a background in neurology;

(f) A chiropractor who practices sports medicine.

(C) Not later than one hundred eighty days after the effective date of this section, the committee shall develop"; delete " both" and insert " all"

In line 9821, delete " (a)" and insert " (1)"

In line 9823, delete " (b)" and insert " (2)"

In line 9825, delete the underlined period and insert an underlined semicolon

Delete lines 9826 and 9827

In line 9828, delete " (a)" and insert " (3)"; after " a" insert " physician or"

In line 9831, delete the underlined semicolon and insert an underlined period

Delete lines 9832 through 9835

In line 9836, delete " (B)" and insert " (D)"; delete " (A)(1)" and insert " (C)"

In line 9837, delete " director" and insert " committee"

In line 9838, after " concussions" insert " and head injuries"

In line 9840, delete " student athletes" and insert " an athlete for return to practice or competition"

In line 9841, delete " sections" and insert " section"; after the underlined period insert " The director shall solicit input from all of the following:

(1) A physician certified by the American board of emergency medicine or American osteopathic board of emergency medicine who actively practices emergency medicine and is actively involved in emergency medical services;

(2) A physician certified in pediatric emergency medicine by the American board of pediatrics, American osteopathic board of pediatrics, or American board of emergency medicine who actively practices pediatric emergency medicine and is actively involved in emergency medical services;

(3) A physician certified by the American board of neurological surgery or American osteopathic board of surgery who actively practices neurosurgery;

(4) A physician who actively practices in the field of sports medicine;

(5) An athletic trainer licensed under Chapter 4755. of the Revised Code;

(6) A physical therapist licensed under Chapter 4755. of the Revised Code;

(7) A chiropractor;

(8) A registered nurse licensed under Chapter 4723. of the Revised Code who actively practices emergency nursing and is actively involved in emergency

medical services:

(9) A representative of a youth sports organization:

(10) A representative of a school district board of education or governing authority of a chartered or nonchartered nonpublic school:

(11) Any other individual selected by the committee who has interests that the committee considers relevant to its duties.

(E) If a licensing agency responsible for the licensing of physicians or licensed health care professionals seeks to have its licensees authorized to assess and clear athletes for return to practice or competition under section 3313.539 or 3707.511 of the Revised Code, the licensing agency shall adopt rules establishing standards that are equal to or stronger than the guidelines developed by the committee under division (C) of this section.

The licensing agency may adopt rules establishing continuing education requirements for its licensees who assess and clear athletes for return to practice or competition under section 3313.539 or 3707.511 of the Revised Code.

Any rules adopted under this division shall be adopted in accordance with Chapter 119. of the Revised Code."

In line 10441 delete "may choose to" and insert "shall"; delete "either"

In line 10443, delete "or the"

In line 10444, delete everything before the period

In line 10445, after "(B)" delete the balance of the line

Delete lines 10446 through 10452 and insert "The Department shall use the assessments described in divisions (A)(1) and (2) of this section to calculate a district's or school's grades on the state report card prescribed by section 3302.03 of the Revised Code."

In line 3957, delete " or"

In line 3958, delete " , or equivalent"

In line 3968, after " (d)" insert " A college-preparatory boarding school established under Chapter 3328. of the Revised Code;

(e)"

In line 3971, delete " (e)" and insert " (f)"

In line 3972, delete " (f)" and insert " (g)"

Delete lines 3973 through 3977

In line 3978, after " (h)" delete the balance of the line

Delete line 3979

In line 3980, delete " department of education" and insert " A preschool

program or school-age child care program licensed by the department of education"

In line 3981, delete " (j)" and insert " (i)"; delete " primarily serving children that is" and insert " that primarily provides educational services to children"

In line 3986 after " (3)" delete the balance of the line

In line 3987, delete everything before the underlined period and insert " "Building" means any school, school building, facility, program, or center"

In line 3989, after " plan" insert " , in accordance with rules adopted by the state board of education pursuant to division (F) of this section,"; delete " school"

In line 3998, delete " consider"

In line 3999, delete " incorporating" and insert " incorporate"

In line 4005, delete " school"

In line 4007, delete " school"

In line 4008, delete the underlined semicolon and insert " . This protocol shall include, but not be limited to, all of the following:"

In line 4009, delete " (c)" and insert " (i)"; delete " school"

In line 4011, delete " (d)" and insert " (ii)"; delete " school" and insert " building"

In line 4013, delete " (e)" and insert " (iii)"

In line 4021, delete " first day of July" and insert " opening day"; after " each" insert " school"

In line 4028, delete " Not later than December 31, 2014, each" and insert " The"

In line 4032, after " section" insert " not less than once every three years, whenever a major modification to the building requires changes in the procedures outlined in the plan, and whenever information on the emergency contact information sheet changes"

In line 4033, after " (2)" delete the balance of the line

In line 4034, delete " education, each" and insert " The"

In line 4043, after " (3)" delete the balance of the line

Delete line 4044

In line 4045, delete " shall file a copy of the administrator's plan," and insert " Upon receipt of an emergency management plan, the department of education shall submit the information"

In line 4047, delete " with" and insert " to"

In line 4049, delete " the" and insert " its"

In line 4057, delete " send written notification" and insert " certify"

In line 4058, delete " certifying"

Delete lines 4059 through 4065

In line 4066, delete " (3)" and insert " (2)"

In line 4067, delete " (D)" and insert " (C)(1)"

In line 4068, delete " thirtieth" and insert " tenth"

In line 4082, delete " school"

In line 4084, delete " an employee of"; after " administrator" insert " . or the administrator's designee."

In line 4094, after the underlined period insert " Failure to comply with the rules may result in discipline pursuant to section 3319.31 of the Revised Code or any other action against the administrator as prescribed by rule."

In line 4103, delete " the school" and insert " a building or"

In line 4113, delete " school"

In line 4114, delete " building"

In line 8209, after "3301.0714," insert " 3313.536."

In line 41, after "3314.08," insert "3314.35,"

In line 2101, reinsert ", for which"; delete " In"

In line 2102, delete " determining the value-added progress dimension score."

In line 2103, delete " either"

In line 2104, delete " available or value-added data from the most recent school year"

In line 2105, delete " . whichever results in a higher score for the district or"

In line 2106, delete " building"

Between lines 2135 and 2136, insert:

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

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

In line 2190, strike through "following"

In line 2191, after "measures" insert " prescribed in division (C)(1) of this section"

In line 2192, after "measures" insert " , except for the performance measure set forth in division (C)(1)(h) of this section. The graded measures are as follows"

In line 2212, reinsert ", for"

In line 2213, reinsert "which"; delete " . In determining the value-added progress dimension score,"

In line 2214, delete " either"

In line 2215, delete " available or value-added data from the most recent school"

In line 2216, delete " year"; delete " , whichever results in a higher score for the"

In line 2217, delete " district or building"

Between lines 2258 and 2259, insert:

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

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

Between lines 6574 and 6575, insert:

"Sec. 3314.35. (A)(1) Except as provided in division (A)(4) of this section, this section applies to any community school that meets one of the following criteria after July 1, 2009, but before July 1, 2011:

(a) The school does not offer a grade level higher than three and has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for three of the four most recent school years.

(b) The school satisfies all of the following conditions:

(i) The school offers any of grade levels four to eight but does not offer a grade level higher than nine.

(ii) The school has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for two of the three most recent school years.

(iii) In at least two of the three most recent school years, the school showed less than one standard year of academic growth in either reading or mathematics, as determined by the department of education in accordance with rules adopted under division (A) of section 3302.021 of the Revised Code.

(c) The school offers any of grade levels ten to twelve and has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for three of the four most recent school years.

(2) Except as provided in division (A)(4) of this section, this section applies to any community school that meets one of the following criteria after July 1, 2011, but before July 1, 2013:

(a) The school does not offer a grade level higher than three and has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for two of the three most recent school years.

(b) The school satisfies all of the following conditions:

(i) The school offers any of grade levels four to eight but does not offer a grade level higher than nine.

(ii) The school has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for two of the three most recent school years.

(iii) In at least two of the three most recent school years, the school showed less than one standard year of academic growth in either reading or mathematics, as determined by the department in accordance with rules adopted under division (A) of section 3302.021 of the Revised Code.

(c) The school offers any of grade levels ten to twelve and has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for two of the three most recent school years.

(3) Except as provided in division (A)(4) of this section, this section applies to any community school that meets one of the following criteria on or after July 1, 2013:

(a) The school does not offer a grade level higher than three and, for two of the three most recent school years, satisfies any of the following criteria:

(i) The school has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code, as it existed prior to March 22, 2013;

(ii) The school has received a grade of "F" in improving literacy in grades kindergarten through three under division (B)(1) ~~(j)~~ (g) or (C)(1) ~~(k)~~ (g) of section 3302.03 of the Revised Code;

(iii) The school has received an overall grade of "F" under division (C) of section 3302.03 of the Revised Code.

(b) The school offers any of grade levels four to eight but does not offer a grade level higher than nine and, for two of the three most recent school years, satisfies any of the following criteria:

(i) The school has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code, as it existed prior to March 22, 2013, and the school showed less than one standard year of academic growth in either reading or mathematics, as determined by the department in accordance with rules adopted under division (A) of section 3302.021 of the Revised Code;

(ii) The school has received a grade of "F" for the performance index score under division (A)(1)(b), (B)(1)(b), or (C)(1)(b) and a grade of "F" for the value-added progress dimension under division (A)(1)(e), (B)(1)(e), or (C)(1)(e) of section 3302.03 of the Revised Code;

(iii) The school has received an overall grade of "F" under division (C) and a grade of "F" for the value-added progress dimension under division (C)(1)(e) of section 3302.03 of the Revised Code.

(c) The school offers any of grade levels ten to twelve and, for two of the three most recent school years, satisfies any of the following criteria:

(i) The school has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code, as it existed prior to March 22, 2013;

(ii) The school has received a grade of "F" for the performance index score under division (A)(1)(b), (B)(1)(b), or (C)(1)(b) and has not met annual measurable objectives under division (A)(1)(a), (B)(1)(a), or (C)(1)(a) of section 3302.03 of the Revised Code;

(iii) The school has received an overall grade of "F" under division (C) and a grade of "F" for the value-added progress dimension under division (C)(1)(e) of section 3302.03 of the Revised Code.

For purposes of division (A)(3) of this section only, the department of education shall calculate the value-added progress dimension for a community school ~~shall be calculated~~ using assessment scores for only those students to whom the school has administered the achievement assessments prescribed by section 3301.0710 of the Revised Code for at least the two most recent school years but using value-added data from only the most recent school year.

(4) This section does not apply to either of the following:

(a) Any community school in which a majority of the students are

enrolled in a dropout prevention and recovery program that is operated by the school. Rather, such schools shall be subject to closure only as provided in section 3314.351 of the Revised Code. However, prior to July 1, 2014, a community school in which a majority of the students are enrolled in a dropout prevention and recovery program shall be exempt from this section only if it has been granted a waiver under section 3314.36 of the Revised Code.

(b) Any community school in which a majority of the enrolled students are children with disabilities receiving special education and related services in accordance with Chapter 3323. of the Revised Code.

(B) Any community school to which this section applies shall permanently close at the conclusion of the school year in which the school first becomes subject to this section. The sponsor and governing authority of the school shall comply with all procedures for closing a community school adopted by the department under division (E) of section 3314.015 of the Revised Code. The governing authority of the school shall not enter into a contract with any other sponsor under section 3314.03 of the Revised Code after the school closes.

(C) In accordance with division (B) of section 3314.012 of the Revised Code, the department shall not consider the performance ratings assigned to a community school for its first two years of operation when determining whether the school meets the criteria prescribed by division (A)(1) or (2) of this section."

In line 9931, after "3314.08," insert "3314.35,"

In line 8 of the title, after "3314.08," insert "3314.35,"

In line 4475, strike through "After the student has attended high school for two years" and insert " During the student's third year of attending high school"

In line 4489, after the period insert " Annually, each district or school shall notify the department of education of the number of students who choose to qualify for graduation under division (D) of this section and the number of students who complete the student's success plan and graduate from high school."

In line 4501, strike through "The" and insert " (a) Except as provided in division (D)(5)(b) of this section, the"

Between lines 4502 and 4503, insert:

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

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

(I) Probability and statistics;

(II) Computer programming;

(III) Applied mathematics or quantitative reasoning:

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

(ii) Elective units, five units:

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

In line 4503, strike through "of education"

In line 4509, strike through "August" and insert "December"; delete "2016" and insert "2015"

In line 42, delete "3321.07, 3321.08,"

Delete lines 7957 through 7996

In line 8296, strike through "Whenever an age and schooling certificate is"

In line 8297, strike through all before "~~unable~~"

In line 8300, delete "participating in a"

Delete lines 8301 through 8303

In line 8304, delete "department of labor, or full-time employment" and insert "(A) Until July 1, 2016"

In line 8305, strike through "such" and insert "a"

In line 8306, after "child" insert "over sixteen years of age"

In line 8310, strike through "(A)" and insert "(1)"

In line 8314, strike through "(B)" and insert "(2)"

In line 8316, strike through "(1)" and insert "(a)"

In line 8321, strike through "(2)" and insert "(b)"

In line 8322, reinsert "diligently"; reinsert "upon instruction"

In line 8323, reinsert "in"; reinsert "next"

In line 8324, reinsert "preceding the child's residence in the present district"

In line 8325, reinsert "removal to"; delete "residence in"

In line 8326, reinsert "upon instruction in"

In line 8329, strike through "(3)" and insert "(c)"; reinsert "removed to"; delete "resided in"

In line 8333, strike through "(4)"

In line 8336, after " ~~(5)~~" insert " (d)"

In line 8337, delete " or the support of the child's own child"

In line 8341, delete " or of the child's own child"

In line 8348, strike through "(B)"; after " ~~(4)~~" insert " (2)"

In line 8349, reinsert "(1)"

Between lines 8364 and 8365, insert:

" (B) Beginning July 1, 2016, an age and schooling certificate may be issued pursuant to this section only to a child over sixteen years of age who does both of the following:

(1) Upon agreement in writing, by the child and the parents, guardian, or custodian in charge of such child, provides proof acceptable to the superintendent that the conditions in division (A)(1) of this section are met;

(2) Is enrolled in a competency-based instructional program to earn a high school diploma in accordance with the rules adopted by the state board of education pursuant to division (C) of this section.

(C) Not later than July 1, 2016, the state board, in accordance with Chapter 119. of the Revised Code, shall adopt rules on the requirements for completing a competency-based instructional program that leads to a high school diploma under this section."

In line 9932, delete "3321.07, 3321.08,"

In line 9 of the title, delete "3321.07,"

In line 10 of the title, delete "3321.08,"

In line 36, after "3301.079," insert "3301.0710,"

In line 37, after "3301.0715," insert "3301.16, 3302.02,"; after "3302.03," insert "3302.031,"

In line 39, after "3313.372," insert "3313.532,"

In line 40, after "3313.61," insert "3313.611,"; after "3313.612," insert "3313.614, 3313.615,"

In line 41, after "3313.90," insert "3313.976,"; after "3314.08," insert "3314.36,"

In line 43, after "3325.07," insert "3325.08,"

In line 44, after "3333.041," insert "3333.123,"

In line 53, after "3313.6020," insert "3313.618,"

Between lines 795 and 796, insert:

"Sec. 3301.0710. The state board of education shall adopt rules

establishing a statewide program to assess student achievement. The state board shall ensure that all assessments administered under the program are aligned with the academic standards and model curricula adopted by the state board and are created with input from Ohio parents, Ohio classroom teachers, Ohio school administrators, and other Ohio school personnel pursuant to section 3301.079 of the Revised Code.

The assessment program shall be designed to ensure that students who receive a high school diploma demonstrate at least high school levels of achievement in English language arts, mathematics, science, and social studies.

(A)(1) The state board shall prescribe all of the following:

(a) Two statewide achievement assessments, one each designed to measure the level of English language arts and mathematics skill expected at the end of third grade;

(b) Three statewide achievement assessments, one each designed to measure the level of English language arts, mathematics, and social studies skill expected at the end of fourth grade;

(c) Three statewide achievement assessments, one each designed to measure the level of English language arts, mathematics, and science skill expected at the end of fifth grade;

(d) Three statewide achievement assessments, one each designed to measure the level of English language arts, mathematics, and social studies skill expected at the end of sixth grade;

(e) Two statewide achievement assessments, one each designed to measure the level of English language arts and mathematics skill expected at the end of seventh grade;

(f) Three statewide achievement assessments, one each designed to measure the level of English language arts, mathematics, and science skill expected at the end of eighth grade.

(2) The state board shall determine and designate at least five ranges of scores on each of the achievement assessments described in divisions (A)(1) and (B)(1) of this section. Each range of scores shall be deemed to demonstrate a level of achievement so that any student attaining a score within such range has achieved one of the following:

(a) An advanced level of skill;

(b) An accelerated level of skill;

(c) A proficient level of skill;

(d) A basic level of skill;

(e) A limited level of skill.

(3) For the purpose of implementing division (A) of section 3313.608 of

the Revised Code, the state board shall determine and designate a level of achievement, not lower than the level designated in division (A)(2)(e) of this section, on the third grade English language arts assessment for a student to be promoted to the fourth grade. The state board shall review and adjust upward the level of achievement designated under this division each year the test is administered until the level is set equal to the level designated in division (A)(2)(c) of this section.

(B)(1) The assessments prescribed under division (B)(1) of this section shall collectively be known as the Ohio graduation tests. The state board shall prescribe five statewide high school achievement assessments, one each designed to measure the level of reading, writing, mathematics, science, and social studies skill expected at the end of tenth grade. The state board shall designate a score in at least the range designated under division (A)(2)(c) of this section on each such assessment that shall be deemed to be a passing score on the assessment as a condition toward granting high school diplomas under sections 3313.61, 3313.611, 3313.612, and 3325.08 of the Revised Code until the assessment system prescribed by section 3301.0712 of the Revised Code is implemented in accordance with ~~rules adopted by the state board under division (D)~~ (B)(2) of that this section.

(2) The state board shall prescribe an assessment system in accordance with section 3301.0712 of the Revised Code that shall replace the Ohio graduation tests ~~in the manner prescribed by rules adopted by the state board under division (D) of that section~~ beginning with students who enter the ninth grade for the first time on or after July 1, 2014.

(3) The state board may enter into a reciprocal agreement with the appropriate body or agency of any other state that has similar statewide achievement assessment requirements for receiving high school diplomas, under which any student who has met an achievement assessment requirement of one state is recognized as having met the similar requirement of the other state for purposes of receiving a high school diploma. For purposes of this section and sections 3301.0711 and 3313.61 of the Revised Code, any student enrolled in any public high school in this state who has met an achievement assessment requirement specified in a reciprocal agreement entered into under this division shall be deemed to have attained at least the applicable score designated under this division on each assessment required by division (B)(1) or (2) of this section that is specified in the agreement.

(C) The superintendent of public instruction shall designate dates and times for the administration of the assessments prescribed by divisions (A) and (B) of this section.

In prescribing administration dates pursuant to this division, the superintendent shall designate the dates in such a way as to allow a reasonable length of time between the administration of assessments prescribed under this section and any administration of the national assessment of educational progress given to students in the same grade level pursuant to section 3301.27 of

the Revised Code or federal law.

(D) The state board shall prescribe a practice version of each Ohio graduation test described in division (B)(1) of this section that is of comparable length to the actual test.

(E) Any committee established by the department of education for the purpose of making recommendations to the state board regarding the state board's designation of scores on the assessments described by this section shall inform the state board of the probable percentage of students who would score in each of the ranges established under division (A)(2) of this section on the assessments if the committee's recommendations are adopted by the state board. To the extent possible, these percentages shall be disaggregated by gender, major racial and ethnic groups, limited English proficient students, economically disadvantaged students, students with disabilities, and migrant students."

In line 879, strike through all after "after"

Strike through lines 880 and 881

In line 882 strike through all before the period and insert " July 1, 2015"

In line 1183, strike through "(1)"; after "3301.0710" insert " and division (B) of section 3301.0712"

In line 1258, strike through "divisions" and insert " division"; strike through "(1) and (2)"

In line 1260, strike through "The" and insert " Beginning with students who enter the ninth grade for the first time on or after July 1, 2014, the"

In line 1263, strike through "a prerequisite for" and insert " one determinant of"

In line 1269, after "readiness" insert " , is used for college admission, and includes components in English, mathematics, science, and social studies. The assessment shall be"

In line 1270, after the period insert " The assessment prescribed under division (B)(1) of this section shall be administered to all eleventh-grade students."

In line 1271, strike through "A series of" and insert " Seven"; strike through "in the areas of"

Strike through line 1272

In line 1273, strike through "American government" and insert " , one in each of the areas of English language arts I, English language arts II, physical science, Algebra I, geometry, American history, and American government. The end-of-course examinations shall be"

In line 1276, strike through all after the period

Strike through lines 1277 through 1283

In line 1284, strike through "work readiness" and insert "Advanced placement examinations, international baccalaureate examinations, and dual enrollment or advanced standing program examinations, as prescribed under section 3313.6013 of the Revised Code, in the areas of physical science, American history, and American government may be used as end-of-course examinations in accordance with division (B)(4)(a) of this section"

Between lines 1308 and 1309, insert:

" (4)(a) Notwithstanding anything to the contrary in this section, beginning with the 2014-2015 school year, if a student is enrolled in an 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, 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, 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.

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

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

(5)(a) The state board shall determine and designate at least five ranges of scores on each of the end-of-course examinations prescribed under division (B)(2) of this section, and substitute examinations prescribed under division (B)(4) of this section. Each range of scores shall be considered to demonstrate a level of achievement so that any student attaining a score within such range has achieved one of the following:

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

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

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

(d) Develop a table of corresponding score equivalents for the end-of-course examinations and substitute examinations in order to calculate student performance consistently across the different examinations.

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

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

(b) If the state board replaces the algebra I end-of-course examination with an algebra II end-of-course examination as authorized under division (B)(7)(a) of this section, a student who is enrolled in an advanced placement or international baccalaureate course in algebra II or is enrolled under any other dual enrollment or advanced standing program in algebra II shall take the advanced placement or international baccalaureate examination or applicable examination under dual enrollment or advanced standing in lieu of the algebra II end-of-course examination."

In line 1320, strike through all after "(2)"

Strike through lines 1321 through 1323

In line 1324, strike through "(3)"

In line 1327, strike through "(4)" and insert " (3)"

In line 1332, strike through "(5)" and insert " (4)"

In line 1339, strike through "(6)" and insert " (5)"

Strike through lines 1343 through 1345

Between lines 1363 and 1364, insert:

" (G) Not later than December 31, 2014, the state board shall select at least one nationally recognized job skills assessment. Each school district shall administer that assessment to those students who opt to take it. The state shall reimburse a school district for the costs of administering that assessment. The

state board shall establish the minimum score a student must attain on the job skills assessment in order to demonstrate a student's workforce readiness and employability. The administration of the job skills assessment to a student under this division shall not exempt a school district from administering the assessments prescribed in division (B) of this section to that student."

Between lines 1926 and 1927, insert:

"**Sec. 3301.16.** Pursuant to standards prescribed by the state board of education as provided in division (D) of section 3301.07 of the Revised Code, the state board shall classify and charter school districts and individual schools within each district except that no charter shall be granted to a nonpublic school unless the school complies with ~~division~~ divisions (K)(1)(a) and (b) of section 3301.0711, ~~if as~~ applicable, and section 3313.612 of the Revised Code.

In the course of considering the charter of a new school district created under section 3311.26 or 3311.38 of the Revised Code, the state board shall require the party proposing creation of the district to submit to the board a map, certified by the county auditor of the county in which the proposed new district is located, showing the boundaries of the proposed new district. In the case of a proposed new district located in more than one county, the map shall be certified by the county auditor of each county in which the proposed district is located.

The state board shall revoke the charter of any school district or school which fails to meet the standards for elementary and high schools as prescribed by the board. The state board shall also revoke the charter of any nonpublic school that does not comply with division (K)(1)(a) of section 3301.0711, if applicable, and section 3313.612 of the Revised Code.

In the issuance and revocation of school district or school charters, the state board shall be governed by the provisions of Chapter 119. of the Revised Code.

No school district, or individual school operated by a school district, shall operate without a charter issued by the state board under this section.

In case a school district charter is revoked pursuant to this section, the state board may dissolve the school district and transfer its territory to one or more adjacent districts. An equitable division of the funds, property, and indebtedness of the school district shall be made by the state board among the receiving districts. The board of education of a receiving district shall accept such territory pursuant to the order of the state board. Prior to dissolving the school district, the state board shall notify the appropriate educational service center governing board and all adjacent school district boards of education of its intention to do so. Boards so notified may make recommendations to the state board regarding the proposed dissolution and subsequent transfer of territory. Except as provided in section 3301.161 of the Revised Code, the transfer ordered by the state board shall become effective on the date specified by the state board, but the date shall be at least thirty days following the date of issuance of the order.

A high school is one of higher grade than an elementary school, in which instruction and training are given in accordance with sections 3301.07 and 3313.60 of the Revised Code and which also offers other subjects of study more advanced than those taught in the elementary schools and such other subjects as may be approved by the state board of education.

An elementary school is one in which instruction and training are given in accordance with sections 3301.07 and 3313.60 of the Revised Code and which offers such other subjects as may be approved by the state board of education. In districts wherein a junior high school is maintained, the elementary schools in that district may be considered to include only the work of the first six school years inclusive, plus the kindergarten year."

Between lines 1984 and 1985, insert:

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

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

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

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

In line 2164, strike through "industry" and insert " industry-recognized"

In line 2165, strike through "industry" and insert " industry-recognized"

In line 2291, strike through "industry" and insert " industry-recognized"

In line 2510, after "3301.0710" insert " or division (B) of section 3301.0712"

Between lines 2523 and 2524, insert:

"Sec. 3302.031. In addition to the report cards required under section 3302.03 of the Revised Code, the department of education shall annually prepare the following reports for each school district and make a copy of each report available to the superintendent of each district:

(A) A funding and expenditure accountability report which shall consist of the amount of state aid payments the school district will receive during the fiscal year under Chapter 3317. of the Revised Code and any other fiscal data the department determines is necessary to inform the public about the financial status of the district;

(B) A school safety and discipline report which shall consist of statistical information regarding student safety and discipline in each school building, including the number of suspensions and expulsions disaggregated according to race and gender;

(C) A student equity report which shall consist of at least a description of the status of teacher qualifications, library and media resources, textbooks, classroom materials and supplies, and technology resources for each district. To the extent possible, the information included in the report required under this division shall be disaggregated according to grade level, race, gender, disability, and scores attained on assessments required under ~~section~~ sections 3301.0710 and 3301.0712 of the Revised Code.

(D) A school enrollment report which shall consist of information about the composition of classes within each district by grade and subject disaggregated according to race, gender, and scores attained on assessments required under ~~section~~ sections 3301.0710 and 3301.0712 of the Revised Code;

(E) A student retention report which shall consist of the number of students retained in their respective grade levels in the district disaggregated by grade level, subject area, race, gender, and disability;

(F) A school district performance report which shall describe for the district and each building within the district the extent to which the district or

building meets each of the applicable performance indicators established under section 3302.02 of the Revised Code, the number of performance indicators that have been achieved, and the performance index score. In calculating the rates of achievement on the performance indicators and the performance index scores for each report, the department shall exclude all students with disabilities."

In line 3165, after "3301.0710" insert " or the college and work ready assessment system prescribed by division (B) of section 3301.0712"

In line 3166, strike through all after "Code"

In line 3167, strike through all before "to"

In line 3195, after "3301.0710" insert " or the college and work ready assessment system prescribed by division (B) of section 3301.0712"

In line 3196, strike through ", as required by section 3313.612 of the Revised Code,"

Between lines 3955 and 3956, insert:

"Sec. 3313.532. (A) Any person twenty-two or more years of age and enrolled in an adult high school continuation program established pursuant to section 3313.531 of the Revised Code may request the board of education operating the program to conduct an evaluation in accordance with division (C) of this section.

(B) Any applicant to a board of education for a diploma of adult education under division (B) of section 3313.611 of the Revised Code may request the board to conduct an evaluation in accordance with division (C) of this section.

(C) Upon the request of any person pursuant to division (A) or (B) of this section, the board of education to which the request is made shall evaluate the person to determine whether the person is disabled, in accordance with rules adopted by the state board of education. If the evaluation indicates that the person is disabled, the board shall determine whether to excuse the person from taking any of the assessments required by ~~division (B) of section 3301.0710~~ 3313.618 of the Revised Code as a requirement for receiving a diploma under section 3313.611 of the Revised Code. The board may require the person to take an alternate assessment in place of any test from which the person is so excused."

In line 4496, strike through "industry" and insert " industry-recognized"

In line 4553, strike through "(6)" and insert " (5)"

In line 4559, strike through "industry" and insert " industry-recognized"

Delete lines 4965 through 5153 and insert:

"Sec. 3313.61. (A) A diploma shall be granted by the board of education of any city, exempted village, or local school district that operates a high school

to any person to whom all of the following apply:

(1) The person has successfully completed the curriculum in any high school or the individualized education program developed for the person by any high school pursuant to section 3323.08 of the Revised Code, or has qualified under division (D) or (F) of section 3313.603 of the Revised Code, provided that no school district shall require a student to remain in school for any specific number of semesters or other terms if the student completes the required curriculum early;

(2) Subject to section 3313.614 of the Revised Code, the person has met the assessment requirements of division (A)(2)(a) or (b) of this section, as applicable.

(a) If the person entered the ninth grade prior to ~~the date prescribed by rule of the state board of education under division (D)(2) of section 3301.0712 of the Revised Code July 1, 2014,~~ the person either:

(i) Has attained at least the applicable scores designated under division (B)(1) of section 3301.0710 of the Revised Code on all the assessments required by that division unless the person was excused from taking any such assessment pursuant to section 3313.532 of the Revised Code or unless division (H) or (L) of this section applies to the person;

(ii) Has satisfied the alternative conditions prescribed in section 3313.615 of the Revised Code.

(b) If the person entered the ninth grade on or after ~~the date prescribed by rule of the state board under division (D)(2) of section 3301.0712 of the Revised Code July 1, 2014,~~ the person has met the ~~requirements of the entire assessment system requirement prescribed under division (B)(2) of by~~ section 3301.0710 ~~3313.618~~ of the Revised Code, except to the extent that the person is excused from ~~some portion of an assessment prescribed by that assessment system section~~ pursuant to section 3313.532 of the Revised Code or division (H) or (L) of this section.

(3) The person is not eligible to receive an honors diploma granted pursuant to division (B) of this section.

Except as provided in divisions (C), (E), (J), and (L) of this section, no diploma shall be granted under this division to anyone except as provided under this division.

(B) In lieu of a diploma granted under division (A) of this section, an honors diploma shall be granted, in accordance with rules of the state board, by any such district board to anyone who accomplishes all of the following:

(1) Successfully completes the curriculum in any high school or the individualized education program developed for the person by any high school pursuant to section 3323.08 of the Revised Code;

(2) Subject to section 3313.614 of the Revised Code, has met the

assessment requirements of division (B)(2)(a) or (b) of this section, as applicable.

(a) If the person entered the ninth grade prior to ~~the date prescribed by rule of the state board of education under division (D)(2) of section 3301.0712 of the Revised Code July 1, 2014,~~ the person either:

(i) Has attained at least the applicable scores designated under division (B)(1) of section 3301.0710 of the Revised Code on all the assessments required by that division;

(ii) Has satisfied the alternative conditions prescribed in section 3313.615 of the Revised Code.

(b) If the person entered the ninth grade on or after ~~the date prescribed by rule of the state board under division (D)(2) of section 3301.0712 of the Revised Code July 1, 2014,~~ the person has met the requirements of the entire assessment system requirement prescribed under ~~division (B)(2) of section 3301.0710 3313.618~~ of the Revised Code.

(3) Has met additional criteria established by the state board for the granting of such a diploma.

An honors diploma shall not be granted to a student who is subject to the ~~Ohio core curriculum requirements~~ prescribed in division (C) of section 3313.603 of the Revised Code but elects the option of division (D) or (F) of that section. Except as provided in divisions (C), (E), and (J) of this section, no honors diploma shall be granted to anyone failing to comply with this division and no more than one honors diploma shall be granted to any student under this division.

The state board shall adopt rules prescribing the granting of honors diplomas under this division. These rules may prescribe the granting of honors diplomas that recognize a student's achievement as a whole or that recognize a student's achievement in one or more specific subjects or both. The rules may prescribe the granting of an honors diploma recognizing technical expertise for a career-technical student. In any case, the rules shall designate two or more criteria for the granting of each type of honors diploma the board establishes under this division and the number of such criteria that must be met for the granting of that type of diploma. The number of such criteria for any type of honors diploma shall be at least one less than the total number of criteria designated for that type and no one or more particular criteria shall be required of all persons who are to be granted that type of diploma.

(C) Any district board administering any of the assessments required by section 3301.0710 of the Revised Code to any person requesting to take such assessment pursuant to division (B)(8)(b) of section 3301.0711 of the Revised Code shall award a diploma to such person if the person attains at least the applicable scores designated under division (B)(1) of section 3301.0710 of the Revised Code on all the assessments administered and if the person has

previously attained the applicable scores on all the other assessments required by division (B)(1) of that section or has been exempted or excused from attaining the applicable score on any such assessment pursuant to division (H) or (L) of this section or from taking any such assessment pursuant to section 3313.532 of the Revised Code.

(D) Each diploma awarded under this section shall be signed by the president and treasurer of the issuing board, the superintendent of schools, and the principal of the high school. Each diploma shall bear the date of its issue, be in such form as the district board prescribes, and be paid for out of the district's general fund.

(E) A person who is a resident of Ohio and is eligible under state board of education minimum standards to receive a high school diploma based in whole or in part on credits earned while an inmate of a correctional institution operated by the state or any political subdivision thereof, shall be granted such diploma by the correctional institution operating the programs in which such credits were earned, and by the board of education of the school district in which the inmate resided immediately prior to the inmate's placement in the institution. The diploma granted by the correctional institution shall be signed by the director of the institution, and by the person serving as principal of the institution's high school and shall bear the date of issue.

(F) Persons who are not residents of Ohio but who are inmates of correctional institutions operated by the state or any political subdivision thereof, and who are eligible under state board of education minimum standards to receive a high school diploma based in whole or in part on credits earned while an inmate of the correctional institution, shall be granted a diploma by the correctional institution offering the program in which the credits were earned. The diploma granted by the correctional institution shall be signed by the director of the institution and by the person serving as principal of the institution's high school and shall bear the date of issue.

(G) The state board of education shall provide by rule for the administration of the assessments required by ~~section~~ sections 3301.0710 and 3301.0712 of the Revised Code to inmates of correctional institutions.

(H) Any person to whom all of the following apply shall be exempted from attaining the applicable score on the assessment in social studies designated under division (B)(1) of section 3301.0710 of the Revised Code, any American history end-of-course examination and any American government end-of-course examination required under division (B) ~~(2)~~ of ~~that~~ section 3301.0712 of the Revised Code if such an exemption is prescribed by rule of the state board under division (D) ~~(4)~~ (3) of section 3301.0712 of the Revised Code, or the test in citizenship designated under former division (B) of section 3301.0710 of the Revised Code as it existed prior to September 11, 2001:

- (1) The person is not a citizen of the United States;
- (2) The person is not a permanent resident of the United States;

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

(I) Notwithstanding division (D) of section 3311.19 and division (D) of section 3311.52 of the Revised Code, this section and section ~~3311.611~~ 3313.611 of the Revised Code do not apply to the board of education of any joint vocational school district or any cooperative education school district established pursuant to divisions (A) to (C) of section 3311.52 of the Revised Code.

(J) Upon receipt of a notice under division (D) of section 3325.08 or division (D) of section 3328.25 of the Revised Code that a student has received a diploma under either section, the board of education receiving the notice may grant a high school diploma under this section to the student, except that such board shall grant the student a diploma if the student meets the graduation requirements that the student would otherwise have had to meet to receive a diploma from the district. The diploma granted under this section shall be of the same type the notice indicates the student received under section 3325.08 or 3328.25 of the Revised Code.

(K) 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 ~~requirements of the assessments required by division (B)(2) of that requirement prescribed by section 3313.618 of the Revised Code~~, shall be awarded a diploma under this section.

(L) Any student described by division (A)(1) of this section may be awarded a diploma without ~~attaining the applicable scores designated on the assessments meeting the requirement prescribed under division (B) of by section 3301.0710~~ 3313.618 of the Revised Code provided an individualized education program specifically exempts the student from ~~attaining meeting such scores requirement~~. This division does not negate the requirement for ~~such~~ a student to take ~~all such~~ the assessments prescribed by section 3301.0710 or under division (B) of section 3301.0712 of the Revised Code, or alternate assessments required by division (C)(1) of section 3301.0711 of the Revised Code, for the purpose of assessing student progress as required by federal law.

Sec. 3313.611. (A) The state board of education shall adopt, by rule, standards for awarding high school credit equivalent to credit for completion of high school academic and vocational education courses to applicants for diplomas under this section. The standards may permit high school credit to be granted to an applicant for any of the following:

- (1) Work experiences or experiences as a volunteer;
- (2) Completion of academic, vocational, or self-improvement courses

offered to persons over the age of twenty-one by a chartered public or nonpublic school;

(3) Completion of academic, vocational, or self-improvement courses offered by an organization, individual, or educational institution other than a chartered public or nonpublic school;

(4) Other life experiences considered by the board to provide knowledge and learning experiences comparable to that gained in a classroom setting.

(B) The board of education of any city, exempted village, or local school district that operates a high school shall grant a diploma of adult education to any applicant if all of the following apply:

(1) The applicant is a resident of the district;

(2) The applicant is over the age of twenty-one and has not been issued a diploma as provided in section 3313.61 of the Revised Code;

(3) Subject to section 3313.614 of the Revised Code, the applicant has met the assessment requirements of division (B)(3)(a) or (b) of this section, as applicable.

(a) ~~Prior to the date prescribed by rule of the state board under division (D)(3) of section 3301.0712 of the Revised Code July 1, 2014,~~ the applicant either:

(i) Has attained the applicable scores designated under division (B)(1) of section 3301.0710 of the Revised Code on all of the assessments required by that division or was excused or exempted from any such assessment pursuant to section 3313.532 or was exempted from attaining the applicable score on any such assessment pursuant to division (H) or (L) of section 3313.61 of the Revised Code;

(ii) Has satisfied the alternative conditions prescribed in section 3313.615 of the Revised Code.

(b) ~~On or after the date prescribed by rule of the state board under division (D)(3) of section 3301.0712 of the Revised Code July 1, 2014,~~ has met the ~~requirements of the entire assessment system~~ requirement prescribed ~~under division (B)(2) of by section 3301.0710~~ 3313.618 of the Revised Code, except and only to the extent that the applicant is excused from some portion of that ~~assessment system~~ section pursuant to section 3313.532 of the Revised Code or division (H) or (L) of section 3313.61 of the Revised Code.

(4) The district board determines, in accordance with the standards adopted under division (A) of this section, that the applicant has attained sufficient high school credits, including equivalent credits awarded under such standards, to qualify as having successfully completed the curriculum required by the district for graduation.

(C) If a district board determines that an applicant is not eligible for a

diploma under division (B) of this section, it shall inform the applicant of the reason the applicant is ineligible and shall provide a list of any courses required for the diploma for which the applicant has not received credit. An applicant may reapply for a diploma under this section at any time.

(D) If a district board awards an adult education diploma under this section, the president and treasurer of the board and the superintendent of schools shall sign it. Each diploma shall bear the date of its issuance, be in such form as the district board prescribes, and be paid for from the district's general fund, except that the state board may by rule prescribe standard language to be included on each diploma.

(E) 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 has not met the ~~requirements of the assessments required~~ requirement prescribed by division (B)(2) of that section 3313.618 of the Revised Code, shall be awarded a diploma under this section."

In line 5159, strike through "the date"

Strike through line 5160

In line 5161, strike through all before the comma and insert "July 1, 2014"

In line 5166, strike through the third "the"

Strike through line 5167

In line 5168, delete "(D)"; strike through all before the comma and insert "July 1, 2014"

In line 5169, strike through "requirements of the entire assessment system" and insert "requirement"

In line 5170, strike through "under division (B)(2) of" and insert "by"; strike through "3301.0710" and insert "3313.618"

In line 5183, strike through "(2)"; strike through "that"; after "section" insert "3301.0712 of the Revised Code"

In line 5184, strike through "(4)" and insert "(3)"

In line 5201, strike through "requirements of"

In line 5202, strike through all before "section" and insert "requirement prescribed by"; after "section" insert "3313.618 of the Revised Code"

Between lines 5203 and 5204, insert:

"Sec. 3313.614. (A) As used in this section, a person "fulfills the curriculum requirement for a diploma" at the time one of the following conditions is satisfied:

(1) The person successfully completes the high school curriculum of a school district, a community school, a chartered nonpublic school, or a correctional institution.

(2) The person successfully completes the individualized education program developed for the person under section 3323.08 of the Revised Code.

(3) A board of education issues its determination under section 3313.611 of the Revised Code that the person qualifies as having successfully completed the curriculum required by the district.

(B) This division specifies the assessment requirements that must be fulfilled as a condition toward granting high school diplomas under sections 3313.61, 3313.611, 3313.612, and 3325.08 of the Revised Code.

(1) A person who fulfills the curriculum requirement for a diploma before September 15, 2000, is not required to pass any proficiency test or achievement test in science as a condition to receiving a diploma.

(2) A person who began ninth grade prior to July 1, 2003, is not required to pass the Ohio graduation test prescribed under division (B)(1) of section 3301.0710 or any assessment prescribed under division (B)(2) of that section in any subject as a condition to receiving a diploma once the person has passed the ninth grade proficiency test in the same subject, so long as the person passed the ninth grade proficiency test prior to September 15, 2008. However, any such person who passes the Ohio graduation test in any subject prior to passing the ninth grade proficiency test in the same subject shall be deemed to have passed the ninth grade proficiency test in that subject as a condition to receiving a diploma. For this purpose, the ninth grade proficiency test in citizenship substitutes for the Ohio graduation test in social studies. If a person began ninth grade prior to July 1, 2003, but does not pass a ninth grade proficiency test or the Ohio graduation test in a particular subject before September 15, 2008, and passage of a test in that subject is a condition for the person to receive a diploma, the person must pass the Ohio graduation test instead of the ninth grade proficiency test in that subject to receive a diploma.

(3) A person who begins ninth grade on or after July 1, 2003, in a school district, community school, or chartered nonpublic school is not eligible to receive a diploma based on passage of ninth grade proficiency tests. Each such person who begins ninth grade prior to ~~the date prescribed by the state board of education under division (D)(5) of section 3301.0712 of the Revised Code~~ July 1, 2014, must pass Ohio graduation tests to meet the assessment requirements applicable to that person as a condition to receiving a diploma.

(4) A person who begins ninth grade on or after ~~the date prescribed by the state board of education under division (D)(5) of section 3301.0712 of the~~

~~Revised Code July 1, 2014~~, is not eligible to receive a diploma based on passage of the Ohio graduation tests. Each such person must meet the ~~requirements of the entire assessment system requirement~~ prescribed ~~under division (B)(2) of by~~ section ~~3301.0710~~ 3313.618 of the Revised Code.

(C) This division specifies the curriculum requirement that shall be completed as a condition toward granting high school diplomas under sections 3313.61, 3313.611, 3313.612, and 3325.08 of the Revised Code.

(1) A person who is under twenty-two years of age when the person fulfills the curriculum requirement for a diploma shall complete the curriculum required by the school district or school issuing the diploma for the first year that the person originally enrolled in high school, except for a person who qualifies for graduation from high school under either division (D) or (F) of section 3313.603 of the Revised Code.

(2) Once a person fulfills the curriculum requirement for a diploma, the person is never required, as a condition of receiving a diploma, to meet any different curriculum requirements that take effect pending the person's passage of proficiency tests or achievement tests or assessments, including changes mandated by section 3313.603 of the Revised Code, the state board, a school district board of education, or a governing authority of a community school or chartered nonpublic school.

Sec. 3313.615. This section shall apply to diplomas awarded after September 15, 2006, to students who are required to take the five Ohio graduation tests prescribed by division (B)(1) of section 3301.0710 of the Revised Code. This section does not apply to any student who enters ninth grade for the first time on or after July 1, 2014.

(A) As an alternative to the requirement that a person attain the scores designated under division (B)(1) of section 3301.0710 of the Revised Code on all the assessments required under that division in order to be eligible for a high school diploma or an honors diploma under sections 3313.61, 3313.612, or 3325.08 of the Revised Code or for a diploma of adult education under section 3313.611 of the Revised Code, a person who has attained at least the applicable scores designated under division (B)(1) of section 3301.0710 of the Revised Code on all but one of the assessments required by that division and from which the person was not excused or exempted, pursuant to division (L) of section 3313.61, division (B)(1) of section 3313.612, or section 3313.532 of the Revised Code, may be awarded a diploma or honors diploma if the person has satisfied all of the following conditions:

(1) On the one assessment required under division (B)(1) of section 3301.0710 of the Revised Code for which the person failed to attain the designated score, the person missed that score by ten points or less;

(2) Has a ninety-seven per cent school attendance rate in each of the last four school years, excluding any excused absences;

(3) Has not been expelled from school under section 3313.66 of the

Revised Code in any of the last four school years;

(4) Has a grade point average of at least 2.5 out of 4.0, or its equivalent as designated in rules adopted by the state board of education, in the subject area of the assessment required under division (B)(1) of section 3301.0710 of the Revised Code for which the person failed to attain the designated score;

(5) Has completed the high school curriculum requirements prescribed in section 3313.603 of the Revised Code or has qualified under division (D) or (F) of that section;

(6) Has taken advantage of any intervention programs provided by the school district or school in the subject area described in division (A)(4) of this section and has a ninety-seven per cent attendance rate, excluding any excused absences, in any of those programs that are provided at times beyond the normal school day, school week, or school year or has received comparable intervention services from a source other than the school district or school;

(7) Holds a letter recommending graduation from each of the person's high school teachers in the subject area described in division (A)(4) of this section and from the person's high school principal.

(B) The state board of education shall establish rules designating grade point averages equivalent to the average specified in division (A)(4) of this section for use by school districts and schools with different grading systems.

(C) Any student who is exempt from attaining the applicable score designated under division (B)(1) of section 3301.0710 of the Revised Code on the Ohio graduation test in social studies pursuant to division (H) of section 3313.61 or division (B)(3) of section 3313.612 of the Revised Code shall not qualify for a high school diploma under this section, unless, notwithstanding the exemption, the student attains the applicable score on that assessment. If the student attains the applicable score on that assessment, the student may qualify for a diploma under this section in the same manner as any other student who is required to take the five Ohio graduation tests prescribed by division (B)(1) of section 3301.0710 of the Revised Code.

Sec. 3313.618. (A) In addition to the applicable curriculum requirements, each student entering ninth grade for the first time on or after July 1, 2014, shall satisfy at least one of the following conditions in order to qualify for a high school diploma:

(1) Be remediation-free, in accordance with standards adopted under division (F) of section 3345.061 of the Revised Code, on each of the nationally standardized assessments in English, mathematics, and reading;

(2) Attain a score specified under division (B)(5)(c) of section 3301.0712 of the Revised Code on the end-of-course examinations prescribed under division (B) of section 3301.0712 of the Revised Code. For any student who is exempt from taking an end-of-course examination under division (B)(6) of section 3301.0712 of the Revised Code, in determining whether that student has

attained the cumulative score prescribed by division (B)(5)(c) of that section, that student shall be considered to have attained a proficient score on the exempted examination.

(3) Attain a score that demonstrates workforce readiness and employability on a nationally recognized job skills assessment selected by the state board of education under division (G) of section 3301.0712 of the Revised Code and obtain either an industry-recognized credential, as described under division (B)(2)(d) of section 3302.03 of the Revised Code, or a license issued by a state agency or board for practice in a vocation that requires an examination for issuance of that license.

The state board shall approve the industry-recognized credentials and licenses that may qualify a student for a high school diploma under division (A)(3) of this section.

A student may choose to qualify for a high school diploma by satisfying any of the separate requirements prescribed by divisions (A)(1) to (3) of this section. If the student's school district or school does not administer the examination prescribed by one of those divisions that the student chooses to take to satisfy the requirements of this section, the school district or school may require that student to arrange for the applicable scores to be sent directly to the district or school by the company or organization that administers the examination.

(B) The state board of education shall not create or require any additional assessment for the granting of any type of high school diploma other than as prescribed by this section. The state board shall not create any endorsement or designation that may be affiliated with a high school diploma."

Between lines 5406 and 5407, insert:

"Sec. 3313.976. (A) No private school may receive scholarship payments from parents pursuant to section 3313.979 of the Revised Code until the chief administrator of the private school registers the school with the superintendent of public instruction. The state superintendent shall register any school that meets the following requirements:

(1) The school is located within the boundaries of the pilot project school district;

(2) The school indicates in writing its commitment to follow all requirements for a state-sponsored scholarship program specified under sections 3313.974 to 3313.979 of the Revised Code, including, but not limited to, the requirements for admitting students pursuant to section 3313.977 of the Revised Code;

(3) The school meets all state minimum standards for chartered nonpublic schools in effect on July 1, 1992, except that the state superintendent at the superintendent's discretion may register nonchartered nonpublic schools meeting the other requirements of this division;

(4) The school does not discriminate on the basis of race, religion, or ethnic background;

(5) The school enrolls a minimum of ten students per class or a sum of at least twenty-five students in all the classes offered;

(6) The school does not advocate or foster unlawful behavior or teach hatred of any person or group on the basis of race, ethnicity, national origin, or religion;

(7) The school does not provide false or misleading information about the school to parents, students, or the general public;

(8) For students in grades kindergarten through eight with family incomes at or below two hundred per cent of the federal poverty guidelines, as defined in section 5104.46 of the Revised Code, the school agrees not to charge any tuition in excess of the scholarship amount established pursuant to division (C)(1) of section 3313.978 of the Revised Code, excluding any increase described in division (C)(2) of that section.

(9) For students in grades kindergarten through eight with family incomes above two hundred per cent of the federal poverty guidelines, whose scholarship amounts are less than the actual tuition charge of the school, the school agrees not to charge any tuition in excess of the difference between the actual tuition charge of the school and the scholarship amount established pursuant to division (C)(1) of section 3313.978 of the Revised Code, excluding any increase described in division (C)(2) of that section. The school shall permit such tuition, at the discretion of the parent, to be satisfied by the family's provision of in-kind contributions or services.

(10) The school agrees not to charge any tuition to families of students in grades nine through twelve receiving a scholarship in excess of the actual tuition charge of the school less the scholarship amount established pursuant to division (C)(1) of section 3313.978 of the Revised Code, excluding any increase described in division (C)(2) of that section.

(11) If the school is not subject to division (K)(1)(a) of section 3301.0711 of the Revised Code, it annually administers the applicable assessments prescribed by section 3301.0710 or 3301.0712 of the Revised Code to each scholarship student enrolled in the school in accordance with section 3301.0711 or 3301.0712 of the Revised Code and reports to the department of education the results of each such assessment administered to each scholarship student.

(B) The state superintendent shall revoke the registration of any school if, after a hearing, the superintendent determines that the school is in violation of any of the provisions of division (A) of this section.

(C) Any public school located in a school district adjacent to the pilot project district may receive scholarship payments on behalf of parents pursuant to section 3313.979 of the Revised Code if the superintendent of the district in which such public school is located notifies the state superintendent prior to the

first day of March that the district intends to admit students from the pilot project district for the ensuing school year pursuant to section 3327.06 of the Revised Code.

(D) Any parent wishing to purchase tutorial assistance from any person or governmental entity pursuant to the pilot project program under sections 3313.974 to 3313.979 of the Revised Code shall apply to the state superintendent. The state superintendent shall approve providers who appear to possess the capability of furnishing the instructional services they are offering to provide."

Between lines 6596 and 6597, insert:

"**Sec. 3314.36.** (A) Section 3314.35 of the Revised Code does not apply to any community school in which a majority of the students are enrolled in a dropout prevention and recovery program that is operated by the school and that has been granted a waiver by the department of education. Until June 30, 2014, the department shall grant a waiver to a dropout prevention and recovery program, within sixty days after the program applies for the waiver, if the program meets all of the following conditions:

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

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

(3) The program requires students to attain at least the applicable score designated for each of the assessments prescribed under division (B)(1) of section 3301.0710 of the Revised Code or, to the extent prescribed by rule of the state board of education under division (D) ~~(6)~~ (5) of section 3301.0712 of the Revised Code, division (B)(2) of that section.

(4) The program develops an individual career plan for the student that specifies the student's matriculating to a two-year degree program, acquiring a business and industry credential, or entering an apprenticeship.

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

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

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

(B) Notwithstanding division (A) of this section, the department shall not grant a waiver to any community school that did not qualify for a waiver under this section when it initially began operations, unless the state board of education approves the waiver.

(C) Beginning on July 1, 2014, all community schools in which a majority of the students are enrolled in a dropout prevention and recovery program are subject to the provisions of section 3314.351 of the Revised Code, regardless of whether a waiver has been granted under this section. Thereafter, no waivers shall be granted under this section."

Between lines 8121 and 8122, insert:

"**Sec. 3325.08.** (A) A diploma shall be granted by the superintendent of the state school for the blind and the superintendent of the state school for the deaf to any student enrolled in one of these state schools to whom all of the following apply:

(1) The student has successfully completed the individualized education program developed for the student for the student's high school education pursuant to section 3323.08 of the Revised Code;

(2) Subject to section 3313.614 of the Revised Code, the student has met the assessment requirements of division (A)(2)(a) or (b) of this section, as applicable.

(a) If the student entered the ninth grade prior to ~~the date prescribed by rule of the state board of education under division (D)(2) of section 3301.0712 of the Revised Code July 1, 2014,~~ the student either:

(i) Has attained at least the applicable scores designated under division (B)(1) of section 3301.0710 of the Revised Code on all the assessments prescribed by that division unless division (L) of section 3313.61 of the Revised Code applies to the student;

(ii) Has satisfied the alternative conditions prescribed in section 3313.615 of the Revised Code.

(b) If the student entered the ninth grade on or after ~~the date prescribed by rule of the state board under division (D)(2) of section 3301.0712 of the Revised Code July 1, 2014,~~ the student has met the ~~requirements of the entire assessment system~~ requirement prescribed ~~under division (B)(2) of by~~ section ~~3301.0710~~ 3313.618 of the Revised Code, except to the extent that division (L) of section 3313.61 of the Revised Code applies to the student.

(3) The student is not eligible to receive an honors diploma granted pursuant to division (B) of this section.

No diploma shall be granted under this division to anyone except as provided under this division.

(B) In lieu of a diploma granted under division (A) of this section, the

superintendent of the state school for the blind and the superintendent of the state school for the deaf shall grant an honors diploma, in the same manner that the boards of education of school districts grant such diplomas under division (B) of section 3313.61 of the Revised Code, to any student enrolled in one of these state schools who accomplishes all of the following:

(1) Successfully completes the individualized education program developed for the student for the student's high school education pursuant to section 3323.08 of the Revised Code;

(2) Subject to section 3313.614 of the Revised Code, has met the assessment requirements of division (B)(2)(a) or (b) of this section, as applicable.

(a) If the student entered the ninth grade prior to ~~the date prescribed by rule of the state board under division (D)(2) of section 3301.0712 of the Revised Code July 1, 2014,~~ the student either:

(i) Has attained at least the applicable scores designated under division (B)(1) of section 3301.0710 of the Revised Code on all the assessments prescribed under that division;

(ii) Has satisfied the alternative conditions prescribed in section 3313.615 of the Revised Code.

(b) If the student entered the ninth grade on or after ~~the date prescribed by rule of the state board under division (D)(2) of section 3301.0712 of the Revised Code July 1, 2014,~~ the student has met the ~~requirements of the entire assessment system requirement prescribed under division (B)(2) of by section 3301.0710~~ 3313.618 of the Revised Code.

(3) Has met additional criteria for granting an honors diploma.

These additional criteria shall be the same as those prescribed by the state board under division (B) of section 3313.61 of the Revised Code for the granting of such diplomas by school districts. No honors diploma shall be granted to anyone failing to comply with this division and not more than one honors diploma shall be granted to any student under this division.

(C) A diploma or honors diploma awarded under this section shall be signed by the superintendent of public instruction and the superintendent of the state school for the blind or the superintendent of the state school for the deaf, as applicable. Each diploma shall bear the date of its issue and be in such form as the school superintendent prescribes.

(D) Upon granting a diploma to a student under this section, the superintendent of the state school in which the student is enrolled shall provide notice of receipt of the diploma to the board of education of the school district where the student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code when not residing at the state school for the blind or the state school for the deaf. The notice shall indicate the type of diploma granted."

Delete lines 8213 through 8295 and insert:

"Sec. 3328.25. (A) The board of trustees of a college-preparatory boarding school established under this chapter shall grant a diploma to any student enrolled in the school to whom all of the following apply:

(1) The student has successfully completed the school's high school curriculum or the IEP developed for the student by the school pursuant to section 3323.08 of the Revised Code or has qualified under division (D) or (F) of section 3313.603 of the Revised Code, provided that the school shall not require a student to remain in school for any specific number of semesters or other terms if the student completes the required curriculum early.

(2) Subject to section 3313.614 of the Revised Code, the student has met the assessment requirements of division (A)(2)(a) or (b) of this section, as applicable.

(a) If the student entered ninth grade prior to ~~the date prescribed by rule of the state board of education under division (D)(2) of section 3301.0712 of the Revised Code~~ July 1, 2014, the student either:

(i) Has attained at least the applicable scores designated under division (B)(1) of section 3301.0710 of the Revised Code on all the assessments prescribed by that division unless division ~~(L)~~ (M) of section 3313.61 of the Revised Code applies to the student;

(ii) Has satisfied the alternative conditions prescribed in section 3313.615 of the Revised Code.

(b) If the person entered ninth grade on or after ~~the date prescribed by rule of the state board under division (D)(2) of section 3301.0712 of the Revised Code~~ July 1, 2014, the student has met the ~~requirements of the entire assessment system requirement~~ requirement prescribed ~~under division (B)(2) of~~ by section ~~3301.0710~~ 3313.618 of the Revised Code, except to the extent that the student is excused from some portion of that ~~assessment system section~~ section pursuant to division ~~(L)~~ (M) of section 3313.61 of the Revised Code.

(3) The student is not eligible to receive an honors diploma granted under division (B) of this section.

No diploma shall be granted under this division to anyone except as provided in this division.

(B) In lieu of a diploma granted under division (A) of this section, the board of trustees shall grant an honors diploma, in the same manner that boards of education of school districts grant honors diplomas under division (B) of section 3313.61 of the Revised Code, to any student enrolled in the school who accomplishes all of the following:

(1) Successfully completes the school's high school curriculum or the IEP developed for the student by the school pursuant to section 3323.08 of the Revised Code;

(2) Subject to section 3313.614 of the Revised Code, has met the assessment requirements of division (B)(2)(a) or (b) of this section, as applicable.

(a) If the student entered ninth grade prior to ~~the date prescribed by rule of the state board under division (D)(2) of section 3301.0712 of the Revised Code July 1, 2014~~, the student either:

(i) Has attained at least the applicable scores designated under division (B)(1) of section 3301.0710 of the Revised Code on all the assessments prescribed under that division;

(ii) Has satisfied the alternative conditions prescribed in section 3313.615 of the Revised Code.

(b) If the person entered ninth grade on or after ~~the date prescribed by rule of the state board under division (D)(2) of section 3301.0712 of the Revised Code July 1, 2014~~, the student has met the ~~requirements of the entire assessment system requirement prescribed under division (B)(2) of~~ by section 3301.0710 3313.618 of the Revised Code.

(3) Has met the additional criteria for granting an honors diploma prescribed by the state board under division (B) of section 3313.61 of the Revised Code for the granting of honors diplomas by school districts.

An honors diploma shall not be granted to a student who is subject to the ~~Ohio core curriculum requirements~~ requirements prescribed in division (C) of section 3313.603 of the Revised Code but elects the option of division (D) or (F) of that section. No honors diploma shall be granted to anyone failing to comply with this division, and not more than one honors diploma shall be granted to any student under this division.

(C) A diploma or honors diploma awarded under this section shall be signed by the presiding officer of the board of trustees. Each diploma shall bear the date of its issue and be in such form as the board of trustees prescribes.

(D) Upon granting a diploma to a student under this section, the presiding officer of the board of trustees shall provide notice of receipt of the diploma to the board of education of the city, exempted village, or local school district where the student is entitled to attend school when not residing at the college-preparatory boarding school. The notice shall indicate the type of diploma granted."

Between lines 8453 and 8454, insert:

"**Sec. 3333.123.** (A) As used in this section:

(1) "The Ohio college opportunity grant program" means the program established under section 3333.122 of the Revised Code.

(2) "Rules for the Ohio college opportunity grant program" means the rules authorized in division (R) of section 3333.04 of the Revised Code for the

implementation of the program.

(B) In adopting rules for the Ohio college opportunity grant program, the chancellor of the Ohio board of regents may include provisions that give preferential or priority funding to low-income students who in their primary and secondary school work participate in or complete rigorous academic coursework, attain passing scores on the assessments prescribed in section 3301.0710 or 3301.0712 of the Revised Code, or meet other high academic performance standards determined by the chancellor to reduce the need for remediation and ensure academic success at the postsecondary education level. Any such rules shall include a specification of procedures needed to certify student achievement of primary and secondary standards as well as the timeline for implementation of the provisions authorized by this section."

In line 8710, after the period insert "The chancellor shall monitor the standards in mathematics, science, reading, and writing established under division (F) of this section to ensure that the standards adequately demonstrate a student's remediation-free status."

In line 9927, after "3301.079," insert "3301.0710,"; after "3301.0715," insert "3301.16, 3302.02,"; after "3302.03," insert "3302.031,"

In line 9929, after "3313.372," insert "3313.532,"

In line 9930, after "3313.61," insert "3313.611,"; after "3313.612," insert "3313.614, 3313.615,"

In line 9931, after "3313.90," insert "3313.976,"; after "3314.08," insert "3314.36,"

In line 9933, after "3325.07," insert "3325.08,"

In line 9934, after "3333.041," insert "3333.123,"

In line 1 of the title, after "3301.079," insert "3301.0710,"

In line 2 of the title, after "3301.0715," insert "3301.16, 3302.02,"

In line 3 of the title, after "3302.03," insert "3302.031,"

In line 5 of the title, after "3313.372," insert "3313.532,"

In line 6 of the title, after "3313.61," insert "3313.611,"

In line 7 of the title, after "3313.612," insert "3313.614, 3313.615,"; after "3313.90," insert "3313.976,"

In line 8 of the title, after "3314.08," insert "3314.36,"

In line 10 of the title, after "3325.07," insert "3325.08,"

In line 12 of the title, after "3333.041," insert "3333.123,"

In line 24 of the title, after "3313.6020," insert "3313.618,"

In line 1123, after "(iii)" delete the balance of the line

Delete lines 1124 and 1125

In line 1126, delete the paragraph break; delete " (iv)"; delete " promises to provide and"

In line 37, after "3301.0715," insert "3302.01,"

Between lines 1984 and 1985, insert:

"**Sec. 3302.01.** As used in this chapter:

(A) "Performance index score" means the average of the totals derived from calculations ~~for each subject area of English language arts, mathematics, science, and social studies~~ of the weighted proportion of untested students and students scoring at each level of skill described in division (A)(2) of section 3301.0710 of the Revised Code on the state achievement assessments prescribed by divisions (A) and (B)(1) of that section. The ~~,~~ as follows:

(1) For the assessments prescribed by division (A)(1) of section 3301.0710 of the Revised Code, the average for each of the subject areas of English language arts, mathematics, science, and social studies.

(2) For the assessments prescribed by division (B)(1) of section 3301.0710 and division (B)(2) of section 3301.0712 of the Revised Code, the average for each of the subject areas of English language arts and mathematics.

The department of education shall assign weights such that students who do not take an assessment receive a weight of zero and students who take an assessment receive progressively larger weights dependent upon the level of skill attained on the assessment. The department shall assign additional weights to students who have been permitted to pass over a subject in accordance with a student acceleration policy adopted under section 3324.10 of the Revised Code. If such a student attains the proficient score prescribed under division (A)(2)(c) of section 3301.0710 of the Revised Code or higher on an assessment, the department shall assign the student the weight prescribed for the next higher scoring level. If such a student attains the advanced score, prescribed under division (A)(2)(a) of section 3301.0710 of the Revised Code, on an assessment, the department shall assign to the student an additional proportional weight, as approved by the state board. For each school year that such a student's score is included in the performance index score and the student attains the proficient score on an assessment, that additional weight shall be assigned to the student on a subject-by-subject basis.

Students shall be included in the "performance index score" in accordance with division (K)(2) of section 3302.03 of the Revised Code.

(B) "Subgroup" means a subset of the entire student population of the state, a school district, or a school building and includes each of the following:

- (1) Major racial and ethnic groups;
- (2) Students with disabilities;

(3) Economically disadvantaged students;

(4) Limited English proficient students;

(5) Students identified as gifted in superior cognitive ability and specific academic ability fields under Chapter 3324. of the Revised Code. For students who are gifted in specific academic ability fields, the department shall use data for those students with specific academic ability in math and reading. If any other academic field is assessed, the department shall also include data for students with specific academic ability in that field.

(6) Students in the lowest quintile for achievement statewide, as determined by a method prescribed by the state board of education.

(C) "No Child Left Behind Act of 2001" includes the statutes codified at 20 U.S.C. 6301 et seq. and any amendments, waivers, or both thereto, rules and regulations promulgated pursuant to those statutes, guidance documents, and any other policy directives regarding implementation of that act issued by the United States department of education.

(D) "Adequate yearly progress" means a measure of annual academic performance as calculated in accordance with the "No Child Left Behind Act of 2001."

(E) "Supplemental educational services" means additional academic assistance, such as tutoring, remediation, or other educational enrichment activities, that is conducted outside of the regular school day by a provider approved by the department in accordance with the "No Child Left Behind Act of 2001."

(F) "Value-added progress dimension" means a measure of academic gain for a student or group of students over a specific period of time that is calculated by applying a statistical methodology to individual student achievement data derived from the achievement assessments prescribed by section 3301.0710 of the Revised Code. The "value-added progress dimension" shall be developed and implemented in accordance with section 3302.021 of the Revised Code.

(G)(1) "Four-year adjusted cohort graduation rate" means the number of students who graduate in four years or less with a regular high school diploma divided by the number of students who form the adjusted cohort for the graduating class.

(2) "Five-year adjusted cohort graduation rate" means the number of students who graduate in five years with a regular high school diploma divided by the number of students who form the adjusted cohort for the four-year graduation rate.

(H) "State institution of higher education" has the same meaning as in section 3345.011 of the Revised Code.

(I) "Annual measurable objectives" means a measure of student progress

determined in accordance with an agreement between the department of education and the United States department of education."

In line 2355, after "students" insert "using only data from assessments in English language arts and mathematics"; after the period insert "For the 2014-2015 school year, the department shall include this measure on a school district or building's report card, as applicable, without an assigned letter grade."

In line 9927, after "3301.0715," insert "3302.01,"

In line 2 of the title, after "3301.0715," insert "3302.01,"

In line 53, after "3314.352," insert "3324.11,"

Between lines 8023 and 8024, insert:

"Sec. 3324.11. No rule adopted by the state board of education pursuant to this chapter, section 3301.07 of the Revised Code, or any other provision of the Revised Code shall permit a school district to report that it has provided services to a student identified as gifted unless those services are paid for by the district. Nothing in this section shall prohibit a district from requiring a student to pay the costs of advanced placement or international baccalaureate examinations."

In line 24 of the title, after "3314.352," insert "3324.11,"

In line 41, delete "3314.029,"

Delete lines 3771 through 3779

In line 3780, delete "divisions" and insert "division"; delete "and (3)"

Delete lines 5407 through 5835, and insert:

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

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

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

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

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

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

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

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

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

(c) A big eight school district;

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

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

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

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

(5) "New start-up school" means a community school other than one created by converting all or part of an existing public school or educational service center building, as designated in the school's contract pursuant to division (A)(17) of section 3314.03 of the Revised Code.

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

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

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

(a) An individual or organization that manages the daily operations of a community school pursuant to a contract between the operator and the school's

governing authority;

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

(9) "Alliance municipal school district" has the same meaning as in section 3311.86 of the Revised Code.

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

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

A service center that proposes the establishment of a conversion community school located in a county within the territory of the service center or in a county contiguous to such county is exempt from approval from the department of education, except as provided under division (B)(4) of this section, and from the agreement required under division (B)(1) of section 3314.015 of the Revised Code.

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

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

(3) Upon receipt of a proposal, a board may enter into a preliminary agreement with the person or group proposing the conversion of the public school or service center building, indicating the intention of the board to support the conversion to a community school. A proposing person or group that has a preliminary agreement under this division may proceed to finalize plans for the school, establish a governing authority for the school, and negotiate a contract with the board. Provided the proposing person or group adheres to the preliminary agreement and all provisions of this chapter, the board shall

negotiate in good faith to enter into a contract in accordance with section 3314.03 of the Revised Code and division (C) of this section.

(4) The sponsor of a conversion community school proposed to open in an alliance municipal school district shall be subject to approval by the department of education for sponsorship of that school using the criteria established under division (A) of section 3311.87 of the Revised Code.

Division (B)(4) of this section does not apply to a sponsor that is exempted under section 3314.021 or 3314.027 of the Revised Code from the requirement to be approved for sponsorship under divisions (A)(2) and (B)(1) of section 3314.015 of the Revised Code.

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

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

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

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

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

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

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

(iii) It enters into an agreement with the department under section 3314.015 of the Revised Code.

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

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

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

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

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

(iv) The entity is not a community school.

(g) The mayor of a city in which the majority of the territory of a school district to which section 3311.60 of the Revised Code applies is located, regardless of whether that district has created the position of independent auditor as prescribed by that section. The mayor's sponsorship authority under this division is limited to community schools that are located in that school district. Such mayor may sponsor community schools only with the approval of the city council of that city, after establishing standards with which community schools sponsored by the mayor must comply, and after entering into a sponsor agreement with the department as prescribed under section 3314.015 of the Revised Code. The mayor shall establish the standards for community schools sponsored by the mayor not later than one hundred eighty days after ~~the effective date of this amendment~~ July 15, 2013, and shall submit them to the department upon their establishment. The department shall approve the mayor to sponsor community schools in the district, upon receipt of an application by the mayor to do so. Not later than ninety days after the department's approval of the mayor as a community school sponsor, the department shall enter into the sponsor agreement with the mayor.

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

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

(3) A new start-up school that is established in a school district described in either division (A)(3)(b) or (d) of this section may continue in existence once the school district no longer meets the conditions described in either division,

provided there is a valid contract between the school and a sponsor.

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

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

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

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

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

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

(3) No present or former member, or immediate relative of a present or former member, of the governing authority of any community school established under this chapter shall be an owner, employee, or consultant of any sponsor or operator of a community school, unless at least one year has elapsed since the conclusion of the person's membership.

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

(F)(1) A new start-up school that is established prior to August 15, 2003, in an urban school district that is not also a big-eight school district may continue to operate after that date and the contract between the school's

governing authority and the school's sponsor may be renewed, as provided under this chapter, after that date, but no additional new start-up schools may be established in such a district unless the district is a challenged school district as defined in this section as it exists on and after that date.

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

(3) Any educational service center that, on June 30, 2007, sponsors a community school that is not located in a county within the territory of the service center or in a county contiguous to such county may continue to sponsor that community school on and after June 30, 2007, and may renew its contract with the school. However, the educational service center shall not enter into a contract with any additional community school, unless the school is located in a county within the territory of the service center or in a county contiguous to such county, or unless the governing board of the service center has entered into an agreement with the department authorizing the service center to sponsor a community school in any challenged school district in the state."

In line 9931, delete "3314.029,"

In line 7 of the title, delete "3314.029,"

In line 10519, after "**17.**" insert "Not later than December 31, 2014, the Superintendent of Public Instruction shall submit to the Governor and General Assembly, in accordance with section 101.68 of the Revised Code, recommendations for legislative changes regarding intervention for poor performing school districts that are at risk of becoming subject to the establishment of an academic distress commission as prescribed under section 3310.02 of the Revised Code.

Section 18."

Between lines 3150 and 3151, insert:

" (C) Each chartered nonpublic school that charges a scholarship student an additional amount as authorized under division (B) of this section shall annually report to the department of education in the manner prescribed by the department the following:

(1) The number of students charged;

(2) The average of the amounts charged to such students."

In line 10453, after "**13.**" insert "(A)"

In line 10461, delete "department" and insert "Department"; delete

"education" and insert "Education"

Between lines 10463 and 10464, insert:

"(B) Not later than December 31, 2014, the Department shall submit a report to the Governor and the General Assembly, in accordance with section 101.68 of the Revised Code, on the security of student data with regard to the administration of online assessments.

(C) Not later than July 1, 2015, the Department shall publish the number of districts and schools that administered the assessments required under sections 3301.0710 and 3301.0712 of the Revised Code in all of the following formats:

- (1) Completely in an online format;
- (2) Completely in a paper format;
- (3) In any combination of online and paper formats."

In line 1938, delete "exempts the student from" and insert "has been reviewed by either the student's school district of residence or the school district in which the chartered nonpublic school is located and that specifies that the student is not subject to"

In line 1943, delete "has" and insert "and "school district of residence" have"

In line 1944, delete "meaning" and insert "meanings"

Between lines 10518 and 10519, insert:

"Section 17. If a school district or community school cannot furnish the number of teachers who satisfy one or more of the criteria set forth in division (H) of section 3313.608 of the Revised Code needed for the 2014-2015 or 2015-2016 school year in order to comply with requirements of that section, the district or school may develop and submit to the Department of Education an alternative staffing plan for that school year."

In line 10519, delete "**17**" and insert "**18**"

In line 4962, after "(D)" insert "(1)"

Between lines 4964 and 4965, insert:

"(2) Not later than July 1, 2015, the department shall create an online clearinghouse of research related to proven practices for policies on career advising and student success plans that districts may access when fulfilling the requirements of this section."

In line 1107, delete all after "(c)"

Delete lines 1108 through 1110 and insert "A chartered nonpublic school may submit to the superintendent of public instruction a request for a waiver from administering the elementary assessments prescribed by division (A) of section 3301.0710 of the Revised Code. The state superintendent shall approve

or disapprove a request for a waiver submitted under division (K)(1)(c) of this section. No waiver shall be approved for any school year prior to the 2015-2016 school year.

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

In line 4941, delete "in consultation"; after "with" insert "input from"

In line 5175, strike through "accredited"

Strike through line 5176 and insert "acting in accordance with division (D) of this section"

Between lines 5203 and 5204, insert:

" (D) A 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, 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.

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

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

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

In line 2528, after "year" insert ", may, at the discretion of the state board of education, not assign an individual grade to any component prescribed under division (C)(3) of section 3302.03 of the Revised Code."

In line 10508, delete "issued for" and insert "that is based on the results of the assessments prescribed under sections 3301.0710 and 3301.0712 of the Revised Code administered in"; after "year" insert "and is used"

In line 52, after "3301.947," insert "3302.035,"

Between lines 2523 and 2524, insert:

" **Sec. 3302.035.** (A) Not later than October 1, 2015, and not later than the first day of October each year thereafter, the department of education shall report for each school district, each community school established under Chapter 3314., each STEM school established under Chapter 3326., and each college-preparatory boarding school established under Chapter 3328. of the

Revised Code, the following measures for students with disabilities enrolled in that school district or community, STEM, or college-preparatory boarding school:

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

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

(3) The four- and five-year adjusted cohort graduation rates, as defined under divisions (G)(1) and (2) of section 3302.01 of the Revised Code, for that subgroup.

(B) The department shall make each report completed pursuant to division (A) of this section available on its web site for comparison purposes."

In line 22 of the title, after "3301.947," insert "3302.035,"

In line 52, after "3301.947," insert "3301.948,"

Between lines 1984 and 1985, insert:

" **Sec. 3301.948.** Notwithstanding anything in the Revised Code to the contrary, the department of education, any school district, any school, or any third party under contract with the state, a school district, or a school shall not provide student names and addresses to any multi-state consortium that offers summative assessments."

In line 5897, after "3301.0715," insert " 3301.948."

In line 8172, after "3301.0715," insert " 3301.948."

In line 8209, after "3301.0714," insert " 3301.948."

In line 10004, after "3301.0715," insert "3301.948,"

In line 10208, after "3301.0715," insert "3301.948,"

In line 10519, after "**17.**" insert "Not later than December 31, 2014, the Superintendent of Public Instruction shall submit a report of recommendations to the Governor and the General Assembly, in accordance with section 101.68 of the Revised Code, regarding the security and use of student data.

Section 18."

In line 22 of the title, after "3301.947," insert "3301.948,"

In line 8589, delete everything after "(D)"

Delete lines 8590 through 8610

In line 8611, delete " (E)"

In line 40, after "3313.612," insert "3313.617,"

Between lines 5203 and 5204, insert:

"Sec. 3313.617. (A) A person who meets all of the following criteria shall be permitted to take the tests of general educational development:

(1) The person is at least eighteen years of age.

(2) The person is officially withdrawn from school.

(3) The person has not received a high school diploma or honors diploma awarded under section 3313.61, 3313.611, 3313.612, or 3325.08 of the Revised Code.

~~(B) When a person who is at least sixteen years of age but less than nineteen eighteen years of age applies to the department of education to take the tests of general educational development, the person shall submit with the application written approval from the superintendent of the school district in which the person was last enrolled, or the superintendent's designee, except that if the person was last enrolled in a community school established under Chapter 3314. of the Revised Code or a science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code, the approval shall be from the principal of the school, or the principal's designee. The department may require the person also to submit written approval from the person's parent or guardian or a court official ~~, if the person is younger than eighteen years of age.~~~~

~~(B) (C) For the purpose of calculating graduation rates for the school district and building report cards under section 3302.03 of the Revised Code, the department shall count any person for whom approval is obtained from the superintendent or principal, or a designee, person's parent or guardian or a court official under division ~~(A)~~ (B) of this section as a dropout from the district or school in which the person was last enrolled prior to obtaining the approval."~~

In line 9930, after "3313.612," insert "3313.617,"

In line 7 of the title, after "3313.612," insert "3313.617,"

In line 1980, delete " personally identifiable information of a"

In line 1981, delete " religion" and insert " religious affiliation"

In line 9359, after " amount" insert " , unless approved by the chancellor."

In line 9360, after the underlined period insert " The chancellor shall approve an agreement that includes a payment below the default floor amount, as long as the provisions of the agreement comply with all other requirements of this chapter to ensure program quality."

In line 9383, after the first " amount" insert " , unless approved by the chancellor."

In line 9387, after " amount" insert " , unless approved by the chancellor to pay an amount below the default floor amount. The chancellor shall approve an agreement that includes a payment below the default floor amount, as long as

the provisions of the agreement comply with all other requirements of this chapter to ensure program quality"

In line 9389, delete " default floor"

In line 9359, after " amount" insert " , unless approved by the chancellor,"

In line 9383, after the first " amount" insert " , unless approved by the chancellor,"

In line 9387, after " amount" insert " , unless approved by the chancellor to pay an amount below the default floor amount"

In line 9389, delete " default floor"

In line 9402, delete everything after " exceed"

In line 9403, delete " charge amount;" and insert " the following amounts, as applicable:

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

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

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

In line 46, after "3365.11," insert "and"; delete "and 5705.10"

Delete lines 9842 through 9925

In line 9936, after "3365.11," insert "and"; delete ", and 5705.10"

Delete lines 10397 through 10402

In line 10403, delete "**10**" and insert "**9**"

In line 10409, delete "**11**" and insert "**10**"

In line 10421, delete "**12**" and insert "**11**"

In line 10453, delete "**13**" and insert "**12**"

In line 10464, delete "**14**" and insert "**13**"

In line 10492, delete "**15**" and insert "**14**"

In line 10499, delete "**16**" and insert "**15**"

In line 10519, delete "**17**" and insert "**16**"

In line 14 of the title, after "3365.11," insert "and"; delete ", and 5705.10"

In line 42, delete "3319.111, 3319.112,"

Delete lines 7256 through 7496

In line 9932, delete "3319.111, 3319.112,"

Delete lines 10403 through 10408

In line 10409, delete "**11**" and insert "**10**"

In line 10421, delete "**12**" and insert "**11**"

In line 10453, delete "**13**" and insert "**12**"

In line 10464, delete "**14**" and insert "**13**"

In line 10492, delete "**15**" and insert "**14**"

In line 10499, delete "**16**" and insert "**15**"

In line 10519, delete "**17**" and insert "**16**"

In line 8 of the title, delete "3319.111,"

In line 9 of the title, delete "3319.112,"

Managers on the Part of the
House of Representatives

Managers on the Part of the
Senate

/s/ GERALD L. STEBELTON
GERALD L. STEBELTON

/s/ PEGGY B. LEHNER
PEGGY B. LEHNER

/s/ ANDREW O. BRENNER
ANDREW O. BRENNER

/s/ RANDY GARDNER
RANDY GARDNER

TERESA FEDOR

TOM SAWYER

Senator Widener moved that pursuant to Senate Rule No. 44, the Report of the Committee of Conference on **Am. Sub. H. B. No. 487** be brought up for consideration.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question being, "Shall the report of the Committee of Conference be agreed to?"

The yeas and nays were taken and resulted - yeas 23, nays 9, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|----------|-----------|-----------|--------|
| Bacon | Balderson | Beagle | Burke |
| Coley | Eklund | Gardner | Hite |
| Hughes | Jones | LaRose | Lehner |
| Manning | Obhof | Oelslager | Patton |
| Peterson | Schaffer | Seitz | Smith |

Uecker

Widener

Faber-23.

Those who voted in the negative were: Senators

Brown
KearneyCafaro
SawyerGentile
SchiavoniJordan
Tavares
Turner-9.

So the report of Committee of Conference was agreed to.

BILLS FOR THIRD CONSIDERATION

Sub. S. B. No. 207-Senators Patton, Manning.

To amend sections 2105.06, 2937.02, 3107.07, 3109.042, and 3111.04 and to enact sections 2105.062, 3109.50, 3109.501, 3109.502, 3109.503, 3109.504, 3109.505, 3109.506, and 3109.507 of the Revised Code regarding the parental rights of a person who was convicted of or pleaded guilty to rape or sexual battery, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 207**, pass?"

Senator Patton moved that Senators Turner and Tavares be added as Joint Sponsors to **Sub. S. B. No. 207**.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. S. B. No. 207**, pass?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon
Burke
Gardner
Jones
Lehner
Patton
Schiavoni
TurnerBalderson
Cafaro
Gentile
Jordan
Manning
Peterson
Seitz
UeckerBeagle
Coley
Hite
Kearney
Obhof
Sawyer
Smith
WidenerBrown
Eklund
Hughes
LaRose
Oelslager
Schaffer
Tavares
Faber-32.

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Patton moved to amend the title as follows:

Add the names: "Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Coley, Eklund, Gardner, Gentile, Hite, Hughes, Jones, Jordan, Kearney, Lehner,

Obhof, Oelslager, Peterson, Sawyer, Schaffer, Schiavoni, Uecker, Widener."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Am. H. B. No. 105-Representative Hayes.

Cosponsors: Representatives Derickson, Beck, Milkovich, Strahorn, Wachtmann, Antonio, Bishoff, Brown, Hottinger, Adams, R., Amstutz, Anielski, Ashford, Baker, Blair, Boose, Buchy, Budish, Burkley, Carney, Green, Grossman, Hackett, Hagan, C., Hall, Landis, McClain, O'Brien, Patmon, Pelanda, Ramos, Reece, Roegner, Rogers, Sears, Slaby, Smith, Sprague, Stebelton, Young, Speaker Batchelder. Senators Tavares, Brown.

To enact section 5.2280 of the Revised Code to designate the calendar week including the seventeenth day of July as "Congenital Diaphragmatic Hernia Week", was considered the third time.

The question being, "Shall the bill, **Am. H. B. No. 105**, pass?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|-----------|-----------|---------|-----------|
| Bacon | Balderson | Beagle | Brown |
| Burke | Cafaro | Coley | Eklund |
| Gardner | Gentile | Hite | Hughes |
| Jones | Jordan | Kearney | LaRose |
| Lehner | Manning | Obhof | Oelslager |
| Patton | Peterson | Sawyer | Schaffer |
| Schiavoni | Seitz | Smith | Tavares |
| Turner | Uecker | Widener | Faber-32. |

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Jones moved to amend the title as follows:

Add the names: "Burke, Coley, Eklund, Hite, Hughes, Jones, Kearney, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Schaffer, Turner, Uecker, Widener."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Sub. H. B. No. 309-Representatives Pelanda, Antonio.

Cosponsors: Representatives Ruhl, Barborak, Gonzales, Ramos, Sheehy, Maag, Cera, Heard, Lundy, Hagan, R., Fedor, Phillips, Williams, Ashford, Grossman, Celebrezze, Reece, Scherer, O'Brien, Stinziano, Adams, J.,

Amstutz, Baker, Barnes, Bishoff, Blair, Brown, Buchy, Burkley, Conditt, Driehaus, Hackett, Hayes, Huffman, Letson, Mallory, McClain, Milkovich, Pillich, Rogers, Schuring, Sears, Sprague, Strahorn, Wachtmann, Winburn, Young, Speaker Batchelder. Senators Kearney, LaRose, Brown.

To amend sections 2151.34, 2301.14, 2311.14, 2335.09, 2335.11, 2903.213, 2903.214, 2919.26, 2919.272, and 3113.31 of the Revised Code to prohibit the taxation of interpreter's fees as court costs if the party to be taxed is indigent and require payment of the fees by the county or municipal corporation in which the court is located, to eliminate the requirement that a court evaluate the qualifications of an interpreter for a mentally retarded or developmentally disabled person before appointing the interpreter, and to provide that no fee, cost, deposit, or money may be charged to a person who seeks a protection order for the modification, enforcement, dismissal, or withdrawal of a domestic violence, anti-stalking, sexually oriented offense, or other type of protection order or consent agreement or for the service of a witness subpoena, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 309**, pass?"

Senator Obhof moved that he be excused from voting pursuant to Senate Rule No. 57.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 309**, pass?"

The yeas and nays were taken and resulted - yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|----------|-----------|-----------|-----------|
| Bacon | Balderson | Beagle | Brown |
| Burke | Cafaro | Coley | Eklund |
| Gardner | Gentile | Hite | Hughes |
| Jones | Jordan | Kearney | LaRose |
| Lehner | Manning | Oelslager | Patton |
| Peterson | Sawyer | Schaffer | Schiavoni |
| Seitz | Smith | Tavares | Turner |
| Uecker | Widener | | Faber-31. |

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Eklund moved to amend the title as follows:

Add the names: "Coley, Eklund, Gardner, Hite, Hughes, Lehner, Patton, Sawyer, Smith, Tavares, Turner, Uecker, Widener."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Sub. H. B. No. 486-Representatives Baker, Stebelton.

Cosponsors: Representatives Adams, R., Anielski, Antonio, Beck, Blessing, Boose, Brown, Buchy, Burkley, Carney, Damschroder, Derickson, Dovilla, Duffey, Hackett, Hagan, C., Hayes, Henne, Landis, McClain, McGregor, Perales, Romanchuk, Rosenberger, Ruhl, Scherer, Schuring, Smith, Sprague, Stebelton, Stinziano, Terhar, Wachtmann, Speaker Batchelder. Senator LaRose.

To amend sections 121.08, 122.136, 122.21, 122.25, 122.37, 122.64, 122.89, 122.94, 122.941, 149.311, 150.10, 166.13, 166.18, 184.02, 1551.34, 2329.66, 3731.02, and 4740.06 and to enact sections 107.35, 143.01 to 143.11, 3333.91, and 6301.11 of the Revised Code to revise the coordination of workforce development and economic development programs; to synchronize the due dates of several reports due from the Development Services Agency, the Ohio Venture Capital Authority, and the Third Frontier Commission; to create the Volunteer Police Officers' Dependents Fund to provide death benefits to survivors of volunteer police officers killed in the line of duty and disability benefits to disabled volunteer police officers; to revise the law regarding innovation financial assistance and research and development financial assistance; to require the Department of Job and Family Services to consult with the Governor's executive workforce board and create a list of in-demand jobs in this state; and to permit the Director of Commerce, the State Fire Marshal, and the Ohio Construction Industry Licensing Board to establish compliance incentive programs, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 486**, pass?"

On the motion of Senator Obhof, **Sub. H. B. No. 488** was informally passed and retained its place on the calendar.

Sub. H. B. No. 488-Representatives Dovilla, Landis.

Cosponsors: Representatives Johnson, Pillich, Barborak, Bishoff, Milkovich, Perales, Retherford, Rosenberger, Adams, R., Amstutz, Anielski, Antonio, Ashford, Baker, Beck, Blair, Blessing, Boose, Boyce, Brown, Buchy, Budish, Burkley, Butler, Carney, Celebrezze, Cera, Clyde, Curtin, Damschroder, Derickson, DeVitis, Duffey, Fedor, Foley, Gerberry, Green, Grossman, Hackett, Hagan, C., Hagan, R., Hall, Hayes, Henne, Huffman, Letson, Lundy, Lynch, Maag, McClain, McGregor, O'Brien, Patmon, Patterson, Pelanda, Ramos, Redfern, Rogers, Romanchuk, Ruhl, Scherer, Schuring, Sears, Sheehy, Smith, Sprague, Stautberg, Stebelton, Stinziano, Strahorn, Terhar, Wachtmann, Winburn, Speaker Batchelder. Senators Tavares, Brown, LaRose, Schaffer, Uecker.

To amend sections 1306.20, 2913.01, 2913.02, 2913.43, 2913.49, 2913.61, 3333.28, 4729.12, 4729.13, 4729.15, 4731.36, 4743.04, 5902.02, 5903.03,

5903.10, 5903.11, 5903.12, 5903.121, 5907.01, and 5907.04 and to enact sections 2305.112, 2307.611, 3333.164, 3345.42, 3345.421, 3345.422, 3345.423, 3345.424, 5903.01, 5903.04, 5903.05, and 5903.15 of the Revised Code to require state institutions of higher education to award credit for military training, to increase penalties for certain theft, deception, and identity fraud offenses when the victim is an active duty service member, to allow for a civil action for victims of identity fraud, and to make other changes regarding state support and benefits for veterans and their spouses, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 488**, pass?"

Senator LaRose moved to amend as follows:

In line 17, after "2913.61," insert "3307.01,"

Between lines 935 and 936, insert:

"Sec. 3307.01. As used in this chapter:

(A) "Employer" means the board of education, school district, governing authority of any community school established under Chapter 3314. of the Revised Code, a science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code, college, university, institution, or other agency within the state by which a teacher is employed and paid.

(B)(1) "Teacher" means all of the following:

(a) Any person paid from public funds and employed in the public schools of the state under any type of contract described in section 3311.77 or 3319.08 of the Revised Code in a position for which the person is required to have a license issued pursuant to sections 3319.22 to 3319.31 of the Revised Code;

(b) Any person employed as a teacher by a community school or a science, technology, engineering, and mathematics school pursuant to Chapter 3314. or 3326. of the Revised Code;

(c) Any person having a license issued pursuant to sections 3319.22 to 3319.31 of the Revised Code and employed in a public school in this state in an educational position, as determined by the state board of education, under programs provided for by federal acts or regulations and financed in whole or in part from federal funds, but for which no licensure requirements for the position can be made under the provisions of such federal acts or regulations;

(d) Any other teacher or faculty member employed in any school, college, university, institution, or other agency wholly controlled and managed, and supported in whole or in part, by the state or any political subdivision

thereof, including Central state university, Cleveland state university, and the university of Toledo;

(e) The educational employees of the department of education, as determined by the state superintendent of public instruction.

In all cases of doubt, the state teachers retirement board shall determine whether any person is a teacher, and its decision shall be final.

(2) "Teacher" does not include ~~either of the following:~~

~~(a) Any any eligible employee of a public institution of higher education, as defined in section 3305.01 of the Revised Code, who elects to participate in an alternative retirement plan established under Chapter 3305. of the Revised Code ;~~

~~(b) Any person having a license issued pursuant to sections 3319.22 to 3319.31 of the Revised Code and performing services that are funded under section 3317.06 of the Revised Code and provided to students attending nonpublic schools, without regard to whether the services are performed in a public school and whether the person is employed under a contract with a third party.~~

(C) "Member" means any person included in the membership of the state teachers retirement system, which shall consist of all teachers and contributors as defined in divisions (B) and (D) of this section and all disability benefit recipients, as defined in section 3307.50 of the Revised Code. However, for purposes of this chapter, the following persons shall not be considered members:

(1) A student, intern, or resident who is not a member while employed part-time by a school, college, or university at which the student, intern, or resident is regularly attending classes;

(2) A person denied membership pursuant to section 3307.24 of the Revised Code;

(3) An other system retirant, as defined in section 3307.35 of the Revised Code, or a superannuate;

(4) An individual employed in a program established pursuant to the "Job Training Partnership Act," 96 Stat. 1322 (1982), 29 U.S.C.A. 1501;

(5) The surviving spouse of a member or retirant if the surviving spouse's only connection to the retirement system is an account in an STRS defined contribution plan.

(D) "Contributor" means any person who has an account in the teachers' savings fund or defined contribution fund, except that "contributor" does not mean a member or retirant's surviving spouse with an account in an STRS defined contribution plan.

(E) "Beneficiary" means any person eligible to receive, or in receipt of, a retirement allowance or other benefit provided by this chapter.

(F) "Year" means the year beginning the first day of July and ending with the thirtieth day of June next following, except that for the purpose of determining final average salary under the plan described in sections 3307.50 to 3307.79 of the Revised Code, "year" may mean the contract year.

(G) "Local district pension system" means any school teachers pension fund created in any school district of the state in accordance with the laws of the state prior to September 1, 1920.

(H) "Employer contribution" means the amount paid by an employer, as determined by the employer rate, including the normal and deficiency rates, contributions, and funds wherever used in this chapter.

(I) "Five years of service credit" means employment covered under this chapter and employment covered under a former retirement plan operated, recognized, or endorsed by a college, institute, university, or political subdivision of this state prior to coverage under this chapter.

(J) "Actuary" means an actuarial professional contracted with or employed by the state teachers retirement board, who shall be either of the following:

(1) A member of the American academy of actuaries;

(2) A firm, partnership, or corporation of which at least one person is a member of the American academy of actuaries.

(K) "Fiduciary" means a person who does any of the following:

(1) Exercises any discretionary authority or control with respect to the management of the system, or with respect to the management or disposition of its assets;

(2) Renders investment advice for a fee, direct or indirect, with respect to money or property of the system;

(3) Has any discretionary authority or responsibility in the administration of the system.

(L)(1) Except as provided in this division, "compensation" means all salary, wages, and other earnings paid to a teacher by reason of the teacher's employment, including compensation paid pursuant to a supplemental contract. The salary, wages, and other earnings shall be determined prior to determination of the amount required to be contributed to the teachers' savings fund or defined contribution fund under section 3307.26 of the Revised Code and without regard to whether any of the salary, wages, or other earnings are treated as deferred income for federal income tax purposes.

(2) Compensation does not include any of the following:

(a) Payments for accrued but unused sick leave or personal leave, including payments made under a plan established pursuant to section 124.39 of the Revised Code or any other plan established by the employer;

(b) Payments made for accrued but unused vacation leave, including payments made pursuant to section 124.13 of the Revised Code or a plan established by the employer;

(c) Payments made for vacation pay covering concurrent periods for which other salary, compensation, or benefits under this chapter or Chapter 145. or 3309. of the Revised Code are paid;

(d) Amounts paid by the employer to provide life insurance, sickness, accident, endowment, health, medical, hospital, dental, or surgical coverage, or other insurance for the teacher or the teacher's family, or amounts paid by the employer to the teacher in lieu of providing the insurance;

(e) Incidental benefits, including lodging, food, laundry, parking, or services furnished by the employer, use of the employer's property or equipment, and reimbursement for job-related expenses authorized by the employer, including moving and travel expenses and expenses related to professional development;

(f) Payments made by the employer in exchange for a member's waiver of a right to receive any payment, amount, or benefit described in division (L)(2) of this section;

(g) Payments by the employer for services not actually rendered;

(h) Any amount paid by the employer as a retroactive increase in salary, wages, or other earnings, unless the increase is one of the following:

(i) A retroactive increase paid to a member employed by a school district board of education in a position that requires a license designated for teaching and not designated for being an administrator issued under section 3319.22 of the Revised Code that is paid in accordance with uniform criteria applicable to all members employed by the board in positions requiring the licenses;

(ii) A retroactive increase paid to a member employed by a school district board of education in a position that requires a license designated for being an administrator issued under section 3319.22 of the Revised Code that is paid in accordance with uniform criteria applicable to all members employed by the board in positions requiring the licenses;

(iii) A retroactive increase paid to a member employed by a school district board of education as a superintendent that is also paid as described in division (L)(2)(h)(i) of this section;

(iv) A retroactive increase paid to a member employed by an employer other than a school district board of education in accordance with uniform criteria applicable to all members employed by the employer.

(i) Payments made to or on behalf of a teacher that are in excess of the annual compensation that may be taken into account by the retirement system under division (a)(17) of section 401 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 401(a)(17), as amended. For a teacher who first

establishes membership before July 1, 1996, the annual compensation that may be taken into account by the retirement system shall be determined under division (d)(3) of section 13212 of the "Omnibus Budget Reconciliation Act of 1993," Pub. L. No. 103-66, 107 Stat. 472.

(j) Payments made under division (B), (C), or (E) of section 5923.05 of the Revised Code, Section 4 of Substitute Senate Bill No. 3 of the 119th general assembly, Section 3 of Amended Substitute Senate Bill No. 164 of the 124th general assembly, or Amended Substitute House Bill No. 405 of the 124th general assembly;

(k) Anything of value received by the teacher that is based on or attributable to retirement or an agreement to retire;

(l) Any amount paid by the employer as a retroactive payment of earnings, damages, or back pay pursuant to a court order, court-adopted settlement agreement, or other settlement agreement, unless the retirement system receives both of the following:

(i) Teacher and employer contributions under sections 3307.26 and 3307.28 of the Revised Code, plus interest compounded annually at a rate determined by the board, for each year or portion of a year for which amounts are paid under the order or agreement;

(ii) Teacher and employer contributions under sections 3307.26 and 3307.28 of the Revised Code, plus interest compounded annually at a rate determined by the board, for each year or portion of a year not subject to division (L)(2)(l)(i) of this section for which the board determines the teacher was improperly paid, regardless of the teacher's ability to recover on such amounts improperly paid.

(3) The retirement board shall determine both of the following:

(a) Whether particular forms of earnings are included in any of the categories enumerated in this division;

(b) Whether any form of earnings not enumerated in this division is to be included in compensation.

Decisions of the board made under this division shall be final.

(M) "Superannuate" means both of the following:

(1) A former teacher receiving from the system a retirement allowance under section 3307.58 or 3307.59 of the Revised Code;

(2) A former teacher receiving a benefit from the system under a plan established under section 3307.81 of the Revised Code, except that "superannuate" does not include a former teacher who is receiving a benefit based on disability under a plan established under section 3307.81 of the Revised Code.

For purposes of sections 3307.35 and 3307.353 of the Revised Code,

"superannuate" also means a former teacher receiving from the system a combined service retirement benefit paid in accordance with section 3307.57 of the Revised Code, regardless of which retirement system is paying the benefit.

(N) "STRS defined benefit plan" means the plan described in sections 3307.50 to 3307.79 of the Revised Code.

(O) "STRS defined contribution plan" means the plans established under section 3307.81 of the Revised Code and includes the STRS combined plan under that section."

In line 1927, after "2913.61," insert "3307.01,"

In line 2 of the title, after "2913.61," insert "3307.01,"

In line 14 of the title, delete "and"

In line 15 of the title, after "spouses" insert ", and to clarify membership in the State Teachers Retirement System"

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 488**, pass?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|-----------|-----------|---------|-----------|
| Bacon | Balderson | Beagle | Brown |
| Burke | Cafaro | Coley | Eklund |
| Gardner | Gentile | Hite | Hughes |
| Jones | Jordan | Kearney | LaRose |
| Lehner | Manning | Obhof | Oelslager |
| Patton | Peterson | Sawyer | Schaffer |
| Schiavoni | Seitz | Smith | Tavares |
| Turner | Uecker | Widener | Faber-32. |

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator LaRose moved to amend the title as follows:

Add the names: "Balderson, Beagle, Burke, Coley, Eklund, Faber, Gardner, Gentile, Hite, Hughes, Jones, Jordan, Kearney, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Seitz, Turner, Widener."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Am. Sub. H. B. No. 533-Representatives McGregor, Mallory.

Cosponsors: Representatives Rosenberger, Stautberg, Terhar, Wachtmann, Pillich, Adams, R., Becker, Beck, Reece, Driehaus, Derickson, Barnes, Buchy, Maag, Conditt, Green, Hackett, Retherford, Schuring, Sears, Stebelton, Speaker Batchelder.

To amend sections 5501.44, 5501.70, 5501.71, 5501.73, 5501.78, 5531.11, 5531.12, 5531.13, 5531.14, 5531.15, 5531.16, and 5739.02 and to enact sections 5531.141, 5531.142, 5531.143, 5531.144, 5531.145, 5531.146, 5531.147, 5531.148, and 5531.149 of the Revised Code to provide that a toll project may include the replacement, improvement, rehabilitation, operation, and maintenance of a bridge or system of bridges at one location that carries two interstate highways over the Ohio River to another state, to amend the law governing public-private agreements relative to transportation facilities, and to provide for the collection of user fees on toll projects by toll project operators, was considered the third time.

The question being, "Shall the bill, **Am. Sub. H. B. No. 533**, pass?"

The yeas and nays were taken and resulted - yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|-----------|-----------|---------|-----------|
| Bacon | Balderson | Beagle | Brown |
| Burke | Cafaro | Coley | Eklund |
| Gardner | Gentile | Hite | Hughes |
| Jones | Jordan | Kearney | LaRose |
| Lehner | Manning | Obhof | Oelslager |
| Patton | Peterson | Sawyer | Schaffer |
| Schiavoni | Seitz | Smith | Tavares |
| Uecker | Widener | | Faber-31. |

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Kearney moved to amend the title as follows:

Add the names: "Cafaro, Eklund, Hite, Jones, Kearney, Manning, Seitz, Uecker."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Am. S. B. No. 84-Senator Kearney.

Cosponsors: Senators Smith, Turner, Obhof, LaRose.

To amend section 3379.03 and to enact section 3379.12 of the Revised Code to create the position of Ohio Poet Laureate, was considered the third

time.

The question being, "Shall the bill, **Am. S. B. No. 84**, pass?"

The yeas and nays were taken and resulted - yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|-----------|-----------|---------|-----------|
| Bacon | Balderson | Beagle | Brown |
| Burke | Cafaro | Coley | Eklund |
| Gardner | Gentile | Hite | Hughes |
| Jones | Jordan | Kearney | LaRose |
| Lehner | Manning | Obhof | Oelslager |
| Patton | Peterson | Sawyer | Schaffer |
| Schiavoni | Seitz | Smith | Tavares |
| Uecker | Widener | | Faber-31. |

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Kearney moved to amend the title as follows:

Add the names: "Beagle, Brown, Burke, Cafaro, Eklund, Gentile, Hite, Lehner, Oelslager, Sawyer, Schiavoni, Tavares."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Am. S. B. No. 233-Senator Hughes.

Cosponsor: Senator Patton.

To enact section 5.25 of the Revised Code to designate June 6th as Rascal Flatts Day, was considered the third time.

The question being, "Shall the bill, **Am. S. B. No. 233**, pass?"

Senator Hughes moved to amend as follows:

In line 6, delete "sixth" and insert "twenty-first"; delete "June" and insert "February"

In line 8, delete "releasing their first"

In line 8a, delete everything before the underlined period

In line 2 of the title, delete "June 6th" and insert "February 21"

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question recurred, "Shall the bill, **Am. S. B. No. 233**, pass?"

The yeas and nays were taken and resulted - yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|-----------|-----------|---------|-----------|
| Bacon | Balderson | Beagle | Brown |
| Burke | Cafaro | Coley | Eklund |
| Gardner | Gentile | Hite | Hughes |
| Jones | Jordan | Kearney | LaRose |
| Lehner | Manning | Obhof | Oelslager |
| Patton | Peterson | Sawyer | Schaffer |
| Schiavoni | Seitz | Smith | Tavares |
| Uecker | Widener | | Faber-31. |

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Hughes moved to amend the title as follows:

Add the names: "Burke, Faber, Hite, Jones."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Sub. S. B. No. 252-Senators Patton, Brown.

Cosponsors: Senators Hughes, Turner, Schiavoni, Kearney, LaRose, Gardner, Sawyer, Tavares.

To amend sections 4123.01, 4123.026, and 4123.46 of the Revised Code to make peace officers, firefighters, and emergency medical workers diagnosed with post-traumatic stress disorder arising from employment without an accompanying physical injury eligible for compensation and benefits under Ohio's Workers' Compensation Law, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 252**, pass?"

The yeas and nays were taken and resulted - yeas 30, nays 1, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|-----------|-----------|---------|-----------|
| Bacon | Balderson | Beagle | Brown |
| Burke | Cafaro | Coley | Eklund |
| Gardner | Gentile | Hite | Hughes |
| Jones | Jordan | Kearney | LaRose |
| Lehner | Manning | Obhof | Oelslager |
| Patton | Peterson | Sawyer | Schaffer |
| Schiavoni | Smith | Tavares | Uecker |
| Widener | | | Faber-30. |

Senator Seitz voted in the negative-1.

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Patton moved to amend the title as follows:

Add the names: "Bacon, Balderson, Eklund, Faber, Gentile, Hite, Jones, Lehner, Manning, Obhof, Oelslager, Uecker, Widener."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Am. S. B. No. 255-Senator Brown.

Cosponsors: Senators Skindell, Seitz, Kearney, Smith, Turner, Manning, Gardner, Gentile.

To amend sections 4503.20, 4509.101, 4509.102, 4509.103, and 4509.45 of the Revised Code to permit a person to present proof of financial responsibility to the Registrar of Motor Vehicles, a peace officer, a traffic violations bureau, or a court through use of an electronic wireless communications device, was considered the third time.

The question being, "Shall the bill, **Am. S. B. No. 255**, pass?"

The yeas and nays were taken and resulted - yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|-----------|-----------|---------|-----------|
| Bacon | Balderson | Beagle | Brown |
| Burke | Cafaro | Coley | Eklund |
| Gardner | Gentile | Hite | Hughes |
| Jones | Jordan | Kearney | LaRose |
| Lehner | Manning | Obhof | Oelslager |
| Patton | Peterson | Sawyer | Schaffer |
| Schiavoni | Seitz | Smith | Tavares |
| Uecker | Widener | | Faber-31. |

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Brown moved to amend the title as follows:

Add the names: "Burke, Coley, Eklund, Faber, LaRose, Obhof, Peterson, Sawyer, Schiavoni, Tavares, Uecker."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Sub. S. B. No. 316-Senator Cafaro.

Cosponsors: Senators Turner, Brown, Schiavoni, LaRose, Obhof.

To amend sections 109.573 and 2933.82 of the Revised Code to require a law enforcement agency to review its records pertaining to specified homicide and sex offenses and to forward the contents of a related sexual assault examination kit in its possession to the Bureau of Criminal Identification and Investigation or another crime laboratory for DNA analysis based on the outcome of the review, to require a law enforcement agency that initiates an investigation and determines that one or more persons may have committed or participated in a specified homicide or sex offense or another offense committed during the course of a specified homicide or sex offense to forward the contents of a sexual assault examination kit it possesses to the Bureau or another crime laboratory within thirty days for DNA analysis, and to require consideration of time remaining under a statute of limitations as a factor in prioritizing the order in which the DNA specimens forwarded by law enforcement agencies undergo DNA analysis, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 316**, pass?"

The yeas and nays were taken and resulted - yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|-----------|-----------|---------|-----------|
| Bacon | Balderson | Beagle | Brown |
| Burke | Cafaro | Coley | Eklund |
| Gardner | Gentile | Hite | Hughes |
| Jones | Jordan | Kearney | LaRose |
| Lehner | Manning | Obhof | Oelslager |
| Patton | Peterson | Sawyer | Schaffer |
| Schiavoni | Seitz | Smith | Tavares |
| Uecker | Widener | | Faber-31. |

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Cafaro moved to amend the title as follows:

Add the names: "Bacon, Balderson, Beagle, Burke, Coley, Eklund, Faber, Gardner, Gentile, Hite, Hughes, Jones, Kearney, Lehner, Manning, Oelslager, Patton, Peterson, Sawyer, Schaffer, Seitz, Tavares, Uecker, Widener."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

MOTIONS

Senator Obhof moved that Senators absent the week of Sunday, June 1, 2014, be excused, so long as a written explanation is on file with the Clerk pursuant to Senate Rule No. 17.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bill was introduced and considered the first time:

S. B. No. 346-Senator Beagle.

Cosponsors: Senators Manning, Hite, Widener.

To amend section 4511.46 of the Revised Code to increase the penalties for failing to yield the right-of-way to a pedestrian who is crossing a roadway within a crosswalk when the crosswalk is located within a school zone.

OFFERING OF RESOLUTIONS

Pursuant to Senate Rule No. 54, the following resolution was offered:

S. R. No. 354-Senator Coley.

Honoring the Miami University women's synchronized skating team on winning the 2014 U.S. National Championship.

The question being, "Shall the resolution listed under the President's prerogative be adopted?"

So the resolution was adopted.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has adopted the following concurrent resolution in which the concurrence of the Senate is requested:

H. C. R. No. 54 -Representative Perales

Cosponsors: Representatives Henne, Romanchuk, Roegner, Derickson, Stebelton, Grossman, Johnson, Landis, Pillich, Barborak, Bishoff, Dovilla, Fedor, Milkovich, Retherford, Rosenberger, Anielski, Adams, R., Amstutz, Baker, Beck, Blair, Blessing, Boyce, Brenner, Brown, Buchy, Budish, Burkley, Butler, Carney, Celebrezze, Clyde, Conditt, Damschroder, DeVitis, Driehaus, Gerberry, Green, Hackett, Hagan, C., Hall, Hayes, Heard, Hood, Hottinger, Huffman, Letson, Lundy, Lynch, Maag, Mallory, McClain, McGregor, O'Brien, Patterson, Phillips, Redfern, Rogers, Ruhl, Sears, Sheehy, Slaby, Slesnick, Smith, Sprague, Stautberg, Stinziano, Strahorn, Terhar, Thompson, Young, Speaker Batchelder

To urge the Congress of the United States to continue the full funding and production of the F-35 Joint Strike Fighter's technology.

Attest:

Bradley J. Young,
Clerk.

The question being, "Shall the resolution, **H. C. R. No. 54**, be adopted?"

On the motion of Senator Widener, **H. C. R. No. 54**, was referred to the Committee on Reference.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

Am. H. B. No. 430 -Representatives Kunze, Stinziano
Cosponsors: Representatives Hackett, Bishoff, Sears, Brown, Henne, Ruhl, Sprague, Speaker Batchelder

To amend sections 3905.01, 3905.06, and 3905.40 and to enact section 3905.063 of the Revised Code to regulate self-service storage facilities.

Am. H. B. No. 449 -Representative Gonzales
Cosponsors: Representatives Bishoff, Fedor, Grossman, Hackett, Hill, Hood, Stebelton, Wachtmann, Brenner, Amstutz, Baker, Beck, Blessing, Boose, Brown, Buchy, Budish, Burkley, Cera, Conditt, Curtin, Damschroder, Dovilla, Duffey, Gerberry, Green, Hall, Hayes, Heard, Hottinger, Huffman, Johnson, Kunze, Landis, Letson, Lundy, Lynch, Maag, Mallory, McClain, McGregor, Milkovich, Patterson, Perales, Phillips, Pillich, Rogers, Romanchuk, Rosenberger, Ruhl, Sears, Sheehy, Slaby, Slesnick, Smith, Sprague, Stautberg, Stinziano, Strahorn, Sykes, Terhar, Thompson, Young, Speaker Batchelder

To enact section 3333.311 of the Revised Code with respect to residency status for certain veterans, spouses, and dependents at state institutions of higher education.

Sub. H. B. No. 463 -Representative Johnson
Cosponsors: Representatives Duffey, Roegner, Scherer, Milkovich, Blessing, Schuring, Bishoff, Young, Hackett, Stinziano, Smith, Stebelton, Rosenberger, Adams, R., Grossman, Celebrezze, Sears, Barnes, Hill, Amstutz, Perales, Terhar, Thompson, Retherford, Lundy, Barborak, Wachtmann, Sprague, Antonio, Baker, Beck, Boose, Brown, Buchy, Budish, Burkley, Butler, Cera, DeVitis, Dovilla, Driehaus, Green, Hagan, C., Hall, Hayes, Landis, Letson, Mallory, McClain, O'Brien, Patterson, Rogers, Romanchuk, Ruhl, Sheehy,

Slaby, Strahorn, Sykes, Winburn, Speaker Batchelder

To amend sections 3333.61, 4715.031, 4715.037, 4715.10, 4715.13, 4715.22, 4715.23, 4715.24, 4715.363, 4715.366, 4715.371, 4715.373, 4715.39, 4715.56, 4715.64, and 4715.66 and to enact sections 3702.96, 3702.961, 3702.962, 3702.963, 3702.964, 3702.965, 3702.966, 3702.967, 3702.968, 3702.969, and 4715.421 of the Revised Code to make changes to the laws governing dental professionals.

Attest:

Bradley J. Young,
Clerk.

Said bills were considered the first time.

On the motion of Senator Obhof, the Senate recessed until 6:04 p.m.

The Senate met pursuant to the recess.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the passage of the following bill:

Am. Sub. S. B. No. 143 -Senators Seitz, Smith

Cosponsors: Senators Balderson, Beagle, Brown, Eklund, Hite, Lehner, Patton, Sawyer, Uecker Representatives Adams, J., Baker, Butler, Conditt, Green, McGregor, Sprague

To amend sections 109.57, 109.572, 109.578, 122.681, 307.932, 1901.44, 1905.202, 1907.25, 2151.311, 2151.356, 2151.357, 2152.26, 2907.27, 2907.28, 2929.12, 2929.141, 2929.20, 2929.26, 2947.09, 2947.23, 2953.25, 2953.31, 2953.32, 2953.321, 2953.35, 2953.36, 2953.53, 2953.61, 2967.26, 4510.111, 4510.16, 5120.07, 5120.651, 5139.01, and 5139.52 of the Revised Code to permit the Attorney General to authorize the release of information relating to certain arrests and delinquent child adjudications pursuant to a request for a criminal records check; to regulate the confidentiality of personal information related to community service block grants; to clarify the authority of boards of county commissioners to establish a community alternative sentencing center; to authorize a municipal corporation to establish a community alternative sentencing center; to modify the procedure for sentencing and admitting an eligible offender to a community alternative sentencing center; to clarify that an eligible offender must successfully

complete any term in a center as a condition of a community residential sanction; to include the best interests of the person as a reason for which an alleged or adjudicated delinquent child who is at least 18 but younger than 21 may be held in an adult detention facility; to modify the waiting period for making a motion or application for the sealing of a juvenile court record of a person who is 18 years of age or older; to reaffirm that BCII is a public office or agency for purposes of notification of a delinquency record-sealing order; to specify that most identifying information that relates to the admission and confinement in an adult detention facility of a person under 21 generally is confidential; to clarify a court's authority to commit a delinquent child to the Department of Youth Services for a violation of supervised release; to authorize a court to order restitution if a person convicted of driving under suspension or driving under financial-responsibility-law suspension or cancellation fails to provide proof of financial responsibility; to extend the existence of the Ex-offender Reentry Coalition until December 31, 2019; to authorize a person charged with multiple offenses in connection with the same act to apply for the sealing of records pertaining to an acquitted charge; to eliminate the requirement that notice of a sealing order be sent by certified mail; to modify the requirements regarding testing for HIV of persons charged with specified sex offense; to increase the sentence of imprisonment that disqualifies an inmate from participating in the prison nursery program; to remove the cap of 40 hours per month and give a court discretion in setting the amount of credit for community service ordered for failure to pay a criminal court cost judgment; to authorize a court that receives or is forwarded a petition for a certificate of qualification for employment to direct the clerk of court to process and record all required notices; to include persons convicted twice of the same misdemeanor as eligible offenders for purposes of sealing records of the convictions; to provide a qualified immunity in specified circumstances to a government official who mistakenly releases information from a sealed or expunged record; to clarify the application of the Conviction Record Sealing Law to individual convictions and bail forfeitures; to preclude a court from disapproving transitional control of a prisoner who is serving a sentence of more than two years; to authorize an additional prison term for the commission of a felony while on transitional control; and to eliminate the warning notice that motor vehicle registration may be blocked for failure to appear in court or pay a fine.

As a substitute bill with the following additional amendments, in which the concurrence of the Senate is requested.

In line 2367, strike through "the"

In line 2368, strike through the first "person" and insert "those under eighteen years of age"; strike through "The person" and insert "Those under eighteen years of age"

Attest:

Bradley J. Young,
Clerk.

Senator Widener moved that pursuant to Senate Rule No. 44, the amendments of the House of Representatives to **Am. Sub. S. B. No. 143**, be brought up for consideration.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

The yeas and nays were taken and resulted - yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|-----------|-----------|---------|-----------|
| Bacon | Balderson | Beagle | Brown |
| Burke | Cafaro | Coley | Eklund |
| Gardner | Gentile | Hite | Hughes |
| Jones | Jordan | Kearney | LaRose |
| Lehner | Manning | Obhof | Oelslager |
| Patton | Peterson | Sawyer | Schaffer |
| Schiavoni | Seitz | Smith | Tavares |
| Uecker | Widener | | Faber-31. |

So the Senate concurred in the amendments of the House of Representatives.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the passage of the following bill:

Sub. S. B. No. 261 -Senators Bacon, Manning

Cosponsors: Senators Patton, Obhof, Seitz, Brown, Balderson, Beagle, Burke, Eklund, Hite, Hughes, Jones, LaRose, Oelslager, Sawyer, Tavares
Representatives Anielski, Antonio, Baker, Barborak, Beck, Boose, Boyce, Butler, Carney, Celebrezze, Grossman, Milkovich, O'Brien, Pillich, Rogers, Ruhl, Sprague, Stebelton, Stinziano, Strahorn, Terhar, Winburn, Young

To amend section 2919.27 of the Revised Code to provide that service of a protection order or consent agreement upon a person is not necessary for the person to be convicted of the offense of violating a protection order if the prosecution proves that the person had actual notice of the existence and terms of the order or agreement and that the person recklessly violated its terms.

As a substitute bill, in which the concurrence of the Senate is requested.

Attest:

Bradley J. Young,
Clerk.

Senator Widener moved that pursuant to Senate Rule No. 44, the amendments of the House of Representatives to **Sub. S. B. No. 261**, be brought up for consideration.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

The yeas and nays were taken and resulted - yeas 0, nays 31, as follows:

Those who voted in the negative were: Senators

| | | | |
|-----------|-----------|---------|-----------|
| Bacon | Balderson | Beagle | Brown |
| Burke | Cafaro | Coley | Eklund |
| Gardner | Gentile | Hite | Hughes |
| Jones | Jordan | Kearney | LaRose |
| Lehner | Manning | Obhof | Oelslager |
| Patton | Peterson | Sawyer | Schaffer |
| Schiavoni | Seitz | Smith | Tavares |
| Uecker | Widener | | Faber-31. |

So the Senate did not concur in the amendments of the House of Representatives.

On the motion of Senator Widener, **Sub. H. B. No. 486**, having been informally passed, was taken up for consideration.

The question being, "Shall the bill, **Sub. H. B. No. 486**, pass?"

Senator Gentile moved to amend as follows:

In line 27, delete "and"; after "4740.06" insert ", and 6301.12"

Between lines 2020 and 2021, insert:

"Sec. 6301.12. (A) The office of workforce development within the department of job and family services shall comprehensively review the direct and indirect economic impact of businesses engaged in the production of horizontal wells in this state and, based on its findings, prepare an annual Ohio workforce report. The office shall prepare the report by the thirtieth day of July of each year. The report shall include at least all of the following with respect to

the industry:

- (1) The total number of jobs created or retained during the previous year;
- (2) The total number of Ohio-based contractors that employ skilled construction trades;
- (3) The number of employees who are residents of this state;
- (4) The total economic impact;
- (5) A review of the state's regional workforce development plans required by the "Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A. 2801, as amended, that outline workforce development efforts including goals and benchmarks toward maximizing job training, education, and job creation opportunities in the state.

(B) Upon the completion of the office's annual Ohio workforce report, the office shall provide an electronic copy of the report to the president and minority leader of the senate and the speaker and minority leader of the house of representatives and post it on the office's internet web site."

In line 2023, delete "and"; after "4740.06" insert ", and 6301.12"

In line 4 of the title, delete the first "and"; after "4740.06" insert ", and 6301.12"

In line 21 of the title, after the semicolon insert "to require the Office of Workforce Development annual report to be completed annually by July 30;"

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

On the motion of Senator Obhof, the Senate recessed until 6:41 p.m.

The Senate met pursuant to the recess.

The question recurred, "Shall the bill, **Sub. H. B. No. 486**, pass?"

Senator Obhof moved to amend as follows:

In line 26, after "122.941," insert "127.14,"

Between lines 740 and 741, insert:

"Sec. 127.14. The controlling board may, at the request of any state agency or the director of budget and management, authorize, with respect to the provisions of any appropriation act:

(A) Transfers of all or part of an appropriation within but not between state agencies, except such transfers as the director of budget and management is

authorized by law to make, provided that no transfer shall be made by the director for the purpose of effecting new or changed levels of program service not authorized by the general assembly;

(B) Transfers of all or part of an appropriation from one fiscal year to another;

(C) Transfers of all or part of an appropriation within or between state agencies made necessary by administrative reorganization or by the abolition of an agency or part of an agency;

(D) Transfers of all or part of cash balances in excess of needs from any fund of the state to the general revenue fund or to such other fund of the state to which the money would have been credited in the absence of the fund from which the transfers are authorized to be made, except that the controlling board may not authorize such transfers from the accrued leave liability fund, auto registration distribution fund, local motor vehicle license tax fund, budget stabilization fund, building improvement fund, development bond retirement fund, facilities establishment fund, gasoline excise tax fund, general revenue fund, higher education improvement fund, highway improvement bond retirement fund, highway obligations bond retirement fund, highway capital improvement fund, highway operating fund, horse racing tax fund, improvements bond retirement fund, public library fund, liquor control fund, local government fund, local transportation improvement program fund, medicaid reserve fund, mental health facilities improvement fund, Ohio fairs fund, parks and recreation improvement fund, public improvements bond retirement fund, school district income tax fund, state agency facilities improvement fund, state and local government highway distribution fund, state highway safety fund, state lottery fund, undivided liquor permit fund, Vietnam conflict compensation bond retirement fund, volunteer fire fighters' dependents fund, waterways safety fund, wildlife fund, workers' compensation fund, or any fund not specified in this division that the director of budget and management determines to be a bond fund or bond retirement fund;

(E) Transfers of all or part of those appropriations included in the emergency purposes account of the controlling board;

(F) Temporary transfers of all or part of an appropriation or other moneys into and between existing funds, or new funds, as may be established by law when needed for capital outlays for which notes or bonds will be issued;

(G) Transfer or release of all or part of an appropriation to a state agency requiring controlling board approval of such transfer or release as provided by law;

(H) Temporary transfer of funds included in the emergency purposes appropriation of the controlling board. Such temporary transfers may be made subject to conditions specified by the controlling board at the time temporary transfers are authorized. No transfers shall be made under this division for the purpose of effecting new or changed levels of program service not authorized by

the general assembly.

As used in this section, "request" means an application by a state agency or the director of budget and management seeking some action by the controlling board.

When authorizing the transfer of all or part of an appropriation under this section, the controlling board may authorize the transfer to an existing appropriation item and the creation of and transfer to a new appropriation item.

Whenever there is a transfer of all or part of funds included in the emergency purposes appropriation by the controlling board, pursuant to division (E) of this section, the state agency or the director of budget and management receiving such transfer shall keep a detailed record of the use of the transferred funds. At the earliest scheduled meeting of the controlling board following the accomplishment of the purposes specified in the request originally seeking the transfer, or following the total expenditure of the transferred funds for the specified purposes, the state agency or the director of budget and management shall submit a report on the expenditure of such funds to the board. The portion of any appropriation so transferred which is not required to accomplish the purposes designated in the original request to the controlling board shall be returned to the proper appropriation of the controlling board at this time.

Notwithstanding any provisions of law providing for the deposit of revenues received by a state agency to the credit of a particular fund in the state treasury, whenever there is a temporary transfer of funds included in the emergency purposes appropriation of the controlling board pursuant to division (H) of this section, revenues received by any state agency receiving such a temporary transfer of funds shall, as directed by the controlling board, be transferred back to the emergency purposes appropriation.

The board may delegate to the director of budget and management authority to approve transfers among items of appropriation under division (A) of this section."

In line 2022, after "122.941," insert "127.14,"

In line 2076, after "**5.**" Insert "Notwithstanding Section 503.80 of Am. Sub. H.B. 59 of the 130th General Assembly, no money shall be appropriated or transferred from the Medicaid Reserve Fund (Fund 5Y80) except as provided in Section 6 of this act or by another act of the General Assembly.

Section 6. At the end of fiscal year 2015, the Director of Budget and Management shall transfer any unexpended, unencumbered cash balance from the Medicaid Reserve Fund (Fund 5Y80) back to the General Revenue Fund.

Section 7. "

In line 2 of the title, after "122.941," insert "127.14,"

In line 21 of the title, after the semicolon insert "to make changes regarding the administration of the Medicaid Reserve Fund;"

The question being, "Shall the motion be agreed to?"

The yeas and nays were taken and resulted - yeas 23, nays 8, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|--------|-----------|----------|-----------|
| Bacon | Balderson | Beagle | Burke |
| Coley | Eklund | Gardner | Hite |
| Hughes | Jones | Jordan | LaRose |
| Lehner | Manning | Obhof | Oelslager |
| Patton | Peterson | Schaffer | Seitz |
| Uecker | Widener | | Faber-23. |

Senators Brown, Cafaro, Gentile, Kearney, Sawyer, Schiavoni, Smith, and Tavares voted in the negative-8.

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 486**, pass?"

Senator Eklund moved to amend as follows:

In line 27, delete "2329.66,"

In line 28, delete "143.01, 143.02, 143.03, 143.04, 143.05,"

In line 29, delete "143.06, 143.07, 143.08, 143.09, 143.10, 143.11,"

Delete lines 741 through 975

Delete lines 1456 through 1786

In line 2023, delete "2329.66,"

Delete lines 2049 through 2084

In line 3 of the title, delete "2329.66,"

In line 5 of the title, delete "143.01 to 143.11,"

In line 11 of the title, delete "to create the Volunteer"

Delete lines 12 through 14 of the title

In line 15 of the title, delete "to disabled volunteer police officers;"

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 486**, pass?"

The yeas and nays were taken and resulted - yeas 23, nays 8, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|--------|-----------|----------|-----------|
| Bacon | Balderson | Beagle | Burke |
| Coley | Eklund | Gardner | Hite |
| Hughes | Jones | Jordan | LaRose |
| Lehner | Manning | Obhof | Oelslager |
| Patton | Peterson | Schaffer | Seitz |
| Uecker | Widener | | Faber-23. |

Senators Brown, Cafaro, Gentile, Kearney, Sawyer, Schiavoni, Smith, and Tavares voted in the negative-8.

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Oelslager moved to amend the title as follows:

Add the names: "Beagle, Coley, Faber, Oelslager, Seitz."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Senator Widener moved that the vote, whereby **Am. Sub. H. B. No. 483**-Representative Amstutz, et al., was passed, be now reconsidered.

The question being, "Shall the motion be agreed to?"

The yeas and nays were taken and resulted - yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|-----------|-----------|---------|-----------|
| Bacon | Balderson | Beagle | Brown |
| Burke | Cafaro | Coley | Eklund |
| Gardner | Gentile | Hite | Hughes |
| Jones | Jordan | Kearney | LaRose |
| Lehner | Manning | Obhof | Oelslager |
| Patton | Peterson | Sawyer | Schaffer |
| Schiavoni | Seitz | Smith | Tavares |
| Uecker | Widener | | Faber-31. |

The motion was agreed to.

The question being, "Shall the report of the Committee of Conference be agreed to?"

The yeas and nays were taken and resulted - yeas 24, nays 7, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|--------|-----------|----------|-----------|
| Bacon | Balderson | Beagle | Burke |
| Coley | Eklund | Gardner | Hite |
| Hughes | Jones | Jordan | LaRose |
| Lehner | Manning | Obhof | Oelslager |
| Patton | Peterson | Schaffer | Seitz |
| Smith | Uecker | Widener | Faber-24. |

Senators Brown, Cafaro, Gentile, Kearney, Sawyer, Schiavoni, and Tavares voted in the negative-7.

So the report of Committee of Conference was agreed to.

On the motion of Senator Widener, the Senate adjourned until Thursday, June 5, 2014 at 11:00 o'clock a.m.

Attest:

VINCENT L. KEERAN,
Clerk.