

AN ACT

To amend sections 121.086, 3301.079, 3313.6114, 3313.753, 3314.03, 3314.03f, 3319.22, 3325.071, 3326.11, 3328.24, and 4732.01 and to enact section 3319.079 of the Revised Code and to amend Sections 265.550, 307.10, and 307.140 of H.B. 33 of the 135th General Assembly to revise the Military Enlistment diploma seal, regarding the High School Financial Literacy Fund and standards and model curriculum for financial literacy, regarding public school cellular telephone policies, regarding grade band specifications for properly certified or licensed teachers, regarding an educational program for parents of preschool children who are blind or visually impaired, to make changes to the Pupil Transportation Pilot Program, to correct a reference from the State Board of Education to the Director of Education and Workforce, to amend the versions of sections 3301.079 and 3314.03 of the Revised Code that are scheduled to take effect January 1, 2025, to continue the changes on and after that date, and to make an appropriation for the Adoption Grant Program.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 121.086, 3301.079, 3313.6114, 3313.753, 3314.03, 3319.22, 3325.071, 3326.11, 3328.24, and 4732.01 be amended and section 3319.079 of the Revised Code be enacted to read as follows:

Sec. 121.086. There is hereby created the high school financial literacy fund, which is in the custody of the treasurer of state, but is separate, apart from, and not a part of the state treasury. The fund shall consist of any moneys appropriated to it, any interest and earnings from the fund, and any other donations, grants, gifts, or other moneys received. Moneys in the fund may be invested by the treasurer of state in the classifications of obligations set forth in section 135.143 of the Revised Code. All investment earnings of the fund shall be credited to the fund. The ~~superintendent of public instruction~~ director of education and workforce shall be the administrator of the fund and shall use moneys in the fund only for the purposes specified in divisions (B) and (E) of section 3319.239 of the Revised Code and repayment of funds pursuant to Section 3 of S.B. 1 of the 134th general assembly.

Sec. 3301.079. (A)(1) The department of education and workforce periodically shall adopt statewide academic standards with emphasis on coherence, focus, and essential knowledge and that are more challenging and demanding when compared to international standards for each of grades kindergarten through twelve in English language arts, mathematics, science, and social studies.

(a) The department shall ensure that the standards do all of the following:

(i) Include the essential academic content and skills that students are expected to know and be able to do at each grade level that will allow each student to be prepared for postsecondary instruction and the workplace for success in the twenty-first century;

(ii) Include the development of skill sets that promote information, media, and technological literacy;

(iii) Include interdisciplinary, project-based, real-world learning opportunities;

(iv) Instill life-long learning by providing essential knowledge and skills based in the liberal arts tradition, as well as science, technology, engineering, mathematics, and career-technical education;

(v) Be clearly written, transparent, and understandable by parents, educators, and the general public.

(b) The department shall incorporate into the social studies standards for grades four to twelve academic content regarding the original texts of the Declaration of Independence, the Northwest Ordinance, the Constitution of the United States and its amendments, with emphasis on the Bill of Rights, and the Ohio Constitution, and their original context. The department shall revise the model curricula and achievement assessments adopted under divisions (B) and (C) of this section as necessary to reflect the additional American history and American government content. The department shall make available a list of suggested grade-appropriate supplemental readings that place the documents prescribed by this division in their historical context, which teachers may use as a resource to assist students in reading the documents within that context.

(c) When the department adopts or revises academic content standards in social studies, American history, American government, or science under division (A)(1) of this section, it shall develop such standards independently and not as part of a multistate consortium.

(2)(a) After completing the standards required by division (A)(1) of this section, the department shall adopt standards and model curricula for instruction in technology, financial literacy and entrepreneurship, fine arts, and foreign language for grades kindergarten through twelve. The standards shall meet the same requirements prescribed in division (A)(1)(a) of this section.

(b) The ~~state board~~ department shall incorporate into the standards and model curriculum for financial literacy and entrepreneurship for grades nine through twelve academic content regarding free market capitalism. The academic content shall include all of the following concepts related to free market capitalism:

(i) Raw materials, labor, and capital, the three classical factors of economic production, are privately owned.

(ii) Individuals control their own ability to work, earn wages, and obtain skills to earn and increase wages.

(iii) Private ownership of capital may include a sole proprietorship, a family ~~businesses~~ business, a publicly traded corporation, a group of private investors, or a bank.

(iv) Markets aggregate the exchange of goods and services throughout the world. Market prices are the only way to convey so much constantly changing information about the supply of goods and services, and the demand for them, for consumers and producers to make informed economic decisions for themselves.

(v) Wealth is created by providing goods and services that people value at a profit, and both sellers and buyers seek to profit in some way in a free market transaction. Thus, profit earned through transactions can be consumed, saved, reinvested in the business, or dispersed to shareholders.

(vi) Wealth creation involves asset value appreciation and depreciation, voluntary exchange of equity ownership, and open and closed markets.

(vii) The free market is driven by, and tends to produce, entrepreneurship and innovation.

(viii) The free market can include side effects and market failures where at least part of the cost of the transaction, including producing, transporting, selling, or buying, is born by others outside of the transaction.

(ix) The political features of the free market, including legally protected property rights, legally enforceable contracts, patent protections, and the mitigation of side effects and market failures;

(x) Societies that embrace the free market often embrace political and personal freedom as well.

(3) The department shall adopt the most recent standards developed by the national association for sport and physical education for physical education in grades kindergarten through twelve or shall adopt its own standards for physical education in those grades and revise and update them periodically.

The department shall employ a full-time physical education coordinator to provide guidance and technical assistance to districts, community schools, and STEM schools in implementing the physical education standards adopted under this division. The director of education and workforce shall determine that the person employed as coordinator is qualified for the position, as demonstrated by possessing an adequate combination of education, license, and experience.

(4) The department shall update the standards and model curriculum for instruction in computer science in grades kindergarten through twelve, which shall include standards for introductory and advanced computer science courses in grades nine through twelve. When developing the standards and curriculum, the department shall consider recommendations from computer science education stakeholder groups, including teachers and representatives from higher education, industry, computer science organizations in Ohio, and national computer science organizations.

Any district or school may utilize the computer science standards or model curriculum or any part thereof adopted pursuant to division (A)(4) of this section. However, no district or school shall be required to utilize all or any part of the standards or curriculum.

(5) When academic standards have been completed for any subject area required by this section, the department shall inform all school districts, all community schools established under Chapter 3314. of the Revised Code, all STEM schools established under Chapter 3326. of the Revised Code, and all nonpublic schools required to administer the assessments prescribed by sections 3301.0710 and 3301.0712 of the Revised Code of the content of those standards. Additionally, upon completion of any academic standards under this section, the department shall post those standards on the department's web site.

(B)(1) The department shall adopt a model curriculum for instruction in each subject area for which updated academic standards are required by division (A)(1) of this section and for each of grades kindergarten through twelve that is sufficient to meet the needs of students in every community. The model curriculum shall be aligned with the standards, to ensure that the academic content and skills specified for each grade level are taught to students, and shall demonstrate vertical articulation and emphasize coherence, focus, and rigor. When any model curriculum has been completed, the department shall inform all school districts, community schools, and STEM schools of the content of that model curriculum.

(2) The department, in consultation with the governor's office of workforce transformation, shall adopt model curricula for grades kindergarten through twelve that embed career connection learning strategies into regular classroom instruction.

(3) All school districts, community schools, and STEM schools may utilize the state standards and the model curriculum established by the department, together with other relevant resources, examples, or models to ensure that students have the opportunity to attain the academic standards. Upon request, the department shall provide technical assistance to any district, community school, or STEM school in implementing the model curriculum.

Nothing in this section requires any school district to utilize all or any part of a model curriculum developed under this section.

(C) The department shall develop achievement assessments aligned with the academic standards and model curriculum for each of the subject areas and grade levels required by divisions (A)(1) and (B)(1) of section 3301.0710 of the Revised Code.

When any achievement assessment has been completed, the department shall inform all school districts, community schools, STEM schools, and nonpublic schools required to administer the assessment of its completion, and the department shall make the achievement assessment available to the districts and schools.

(D)(1) The department shall adopt a diagnostic assessment aligned with the academic standards and model curriculum for each of grades kindergarten through two in reading, writing, and mathematics and for grade three in reading and writing. The diagnostic assessment shall be designed to measure student comprehension of academic content and mastery of related skills for the relevant subject area and grade level. Any diagnostic assessment shall not include components to identify gifted students. Blank copies of diagnostic assessments shall be public records.

(2) When each diagnostic assessment has been completed, the department shall inform all school districts of its completion and make the diagnostic assessment available to the districts at no cost to the district.

(3) School districts shall administer the diagnostic assessment pursuant to section 3301.0715 of the Revised Code beginning the first school year following the development of the assessment.

However, beginning with the 2017-2018 school year, both of the following shall apply:

(a) In the case of the diagnostic assessments for grades one or two in writing or mathematics or for grade three in writing, a school district shall not be required to administer any such assessment, but may do so at the discretion of the district board;

(b) In the case of any diagnostic assessment that is not for the grade levels and subject areas specified in division (D)(3)(a) of this section, each school district shall administer the assessment in the manner prescribed by section 3301.0715 of the Revised Code.

(E) The department shall not adopt a diagnostic or achievement assessment for any grade level or subject area other than those specified in this section.

(F) Whenever the department consults with persons for the purpose of drafting or reviewing any standards, diagnostic assessments, achievement assessments, or model curriculum required under this section, the department shall first consult with parents of students in kindergarten through twelfth grade and with active Ohio classroom teachers, other school personnel, and administrators with expertise in the appropriate subject area. Whenever practicable, the department shall consult with teachers recognized as outstanding in their fields.

If the department contracts with more than one outside entity for the development of the achievement assessments required by this section, the department shall ensure the interchangeability of those assessments.

(G) Whenever the department adopts standards or model curricula under this section, the department also shall provide information on the use of blended, online, or digital learning in the delivery of the standards or curricula to students in accordance with division (A)(5) of this section.

(H) The fairness sensitivity review committee of the department shall not allow any question on any achievement or diagnostic assessment developed under this section or any proficiency test prescribed by former section 3301.0710 of the Revised Code, as it existed prior to September 11, 2001, to include, be written to promote, or inquire as to individual moral or social values or beliefs. The decision of the committee shall be final. This section does not create a private cause of action.

(I) Not later than sixty days prior to the adoption of updated academic standards under division (A)(1) of this section or updated model curricula under division (B)(1) of this section, the director of education and workforce shall present the academic standards or model curricula, as applicable, in person at a public hearing of the respective committees of the house of representatives and senate that consider education legislation.

(J) As used in this section:

(1) "Blended learning" means the delivery of instruction in a combination of time primarily

in a supervised physical location away from home and online delivery whereby the student has some element of control over time, place, path, or pace of learning and includes noncomputer-based learning opportunities.

(2) "Online learning" means students work primarily from their residences on assignments delivered via an internet- or other computer-based instructional method.

(3) "Coherence" means a reflection of the structure of the discipline being taught.

(4) "Digital learning" means learning facilitated by technology that gives students some element of control over time, place, path, or pace of learning.

(5) "Focus" means limiting the number of items included in a curriculum to allow for deeper exploration of the subject matter.

(6) "Vertical articulation" means key academic concepts and skills associated with mastery in particular content areas should be articulated and reinforced in a developmentally appropriate manner at each grade level so that over time students acquire a depth of knowledge and understanding in the core academic disciplines.

Sec. 3313.6114. (A) The department of education and workforce shall establish a system of state diploma seals for the purposes of allowing a student to qualify for graduation under section 3313.618 of the Revised Code. State diploma seals may be attached or affixed to the high school diploma of a student enrolled in a public or chartered nonpublic school. The system of state diploma seals shall consist of all of the following:

(1) The state seal of biliteracy established under section 3313.6111 of the Revised Code;

(2) The OhioMeansJobs-readiness seal established under section 3313.6112 of the Revised Code;

(3) The state diploma seals prescribed under division (C) of this section.

(B) A school district, community school established under Chapter 3314. of the Revised Code, STEM school established under Chapter 3326. of the Revised Code, college-preparatory boarding school established under Chapter 3328. of the Revised Code, or chartered nonpublic school shall attach or affix the state seals prescribed under division (C) of this section to the diploma and transcript of a student enrolled in the district or school who meets the requirements established under that division.

(C) The department shall establish all of the following state diploma seals:

(1) An industry-recognized credential seal. A student shall meet the requirement for this seal by doing either of the following:

(a) Earning an industry-recognized credential, or group of credentials, approved under section 3313.6113 of the Revised Code that is both of the following:

(i) At least equal to the total number of points established under section 3313.6113 of the Revised Code to qualify for a high school diploma;

(ii) Aligned to a job that is determined to be in demand in this state and its regions under section 6301.11 of the Revised Code.

(b) Obtaining a license approved under section 3313.6113 of the Revised Code that is issued by a state agency or board for practice in a vocation that requires an examination for issuance of that license.

(2) A college-ready seal. A student shall meet the requirement for this seal by attaining a score that is remediation-free, in accordance with standards adopted under division (F) of section 3345.061 of the Revised Code, on a nationally standardized assessment prescribed under division (B)(1) of section 3301.0712 of the Revised Code.

(3) A military ~~enlistment~~ seal. A student shall meet the requirement for this seal by doing ~~either one~~ of the following:

(a) Providing evidence that the student has enlisted in a branch of the armed services of the United States as defined in section 5910.01 of the Revised Code;

(b) Participating in a junior reserve officer training program approved by the congress of the United States under title 10 of the United States Code;

(c) Providing evidence that the student has accepted a scholarship to enter the reserve officer training corps;

(d) Providing evidence that the student has been appointed to a United States military service academy.

(4) A citizenship seal. A student shall meet the requirement for this seal by doing any of the following:

(a) Demonstrating at least a proficient level of skill as prescribed under division (B)(5)(a) of section 3301.0712 of the Revised Code on both the American history and American government end-of-course examinations prescribed under division (B)(2) of section 3301.0712 of the Revised Code;

(b) Attaining a score level prescribed under division (B)(5)(d) of section 3301.0712 of the Revised Code that is at least the equivalent of a proficient level of skill in appropriate advanced placement or international baccalaureate examinations in lieu of the American history and American government end-of-course examinations;

(c) In lieu of the American history and American government end-of-course examinations, attaining a final course grade that is the equivalent of a "B" or higher in either:

(i) An American history course and an American government course that are offered by the student's high school;

(ii) Appropriate courses taken through the college credit plus program established under Chapter 3365. of the Revised Code.

(d) In the case of a student who takes an alternate assessment in accordance with division (C) (1) of section 3301.0711 of the Revised Code, attaining a score established by the department on the alternate assessment in social studies;

(e) In the case of a student who transfers into an Ohio public or chartered nonpublic high school from another state or who enrolls in an Ohio public or chartered nonpublic high school after

receiving home education or attending a nonchartered, nontax-supported school in the previous school year, attaining a final course grade that is the equivalent of a "B" or higher in courses that correspond with the American history and American government end-of-course examinations and that the student completed in the state from which the student transferred or completed while receiving home education or attending a nonchartered, nontax-supported school. Division (C)(4)(e) of this section does not apply to any such student with respect to an American history or American government course for which an end-of-course examination is associated that the student takes after enrolling in the high school.

(5) A science seal. A student shall meet the requirement for this seal by doing any of the following:

(a) Demonstrating at least a proficient level of skill as prescribed under division (B)(5)(a) of section 3301.0712 of the Revised Code on the science end-of-course examination prescribed under division (B)(2) of section 3301.0712 of the Revised Code;

(b) Attaining a score level prescribed under division (B)(5)(d) of section 3301.0712 of the Revised Code that is at least the equivalent of a proficient level of skill in an appropriate advanced placement or international baccalaureate examination in lieu of the science end-of-course examination;

(c) In lieu of the science end-of-course examination, attaining a final course grade that is the equivalent of a "B" or higher in either:

(i) A science course listed in divisions (C)(5)(c)(i) to (iii) of section 3313.603 of the Revised Code that is offered by the student's high school;

(ii) An appropriate course taken through the college credit plus program established under Chapter 3365. of the Revised Code.

(d) In the case of a student who takes an alternate assessment in accordance with division (C)(1) of section 3301.0711 of the Revised Code, attaining a score established by the department on the alternate assessment in science;

(e) In the case of a student who transfers into an Ohio public or chartered nonpublic high school from another state or enrolls in an Ohio public or chartered nonpublic high school after receiving home education or attending a nonchartered, nontax-supported school in the previous school year, attaining a final course grade that is the equivalent of a "B" or higher in a course that corresponds with the science end-of-course examination and that the student completed in the state from which the student transferred or completed while receiving home instruction or attending a nonchartered, nontax-supported school. Division (C)(5)(e) of this section does not apply to any such student who takes a science course for which an end-of-course examination is associated after enrolling in the high school.

(6) An honors diploma seal. A student shall meet the requirement for this seal by meeting the additional criteria for an honors diploma under division (B) of section 3313.61 of the Revised Code.

(7) A technology seal. A student shall meet the requirement for this seal by doing any of the

following:

(a) Subject to division (B)(5)(d) of section 3301.0712 of the Revised Code, attaining a score level that is at least the equivalent of a proficient level of skill in an appropriate advanced placement or international baccalaureate examination;

(b) Attaining a final course grade that is the equivalent of a "B" or higher in an appropriate course taken through the college credit plus program established under Chapter 3365. of the Revised Code;

(c) Completing a course offered through the student's district or school that meets guidelines developed by the department. However, a district or school shall not be required to offer a course that meets those guidelines.

(d) In the case of a student who transfers into an Ohio public or chartered nonpublic high school from another state or enrolls in an Ohio public or chartered nonpublic high school after receiving home education or attending a nonchartered, nontax-supported school in the previous school year, attaining a final course grade that is the equivalent of a "B" or higher in an appropriate course, as determined by the district or school, that the student completed in the state from which the student transferred or completed while receiving home education or attending a nonchartered, nontax-supported school.

(8) A community service seal. A student shall meet the requirement for this seal by completing a community service project that is aligned with guidelines adopted by the student's district board or school governing authority.

(9) A fine and performing arts seal. A student shall meet the requirement for this seal by demonstrating skill in the fine or performing arts according to an evaluation that is aligned with guidelines adopted by the student's district board or school governing authority.

(10) A student engagement seal. A student shall meet the requirement for this seal by participating in extracurricular activities such as athletics, clubs, or student government to a meaningful extent, as determined by guidelines adopted by the student's district board or school governing authority.

(D)(1) Each district or school shall develop guidelines for at least one of the state seals prescribed under divisions (C)(8) to (10) of this section.

(2) For the purposes of determining whether a student who transfers to a district or school has satisfied the state diploma seal requirement under division (B)(2) of section 3313.618 of the Revised Code, each district or school shall recognize a state diploma seal prescribed under divisions (C)(8) to (10) of this section and earned by a student at another district or a different public or chartered nonpublic school regardless of whether the district or school to which the student transfers has developed guidelines under this section for that state seal.

(3) In guidelines developed for a state diploma seal prescribed under divisions (C)(8) to (10) of this section, each district or school shall include a method to give, to the extent feasible, a student who transfers into the district or school a proportional amount of credit for any progress the student

was making toward earning that state seal at the school district or different public or chartered nonpublic school from which the student transfers.

(E) Each district or school shall maintain appropriate records to identify students who have met the requirements prescribed under division (C) of this section for earning the state seals established under that division.

(F) The department shall prepare and deliver to each district or school an appropriate mechanism for assigning a state diploma seal established under division (C) of this section.

(G) A student shall not be charged a fee to be assigned a state seal prescribed under division (C) of this section on the student's diploma and transcript.

Sec. 3313.753. (A) As used in this section:

(1) "Electronic communications device" means any device that is powered by batteries or electricity and that is capable of receiving, transmitting, or receiving and transmitting communications between two or more persons or a communication from or to a person.

(2) "School" means any school that is operated by a board of education of a city, local, exempted village, or joint vocational school district.

(3) "School building" means any building in which any of the instruction, extracurricular activities, or training provided by a school is conducted.

(4) "School grounds or premises" means either of the following:

(a) The parcel of real property on which any school building is situated;

(b) Any other parcel of real property that is owned or leased by a board of education and on which some of the instruction, extracurricular activities, or training of the school is conducted.

(B) The board of education of any city, exempted village, local, joint vocational, or cooperative education school district may adopt a policy prohibiting ~~pupils~~ students from carrying an electronic communications device in any school building or on any school grounds or premises of the district. The policy may provide for exceptions to this prohibition as specified in the policy. The policy shall specify any disciplinary measures that will be taken for violation of this prohibition.

If a board of education adopts a policy under this ~~section~~ division, the board shall post the policy in a central location in each school building and make it available to ~~pupils~~ students and parents upon request.

(C) Not later than the first day of July that immediately follows the effective date of this amendment, each school district board of education shall adopt a policy governing the use of cellular telephones by students during school hours. The policy shall do all of the following:

(1) Emphasize that student cellular telephone use be as limited as possible during school hours;

(2) Reduce cellular telephone-related distractions in classroom settings;

(3) If determined appropriate by the district board, or if included in a student's individualized education program developed under Chapter 3323. of the Revised Code or plan developed under section 504 of the "Rehabilitation Act of 1973," 29 U.S.C. 794, permit students to use cellular

telephones or other electronic communications devices for student learning or to monitor or address a health concern.

(D) Division (C) of this section shall not be construed to require a district board to adopt a policy that prohibits all cellular telephone use by students. Nonetheless, any district board that adopts a policy that prohibits all cellular telephone use by students shall be considered to have met the requirements in division (C) of this section.

(E) Any district board that adopts a policy that meets the requirements prescribed in division (C) of this section prior to the effective date of this amendment shall be considered to have met the requirement to adopt a policy under this section.

(F) Each district board that adopts a policy under this section after the effective date of this amendment shall do so at a public meeting of the board.

(G) Each district board shall make any policy it adopts under this section publicly available and post it prominently on its publicly accessible web site, if it has one.

(H) Not later than sixty days after the effective date of this amendment, the department of education and workforce shall develop a model policy that meets the requirements prescribed in division (C) of this section. To the extent possible, the model policy shall take into account available research concerning the effect of the use of cellular telephones by students in school settings. The model policy may be utilized by districts and schools.

Sec. 3314.03. A copy of every contract entered into under this section shall be filed with the director of education and workforce. The department of education and workforce shall make available on its web site a copy of every approved, executed contract filed with the director under this section.

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

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

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

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

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

(3) The academic goals to be achieved and the method of measurement that will be used to determine progress toward those goals, which shall include the statewide achievement assessments;

(4) Performance standards, including but not limited to all applicable report card measures set forth in section 3302.03 or 3314.017 of the Revised Code, by which the success of the school will be evaluated by the sponsor;

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

section 3314.061 of the Revised Code;

(6)(a) Dismissal procedures;

(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in seventy-two consecutive hours of the learning opportunities offered to the student.

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

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

(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:

(a) A detailed description of each facility used for instructional purposes;

(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;

(c) The annual mortgage principal and interest payments that are paid by the school;

(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.

(10) Qualifications of employees, including both of the following:

(a) A requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours or forty hours per week pursuant to section 3319.301 of the Revised Code;

(b) A prohibition against the school employing an individual described in section 3314.104 of the Revised Code in any position.

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

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

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

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

(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.609, 3313.6012,

3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 3313.721, 3313.753, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code as if it were a school district and will comply with section 3301.0714 of the Revised Code in the manner specified in section 3314.17 of the Revised Code.

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

(f) The school will comply with sections 3313.61, 3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the Revised Code, except that for students who enter ninth grade for the first time before July 1, 2010, the requirement in sections 3313.61 and 3313.611 of the Revised Code that a person must successfully complete the curriculum in any high school prior to receiving a high school diploma may be met by completing the curriculum adopted by the governing authority of the community school rather than the curriculum specified in Title XXXIII of the Revised Code or any rules of the department. Beginning with students who enter ninth grade for the first time on or after July 1, 2010, the requirement in sections 3313.61 and 3313.611 of the Revised Code that a person must successfully complete the curriculum of a high school prior to receiving a high school diploma shall be met by completing the requirements prescribed in section 3313.6027 and division (C) of section 3313.603 of the Revised Code, unless the person qualifies under division (D) or (F) of that section. Each school shall comply with the plan for awarding high school credit based on demonstration of subject area competency, and beginning with the 2017-2018 school year, with the updated plan that permits students enrolled in seventh and eighth grade to meet curriculum requirements based on subject area competency adopted by the department under divisions (J)(1) and (2) of section 3313.603 of the Revised Code. Beginning with the 2018-2019 school year, the school shall comply with the framework for granting units of high school credit to students who demonstrate subject area competency through work-based learning experiences, internships, or cooperative education developed by the department under division (J)(3) of section 3313.603 of the Revised Code.

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

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

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

(j) If the school operates a preschool program that is licensed by the department under sections 3301.52 to 3301.59 of the Revised Code, the school shall comply with sections 3301.50 to 3301.59 of the Revised Code and the minimum standards for preschool programs prescribed in rules adopted by the department under section 3301.53 of the Revised Code.

(k) The school will comply with sections 3313.6021 and 3313.6023 of the Revised Code as if it were a school district unless it is either of the following:

(i) An internet- or computer-based community school;

(ii) A community school in which a majority of the enrolled students are children with disabilities as described in division (A)(4)(b) of section 3314.35 of the Revised Code.

(l) The school will comply with section 3321.191 of the Revised Code, unless it is an internet- or computer-based community school that is subject to section 3314.261 of the Revised Code.

(12) Arrangements for providing health and other benefits to employees;

(13) The length of the contract, which shall begin at the beginning of an academic year. No contract shall exceed five years unless such contract has been renewed pursuant to division (E) of this section.

(14) The governing authority of the school, which shall be responsible for carrying out the provisions of the contract;

(15) A financial plan detailing an estimated school budget for each year of the period of the contract and specifying the total estimated per pupil expenditure amount for each such year.

(16) Requirements and procedures regarding the disposition of employees of the school in the event the contract is terminated or not renewed pursuant to section 3314.07 of the Revised Code;

(17) Whether the school is to be created by converting all or part of an existing public school or educational service center building or is to be a new start-up school, and if it is a converted public school or service center building, specification of any duties or responsibilities of an employer that the board of education or service center governing board that operated the school or building before conversion is delegating to the governing authority of the community school with respect to all or any specified group of employees provided the delegation is not prohibited by a collective bargaining agreement applicable to such employees;

(18) Provisions establishing procedures for resolving disputes or differences of opinion between the sponsor and the governing authority of the community school;

(19) A provision requiring the governing authority to adopt a policy regarding the admission of students who reside outside the district in which the school is located. That policy shall comply

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

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

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

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

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

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

(22) A provision recognizing both of the following:

(a) The authority of public health and safety officials to inspect the facilities of the school and to order the facilities closed if those officials find that the facilities are not in compliance with health and safety laws and regulations;

(b) The authority of the department as the community school oversight body to suspend the operation of the school under section 3314.072 of the Revised Code if the department has evidence of conditions or violations of law at the school that pose an imminent danger to the health and safety of the school's students and employees and the sponsor refuses to take such action.

(23) A description of the learning opportunities that will be offered to students including both classroom-based and non-classroom-based learning opportunities that is in compliance with criteria for student participation established by the department under division (H)(2) of section 3314.08 of the Revised Code;

(24) The school will comply with sections 3302.04 and 3302.041 of the Revised Code, except that any action required to be taken by a school district pursuant to those sections shall be taken by the sponsor of the school.

(25) Beginning in the 2006-2007 school year, the school will open for operation not later than the thirtieth day of September each school year, unless the mission of the school as specified under division (A)(2) of this section is solely to serve dropouts. In its initial year of operation, if the school fails to open by the thirtieth day of September, or within one year after the adoption of the contract pursuant to division (D) of section 3314.02 of the Revised Code if the mission of the school is solely to serve dropouts, the contract shall be void.

(26) Whether the school's governing authority is planning to seek designation for the school as a STEM school equivalent under section 3326.032 of the Revised Code;

(27) That the school's attendance and participation policies will be available for public inspection;

(28) That the school's attendance and participation records shall be made available to the

department, auditor of state, and school's sponsor to the extent permitted under and in accordance with the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any regulations promulgated under that act, and section 3319.321 of the Revised Code;

(29) If a school operates using the blended learning model, as defined in section 3301.079 of the Revised Code, all of the following information:

- (a) An indication of what blended learning model or models will be used;
- (b) A description of how student instructional needs will be determined and documented;
- (c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;
- (d) The school's attendance requirements, including how the school will document participation in learning opportunities;
- (e) A statement describing how student progress will be monitored;
- (f) A statement describing how private student data will be protected;
- (g) A description of the professional development activities that will be offered to teachers.

(30) A provision requiring that all moneys the school's operator loans to the school, including facilities loans or cash flow assistance, must be accounted for, documented, and bear interest at a fair market rate;

(31) A provision requiring that, if the governing authority contracts with an attorney, accountant, or entity specializing in audits, the attorney, accountant, or entity shall be independent from the operator with which the school has contracted.

(32) A provision requiring the governing authority to adopt an enrollment and attendance policy that requires a student's parent to notify the community school in which the student is enrolled when there is a change in the location of the parent's or student's primary residence.

(33) A provision requiring the governing authority to adopt a student residence and address verification policy for students enrolling in or attending the school.

(B) The community school shall also submit to the sponsor a comprehensive plan for the school. The plan shall specify the following:

- (1) The process by which the governing authority of the school will be selected in the future;
- (2) The management and administration of the school;
- (3) If the community school is a currently existing public school or educational service center building, alternative arrangements for current public school students who choose not to attend the converted school and for teachers who choose not to teach in the school or building after conversion;
- (4) The instructional program and educational philosophy of the school;
- (5) Internal financial controls.

When submitting the plan under this division, the school shall also submit copies of all policies and procedures regarding internal financial controls adopted by the governing authority of

the school.

(C) A contract entered into under section 3314.02 of the Revised Code between a sponsor and the governing authority of a community school may provide for the community school governing authority to make payments to the sponsor, which is hereby authorized to receive such payments as set forth in the contract between the governing authority and the sponsor. The total amount of such payments for monitoring, oversight, and technical assistance of the school shall not exceed three per cent of the total amount of payments for operating expenses that the school receives from the state.

(D) The contract shall specify the duties of the sponsor which shall be in accordance with the written agreement entered into with the department under division (B) of section 3314.015 of the Revised Code and shall include the following:

(1) Monitor the community school's compliance with all laws applicable to the school and with the terms of the contract;

(2) Monitor and evaluate the academic and fiscal performance and the organization and operation of the community school on at least an annual basis;

(3) Report on an annual basis the results of the evaluation conducted under division (D)(2) of this section to the department and to the parents of students enrolled in the community school;

(4) Provide technical assistance to the community school in complying with laws applicable to the school and terms of the contract;

(5) Take steps to intervene in the school's operation to correct problems in the school's overall performance, declare the school to be on probationary status pursuant to section 3314.073 of the Revised Code, suspend the operation of the school pursuant to section 3314.072 of the Revised Code, or terminate the contract of the school pursuant to section 3314.07 of the Revised Code as determined necessary by the sponsor;

(6) Have in place a plan of action to be undertaken in the event the community school experiences financial difficulties or closes prior to the end of a school year.

(E) Upon the expiration of a contract entered into under this section, the sponsor of a community school may, with the approval of the governing authority of the school, renew that contract for a period of time determined by the sponsor, but not ending earlier than the end of any school year, if the sponsor finds that the school's compliance with applicable laws and terms of the contract and the school's progress in meeting the academic goals prescribed in the contract have been satisfactory. Any contract that is renewed under this division remains subject to the provisions of sections 3314.07, 3314.072, and 3314.073 of the Revised Code.

(F) If a community school fails to open for operation within one year after the contract entered into under this section is adopted pursuant to division (D) of section 3314.02 of the Revised Code or permanently closes prior to the expiration of the contract, the contract shall be void and the school shall not enter into a contract with any other sponsor. A school shall not be considered permanently closed because the operations of the school have been suspended pursuant to section

3314.072 of the Revised Code.

Sec. 3319.079. (A) The holder of a valid educator license with a grade band specification prescribed under division (A)(1) of section 3319.22 of the Revised Code, as that division existed prior to October 3, 2023, who renews that license may receive either of the following:

(1) A grade band specification prescribed under division (A)(1) of section 3319.22 of the Revised Code, as that division existed prior to October 3, 2023;

(2) A grade band specification prescribed under division (A)(1) of section 3319.22 of the Revised Code as that division exists on the date of its renewal.

(B) Upon renewal of a license under this section, the holder of a valid educator license shall receive a grade band specification that includes one or more of the grades the holder was authorized to teach under the prior license.

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

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

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

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

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

Subject to division (A)(4) of this section, licenses issued under division (A)(1) of this section on and after December 29, 2023, shall specify whether the educator is licensed to teach grades pre-kindergarten through eight or grades six through twelve. The changes to the grade band specifications under this section shall not apply to a person who holds a license under division (A)(1) of this section prior to December 29, 2023. Further, the changes to the grade band specifications under this section shall not apply to any license issued to teach in the area of computer information science, bilingual education, dance, drama or theater, world language, health, library or media, music, physical education, teaching English to speakers of other languages, career-technical education, or visual arts or to any license issued to an intervention specialist, including a gifted intervention specialist, or to any other license that does not align to the grade band specifications.

(2)(a) Except as provided in division (A)(2)(b) of this section, the state board may issue any additional educator licenses of categories, types, and levels the board elects to provide.

(b) Not later than December 31, 2024, the state board shall cease licensing school psychologists. The state board shall coordinate with the state board of psychology to transition to licensure under Chapter 4732. of the Revised Code any school psychologists licensed under rules

adopted in accordance with sections 3301.07 and 3319.22 of the Revised Code.

(3) Except as provided in division (I) of this section, the state board shall adopt rules establishing the standards and requirements for obtaining each educator license issued under this section. The rules shall also include the reasons for which a resident educator license may be renewed under division (A)(1)(a) of this section.

(4) Notwithstanding the requirement that each license issued under division (A)(1) of this section specify the grade band in which the educator is licensed to teach, a school district or community school may employ an educator to teach outside of the designated grade band by not more than two grade levels and for not more than two school years at a time. The school district superintendent or governing authority of the community school may renew that teacher's eligibility to teach in accordance with this division on a biennial basis. Any educator to whom division (A)(4) of this section applies shall be considered a "properly certified or licensed teacher" for the purposes of section 3319.074 of the Revised Code.

(B) Except as provided in division (I) of this section, the rules adopted under this section shall require at least the following standards and qualifications for the educator licenses described in division (A)(1) of this section:

(1) An applicant for a resident educator license shall hold at least a bachelor's degree from an accredited teacher preparation program or be a participant in the teach for America program and meet the qualifications required under section 3319.227 of the Revised Code.

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

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

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

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

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

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

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

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

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

(b) Have previously held a professional educator license or a senior professional educator license issued under this section or a professional educator license issued under section 3319.222 or

former section 3319.22 of the Revised Code;

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

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

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

(D) If the state board requires any examinations for educator licensure, the state board shall provide the results of such examinations received by the state board to the chancellor of higher education, in the manner and to the extent permitted by state and federal law.

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

(1) Notwithstanding division (E) of section 119.03 and division (A)(1) of section 119.04 of the Revised Code, in the case of the adoption of any rule or the amendment or rescission of any rule that necessitates institutions' offering preparation programs for educators and other school personnel that are approved by the chancellor of higher education under section 3333.048 of the Revised Code to revise the curriculum of those programs, the effective date shall not be as prescribed in division (E) of section 119.03 and division (A)(1) of section 119.04 of the Revised Code. Instead, the effective date of such rules, or the amendment or rescission of such rules, shall be the date prescribed by section 3333.048 of the Revised Code.

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

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

(2) In any school district in which there is no exclusive representative established under

Chapter 4117. of the Revised Code, the professional development committees shall be established as described in division (F)(2) of this section.

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

Each professional development committee shall consist of at least three classroom teachers employed by the district, one principal employed by the district, and one other employee of the district appointed by the district superintendent. For committees with a building-level scope, the teacher and principal members shall be assigned to that building, and the teacher members shall be elected by majority vote of the classroom teachers assigned to that building. For committees with a district-level scope, the teacher members shall be elected by majority vote of the classroom teachers of the district, and the principal member shall be elected by a majority vote of the principals of the district, unless there are two or fewer principals employed by the district, in which case the one or two principals employed shall serve on the committee. If a committee has a particular grade or age level scope, the teacher members shall be licensed to teach such grade or age levels, and shall be elected by majority vote of the classroom teachers holding such a license and the principal shall be elected by all principals serving in buildings where any such teachers serve. The district superintendent shall appoint a replacement to fill any vacancy that occurs on a professional development committee, except in the case of vacancies among the elected classroom teacher members, which shall be filled by vote of the remaining members of the committee so selected.

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

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

committee to meet.

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

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

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

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

(G)(1) The state board of education, educational service centers, county boards of developmental disabilities, college and university departments of education, head start programs, and the Ohio education computer network may establish local professional development committees to determine whether the coursework proposed by their employees who are licensed or certificated under this section or section 3319.222 of the Revised Code, or under the former version of either section as it existed prior to October 16, 2009, meet the requirements of the rules adopted under this section. They may establish local professional development committees on their own or in collaboration with a school district or other agency having authority to establish them.

Local professional development committees established by county boards of developmental disabilities shall be structured in a manner comparable to the structures prescribed for school districts in divisions (F)(2) and (3) of this section, as shall the committees established by any other entity specified in division (G)(1) of this section that provides educational services by employing or contracting for services of classroom teachers licensed or certificated under this section or section 3319.222 of the Revised Code, or under the former version of either section as it existed prior to

October 16, 2009. All other entities specified in division (G)(1) of this section shall structure their committees in accordance with guidelines which shall be issued by the state board.

(2) Educational service centers may establish local professional development committees to serve educators who are not employed in schools in this state, including pupil services personnel who are licensed under this section. Local professional development committees shall be structured in a manner comparable to the structures prescribed for school districts in divisions (F)(2) and (3) of this section.

These committees may agree to review the coursework, continuing education units, or other equivalent activities related to classroom teaching or the area of licensure that is proposed by an individual who satisfies both of the following conditions:

(a) The individual is licensed or certificated under this section or under the former version of this section as it existed prior to October 16, 2009.

(b) The individual is not currently employed as an educator or is not currently employed by an entity that operates a local professional development committee under this section.

Any committee that agrees to work with such an individual shall work to determine whether the proposed coursework, continuing education units, or other equivalent activities meet the requirements of the rules adopted by the state board under this section.

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

(H) Not later than July 1, 2016, the state board, in accordance with Chapter 119. of the Revised Code, shall adopt rules pursuant to division (A)(3) of this section that do both of the following:

(1) Exempt consistently high-performing teachers from the requirement to complete any additional coursework for the renewal of an educator license issued under this section or section 3319.26 of the Revised Code. The rules also shall specify that such teachers are exempt from any requirements prescribed by professional development committees established under divisions (F) and (G) of this section.

(2) For purposes of division (H)(1) of this section, the state board shall define the term "consistently high-performing teacher."

(I) The state board shall issue a resident educator license, professional educator license, senior professional educator license, lead professional educator license, or any other educator license in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a license in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a resident educator, professional educator, senior professional educator, lead professional educator, or any other type of educator in a state that does not issue one or more of those licenses.

Sec. 3325.071. Ohio deaf and blind education services, in consultation with the department of children and youth, in carrying out this section and division (B) of section 3325.06 of the Revised Code shall, insofar as practicable, plan, present, and carry into effect an educational program by means of any of the following methods of instruction:

(A) Classes for parents of children of preschool age whose disabilities are visual impairments, independently or in cooperation with community agencies;

(B) A preschool where a parent and child may enter the preschool as a unit;

(C) Correspondence course;

(D) Personal consultations and interviews;

(E) Child care or child development courses for children and parents;

(F) Summer enrichment courses;

(G) By such other means or methods as the superintendent of Ohio deaf and blind education services deems advisable that would permit a child of preschool age whose disability is a visual impairment to build communication skills and develop literacy, mobility, and independence at an early age.

The superintendent may allow children who do not have disabilities that are visual impairments to participate in the methods of instruction described in divisions (A) to (G) of this section so that children of preschool age whose disabilities are visual impairments are able to learn alongside their peers while receiving specialized instruction that is based on early learning and development strategies. The superintendent shall establish policies and procedures regarding the participation of children who do not have disabilities that are visual impairments.

The superintendent may establish reasonable fees for participation in the methods of instruction described in divisions (A) to (G) of this section to defray the costs of carrying them out. The superintendent shall determine the manner by which any such fees shall be collected. All fees shall be deposited in the state school for the blind even start fees and gifts fund, which is hereby created in the state treasury. The money in the fund shall be used to implement this section.

Sec. 3326.11. Each science, technology, engineering, and mathematics school established under this chapter and its governing body shall comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.6021, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.61, 3313.611, 3313.614, 3313.615, 3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667,

3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 3313.721, 3313.753, 3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.21, 3319.238, 3319.318, 3319.32, 3319.321, 3319.324, 3319.35, 3319.39, 3319.391, 3319.393, 3319.41, 3319.45, 3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code as if it were a school district.

Sec. 3328.24. A college-preparatory boarding school established under this chapter and its board of trustees shall comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 3301.0714, 3301.0729, 3301.948, 3302.037, 3313.5318, 3313.5319, 3313.6013, 3313.6021, 3313.6024, 3313.6025, 3313.6026, 3313.6029, 3313.617, 3313.618, 3313.6114, 3313.6411, 3313.6413, 3313.668, 3313.669, 3313.6610, 3313.7112, 3313.7117, 3313.721, 3313.753, 3313.89, 3319.073, 3319.077, 3319.078, 3319.318, 3319.324, 3319.39, 3319.391, 3319.393, 3319.46, 3320.01, 3320.02, 3320.03, 3323.251, and 5502.262, and Chapter 3365. of the Revised Code as if the school were a school district and the school's board of trustees were a district board of education.

Sec. 4732.01. As used in this chapter:

(A) "Psychologist" means any person who holds self out to the public by any title or description of services incorporating the words "psychologic," "psychological," "psychologist," "psychology," or any other terms that imply the person is trained, experienced, or an expert in the field of psychology.

(B) "The practice of psychology" means rendering or offering to render to individuals, groups, organizations, or the public any service involving the application of psychological procedures to assessment, diagnosis, prevention, treatment, or amelioration of psychological problems or emotional or mental disorders of individuals or groups; or to the assessment or improvement of psychological adjustment or functioning of individuals or groups, whether or not there is a diagnosable pre-existing psychological problem. Practice of psychology includes the practice of independent school psychology and the practice of school psychology. For purposes of this chapter, teaching or research shall not be regarded as the practice of psychology, even when dealing with psychological subject matter, provided it does not otherwise involve the professional practice of psychology in which an individual's welfare is directly affected by the application of psychological procedures.

(C) "Psychological procedures" include but are not restricted to application of principles, methods, or procedures of understanding, predicting, or influencing behavior, such as the principles pertaining to learning, conditioning, perception, motivation, thinking, emotions, or interpersonal relationships; the methods or procedures of verbal interaction, interviewing, counseling, behavior modification, environmental manipulation, group process, psychological psychotherapy, or

hypnosis; and the methods or procedures of administering or interpreting tests of mental abilities, aptitudes, interests, attitudes, personality characteristics, emotions, or motivation.

(D)(1) "School psychologist" means any person who, within the scope of employment as described in division (D)(2) of this section, holds self out to the public by any title or description of services incorporating the words "school psychologist" or "school psychology," or who holds self out to be trained, experienced, or an expert in the practice of school psychology.

(2) A school psychologist is limited in employment for the purposes of practicing school psychology to the following:

(a) By a board of education or by a private school meeting the standards prescribed by the ~~state board of education~~ director of education and workforce under division (D) of section 3301.07 of the Revised Code;

(b) In a program for children with disabilities established under Chapter 3323. or 5126. of the Revised Code.

(E) "Independent school psychologist" means any person who, outside of the scope of employment as described in division (D)(2) of this section, holds self out to the public by any title or description of services incorporating the words "independent school psychologist" or "independent school psychology," or who holds self out to be trained, experienced, or an expert in the practice of independent school psychology.

(F) "Practice of school psychology" means rendering or offering to render to individuals, groups, organizations, or the public any of the following services:

(1) Evaluation, diagnosis, or test interpretation limited to assessment of intellectual ability, learning patterns, achievement, motivation, behavior, or personality factors directly related to learning problems;

(2) Intervention services, including counseling, for children or adults for amelioration or prevention of educationally related learning problems, including emotional and behavioral aspects of such problems;

(3) Psychological, educational, or vocational consultation or direct educational services. This does not include industrial consultation or counseling services to clients undergoing vocational rehabilitation.

(G) "Practice of independent school psychology" means the practice of school psychology outside of the scope of employment as described in division (D)(2) of this section.

(H) "Licensed psychologist" means an individual holding a current, valid license to practice psychology issued under section 4732.12 or 4732.15 of the Revised Code.

(I) "Licensed school psychologist" means an individual holding a current, valid license to practice school psychology issued under section 4732.12 or 4732.15 of the Revised Code.

(J) "Licensed independent school psychologist" means an individual holding a current, valid license to practice independent school psychology issued under section 4732.12 or 4732.15 of the Revised Code.

(K) "Mental health professional" and "mental health service" have the same meanings as in section 2305.51 of the Revised Code.

(L) "Telepsychology" means the practice of psychology, independent school psychology, or school psychology by distance communication technology, including telephone, electronic mail, internet-based communications, and video conferencing.

SECTION 2. That existing sections 121.086, 3301.079, 3313.6114, 3313.753, 3314.03, 3319.22, 3325.071, 3326.11, 3328.24, and 4732.01 of the Revised Code are hereby repealed.

SECTION 3. That the versions of sections 3301.079 and 3314.03 of the Revised Code that are scheduled to take effect January 1, 2025, be amended to read as follows:

Sec. 3301.079. (A)(1) The department of education and workforce periodically shall adopt statewide academic standards with emphasis on coherence, focus, and essential knowledge and that are more challenging and demanding when compared to international standards for each of grades kindergarten through twelve in English language arts, mathematics, science, and social studies.

(a) The department shall ensure that the standards do all of the following:

(i) Include the essential academic content and skills that students are expected to know and be able to do at each grade level that will allow each student to be prepared for postsecondary instruction and the workplace for success in the twenty-first century;

(ii) Include the development of skill sets that promote information, media, and technological literacy;

(iii) Include interdisciplinary, project-based, real-world learning opportunities;

(iv) Instill life-long learning by providing essential knowledge and skills based in the liberal arts tradition, as well as science, technology, engineering, mathematics, and career-technical education;

(v) Be clearly written, transparent, and understandable by parents, educators, and the general public.

(b) The department shall incorporate into the social studies standards for grades four to twelve academic content regarding the original texts of the Declaration of Independence, the Northwest Ordinance, the Constitution of the United States and its amendments, with emphasis on the Bill of Rights, and the Ohio Constitution, and their original context. The department shall revise the model curricula and achievement assessments adopted under divisions (B) and (C) of this section as necessary to reflect the additional American history and American government content. The department shall make available a list of suggested grade-appropriate supplemental readings that place the documents prescribed by this division in their historical context, which teachers may use as a resource to assist students in reading the documents within that context.

(c) When the department adopts or revises academic content standards in social studies, American history, American government, or science under division (A)(1) of this section, it shall

develop such standards independently and not as part of a multistate consortium.

(2)(a) After completing the standards required by division (A)(1) of this section, the department shall adopt standards and model curricula for instruction in technology, financial literacy and entrepreneurship, fine arts, and foreign language for grades kindergarten through twelve. The standards shall meet the same requirements prescribed in division (A)(1)(a) of this section.

(b) The ~~state board~~ department shall incorporate into the standards and model curriculum for financial literacy and entrepreneurship for grades nine through twelve academic content regarding free market capitalism. The academic content shall include all of the following concepts related to free market capitalism:

(i) Raw materials, labor, and capital, the three classical factors of economic production, are privately owned.

(ii) Individuals control their own ability to work, earn wages, and obtain skills to earn and increase wages.

(iii) Private ownership of capital may include a sole proprietorship, a family ~~businesses~~ business, a publicly traded corporation, a group of private investors, or a bank.

(iv) Markets aggregate the exchange of goods and services throughout the world. Market prices are the only way to convey so much constantly changing information about the supply of goods and services, and the demand for them, for consumers and producers to make informed economic decisions for themselves.

(v) Wealth is created by providing goods and services that people value at a profit, and both sellers and buyers seek to profit in some way in a free market transaction. Thus, profit earned through transactions can be consumed, saved, reinvested in the business, or dispersed to shareholders.

(vi) Wealth creation involves asset value appreciation and depreciation, voluntary exchange of equity ownership, and open and closed markets.

(vii) The free market is driven by, and tends to produce, entrepreneurship and innovation.

(viii) The free market can include side effects and market failures where at least part of the cost of the transaction, including producing, transporting, selling, or buying, is born by others outside of the transaction.

(ix) The political features of the free market, including legally protected property rights, legally enforceable contracts, patent protections, and the mitigation of side effects and market failures;

(x) Societies that embrace the free market often embrace political and personal freedom as well.

(3) The department shall adopt the most recent standards developed by the national association for sport and physical education for physical education in grades kindergarten through twelve or shall adopt its own standards for physical education in those grades and revise and update them periodically.

The department shall employ a full-time physical education coordinator to provide guidance and technical assistance to districts, community schools, and STEM schools in implementing the physical education standards adopted under this division. The director of education and workforce shall determine that the person employed as coordinator is qualified for the position, as demonstrated by possessing an adequate combination of education, license, and experience.

(4) The department shall update the standards and model curriculum for instruction in computer science in grades kindergarten through twelve, which shall include standards for introductory and advanced computer science courses in grades nine through twelve. When developing the standards and curriculum, the department shall consider recommendations from computer science education stakeholder groups, including teachers and representatives from higher education, industry, computer science organizations in Ohio, and national computer science organizations.

Any district or school may utilize the computer science standards or model curriculum or any part thereof adopted pursuant to division (A)(4) of this section. However, no district or school shall be required to utilize all or any part of the standards or curriculum.

(5) When academic standards have been completed for any subject area required by this section, the department shall inform all school districts, all community schools established under Chapter 3314. of the Revised Code, all STEM schools established under Chapter 3326. of the Revised Code, and all nonpublic schools required to administer the assessments prescribed by sections 3301.0710 and 3301.0712 of the Revised Code of the content of those standards. Additionally, upon completion of any academic standards under this section, the department shall post those standards on the department's web site.

(B)(1) The department shall adopt a model curriculum for instruction in each subject area for which updated academic standards are required by division (A)(1) of this section and for each of grades kindergarten through twelve that is sufficient to meet the needs of students in every community. The model curriculum shall be aligned with the standards, to ensure that the academic content and skills specified for each grade level are taught to students, and shall demonstrate vertical articulation and emphasize coherence, focus, and rigor. When any model curriculum has been completed, the department shall inform all school districts, community schools, and STEM schools of the content of that model curriculum.

(2) The department, in consultation with the governor's office of workforce transformation, shall adopt model curricula for grades kindergarten through twelve that embed career connection learning strategies into regular classroom instruction.

(3) All school districts, community schools, and STEM schools may utilize the state standards and the model curriculum established by the department, together with other relevant resources, examples, or models to ensure that students have the opportunity to attain the academic standards. Upon request, the department shall provide technical assistance to any district, community school, or STEM school in implementing the model curriculum.

Nothing in this section requires any school district to utilize all or any part of a model curriculum developed under this section.

(C) The department shall develop achievement assessments aligned with the academic standards and model curriculum for each of the subject areas and grade levels required by divisions (A)(1) and (B)(1) of section 3301.0710 of the Revised Code.

When any achievement assessment has been completed, the department shall inform all school districts, community schools, STEM schools, and nonpublic schools required to administer the assessment of its completion, and the department shall make the achievement assessment available to the districts and schools.

(D)(1) The department shall adopt a diagnostic assessment aligned with the academic standards and model curriculum for grades one and two in reading, writing, and mathematics and for grade three in reading and writing. The diagnostic assessment shall be designed to measure student comprehension of academic content and mastery of related skills for the relevant subject area and grade level. Any diagnostic assessment shall not include components to identify gifted students. Blank copies of diagnostic assessments shall be public records.

(2) When each diagnostic assessment has been completed, the department shall inform all school districts of its completion and make the diagnostic assessment available to the districts at no cost to the district.

(3) School districts shall administer the diagnostic assessment pursuant to section 3301.0715 of the Revised Code beginning the first school year following the development of the assessment.

However, beginning with the 2017-2018 school year, both of the following shall apply:

(a) In the case of the diagnostic assessments for grades one or two in writing or mathematics or for grade three in writing, a school district shall not be required to administer any such assessment, but may do so at the discretion of the district board;

(b) In the case of any diagnostic assessment that is not for the grade levels and subject areas specified in division (D)(3)(a) of this section, each school district shall administer the assessment in the manner prescribed by section 3301.0715 of the Revised Code.

(E) The department shall not adopt a diagnostic or achievement assessment for any grade level or subject area other than those specified in this section.

(F) Whenever the department consults with persons for the purpose of drafting or reviewing any standards, diagnostic assessments, achievement assessments, or model curriculum required under this section, the department shall first consult with parents of students in kindergarten through twelfth grade and with active Ohio classroom teachers, other school personnel, and administrators with expertise in the appropriate subject area. Whenever practicable, the department shall consult with teachers recognized as outstanding in their fields.

If the department contracts with more than one outside entity for the development of the achievement assessments required by this section, the department shall ensure the interchangeability of those assessments.

(G) Whenever the department adopts standards or model curricula under this section, the department also shall provide information on the use of blended, online, or digital learning in the delivery of the standards or curricula to students in accordance with division (A)(5) of this section.

(H) The fairness sensitivity review committee of the department shall not allow any question on any achievement or diagnostic assessment developed under this section or any proficiency test prescribed by former section 3301.0710 of the Revised Code, as it existed prior to September 11, 2001, to include, be written to promote, or inquire as to individual moral or social values or beliefs. The decision of the committee shall be final. This section does not create a private cause of action.

(I) Not later than sixty days prior to the adoption of updated academic standards under division (A)(1) of this section or updated model curricula under division (B)(1) of this section, the director of education and workforce shall present the academic standards or model curricula, as applicable, in person at a public hearing of the respective committees of the house of representatives and senate that consider education legislation.

(J) As used in this section:

(1) "Blended learning" means the delivery of instruction in a combination of time primarily in a supervised physical location away from home and online delivery whereby the student has some element of control over time, place, path, or pace of learning and includes noncomputer-based learning opportunities.

(2) "Online learning" means students work primarily from their residences on assignments delivered via an internet- or other computer-based instructional method.

(3) "Coherence" means a reflection of the structure of the discipline being taught.

(4) "Digital learning" means learning facilitated by technology that gives students some element of control over time, place, path, or pace of learning.

(5) "Focus" means limiting the number of items included in a curriculum to allow for deeper exploration of the subject matter.

(6) "Vertical articulation" means key academic concepts and skills associated with mastery in particular content areas should be articulated and reinforced in a developmentally appropriate manner at each grade level so that over time students acquire a depth of knowledge and understanding in the core academic disciplines.

Sec. 3314.03. A copy of every contract entered into under this section shall be filed with the director of education and workforce. The department of education and workforce shall make available on its web site a copy of every approved, executed contract filed with the director under this section.

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

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

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

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

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

(3) The academic goals to be achieved and the method of measurement that will be used to determine progress toward those goals, which shall include the statewide achievement assessments;

(4) Performance standards, including but not limited to all applicable report card measures set forth in section 3302.03 or 3314.017 of the Revised Code, by which the success of the school will be evaluated by the sponsor;

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

(6)(a) Dismissal procedures;

(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in seventy-two consecutive hours of the learning opportunities offered to the student.

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

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

(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:

(a) A detailed description of each facility used for instructional purposes;

(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;

(c) The annual mortgage principal and interest payments that are paid by the school;

(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.

(10) Qualifications of employees, including both of the following:

(a) A requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours or forty hours per week pursuant to section 3319.301 of the Revised Code;

(b) A prohibition against the school employing an individual described in section 3314.104 of the Revised Code in any position.

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

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

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

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

(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 3313.721, 3313.753, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code as if it were a school district and will comply with section 3301.0714 of the Revised Code in the manner specified in section 3314.17 of the Revised Code.

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

(f) The school will comply with sections 3313.61, 3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the Revised Code, except that for students who enter ninth grade for the first time before July 1, 2010, the requirement in sections 3313.61 and 3313.611 of the Revised Code that a person must successfully complete the curriculum in any high school prior to receiving a high school diploma may be met by completing the curriculum adopted by the governing authority of the community school rather than the curriculum specified in Title XXXIII of the Revised Code or any rules of the department. Beginning with students who enter ninth grade for the first time on or after July 1, 2010, the requirement in sections 3313.61 and 3313.611 of the Revised Code that a person must successfully complete the curriculum of a high school prior to receiving a high school diploma shall be met by completing the requirements prescribed in section 3313.6027 and division (C) of section 3313.603 of the Revised Code, unless the person qualifies under division (D) or (F) of that section. Each school shall comply with the plan for awarding high school credit based on demonstration of subject area competency, and beginning with the 2017-2018 school year, with the updated plan that permits students enrolled in seventh and eighth grade to meet curriculum requirements based on subject area competency adopted by the department under divisions (J)(1)

and (2) of section 3313.603 of the Revised Code. Beginning with the 2018-2019 school year, the school shall comply with the framework for granting units of high school credit to students who demonstrate subject area competency through work-based learning experiences, internships, or cooperative education developed by the department under division (J)(3) of section 3313.603 of the Revised Code.

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

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

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

(j) If the school operates a preschool program that is licensed by the department under sections 3301.52 to 3301.59 of the Revised Code, the school shall comply with sections 3301.50 to 3301.59 of the Revised Code and the minimum standards for preschool programs prescribed in rules adopted by the department of children and youth under section 3301.53 of the Revised Code.

(k) The school will comply with sections 3313.6021 and 3313.6023 of the Revised Code as if it were a school district unless it is either of the following:

(i) An internet- or computer-based community school;

(ii) A community school in which a majority of the enrolled students are children with disabilities as described in division (A)(4)(b) of section 3314.35 of the Revised Code.

(l) The school will comply with section 3321.191 of the Revised Code, unless it is an internet- or computer-based community school that is subject to section 3314.261 of the Revised Code.

(12) Arrangements for providing health and other benefits to employees;

(13) The length of the contract, which shall begin at the beginning of an academic year. No contract shall exceed five years unless such contract has been renewed pursuant to division (E) of this section.

(14) The governing authority of the school, which shall be responsible for carrying out the provisions of the contract;

(15) A financial plan detailing an estimated school budget for each year of the period of the contract and specifying the total estimated per pupil expenditure amount for each such year.

(16) Requirements and procedures regarding the disposition of employees of the school in the event the contract is terminated or not renewed pursuant to section 3314.07 of the Revised Code;

(17) Whether the school is to be created by converting all or part of an existing public school or educational service center building or is to be a new start-up school, and if it is a converted public school or service center building, specification of any duties or responsibilities of an employer that the board of education or service center governing board that operated the school or building before conversion is delegating to the governing authority of the community school with respect to all or any specified group of employees provided the delegation is not prohibited by a collective bargaining agreement applicable to such employees;

(18) Provisions establishing procedures for resolving disputes or differences of opinion between the sponsor and the governing authority of the community school;

(19) A provision requiring the governing authority to adopt a policy regarding the admission of students who reside outside the district in which the school is located. That policy shall comply with the admissions procedures specified in sections 3314.06 and 3314.061 of the Revised Code and, at the sole discretion of the authority, shall do one of the following:

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

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

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

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

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

(22) A provision recognizing both of the following:

(a) The authority of public health and safety officials to inspect the facilities of the school and to order the facilities closed if those officials find that the facilities are not in compliance with health and safety laws and regulations;

(b) The authority of the department as the community school oversight body to suspend the operation of the school under section 3314.072 of the Revised Code if the department has evidence of conditions or violations of law at the school that pose an imminent danger to the health and safety of the school's students and employees and the sponsor refuses to take such action.

(23) A description of the learning opportunities that will be offered to students including both classroom-based and non-classroom-based learning opportunities that is in compliance with criteria for student participation established by the department under division (H)(2) of section 3314.08 of the Revised Code;

(24) The school will comply with sections 3302.04 and 3302.041 of the Revised Code, except that any action required to be taken by a school district pursuant to those sections shall be taken by the sponsor of the school.

(25) Beginning in the 2006-2007 school year, the school will open for operation not later than the thirtieth day of September each school year, unless the mission of the school as specified under division (A)(2) of this section is solely to serve dropouts. In its initial year of operation, if the school fails to open by the thirtieth day of September, or within one year after the adoption of the contract pursuant to division (D) of section 3314.02 of the Revised Code if the mission of the school is solely to serve dropouts, the contract shall be void.

(26) Whether the school's governing authority is planning to seek designation for the school as a STEM school equivalent under section 3326.032 of the Revised Code;

(27) That the school's attendance and participation policies will be available for public inspection;

(28) That the school's attendance and participation records shall be made available to the department, auditor of state, and school's sponsor to the extent permitted under and in accordance with the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any regulations promulgated under that act, and section 3319.321 of the Revised Code;

(29) If a school operates using the blended learning model, as defined in section 3301.079 of the Revised Code, all of the following information:

(a) An indication of what blended learning model or models will be used;

(b) A description of how student instructional needs will be determined and documented;

(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;

(d) The school's attendance requirements, including how the school will document participation in learning opportunities;

(e) A statement describing how student progress will be monitored;

(f) A statement describing how private student data will be protected;

(g) A description of the professional development activities that will be offered to teachers.

(30) A provision requiring that all moneys the school's operator loans to the school, including facilities loans or cash flow assistance, must be accounted for, documented, and bear interest at a fair market rate;

(31) A provision requiring that, if the governing authority contracts with an attorney, accountant, or entity specializing in audits, the attorney, accountant, or entity shall be independent from the operator with which the school has contracted.

(32) A provision requiring the governing authority to adopt an enrollment and attendance policy that requires a student's parent to notify the community school in which the student is enrolled when there is a change in the location of the parent's or student's primary residence.

(33) A provision requiring the governing authority to adopt a student residence and address verification policy for students enrolling in or attending the school.

(B) The community school shall also submit to the sponsor a comprehensive plan for the

school. The plan shall specify the following:

- (1) The process by which the governing authority of the school will be selected in the future;
- (2) The management and administration of the school;
- (3) If the community school is a currently existing public school or educational service center building, alternative arrangements for current public school students who choose not to attend the converted school and for teachers who choose not to teach in the school or building after conversion;
- (4) The instructional program and educational philosophy of the school;
- (5) Internal financial controls.

When submitting the plan under this division, the school shall also submit copies of all policies and procedures regarding internal financial controls adopted by the governing authority of the school.

(C) A contract entered into under section 3314.02 of the Revised Code between a sponsor and the governing authority of a community school may provide for the community school governing authority to make payments to the sponsor, which is hereby authorized to receive such payments as set forth in the contract between the governing authority and the sponsor. The total amount of such payments for monitoring, oversight, and technical assistance of the school shall not exceed three per cent of the total amount of payments for operating expenses that the school receives from the state.

(D) The contract shall specify the duties of the sponsor which shall be in accordance with the written agreement entered into with the department under division (B) of section 3314.015 of the Revised Code and shall include the following:

- (1) Monitor the community school's compliance with all laws applicable to the school and with the terms of the contract;
- (2) Monitor and evaluate the academic and fiscal performance and the organization and operation of the community school on at least an annual basis;
- (3) Report on an annual basis the results of the evaluation conducted under division (D)(2) of this section to the department and to the parents of students enrolled in the community school;
- (4) Provide technical assistance to the community school in complying with laws applicable to the school and terms of the contract;
- (5) Take steps to intervene in the school's operation to correct problems in the school's overall performance, declare the school to be on probationary status pursuant to section 3314.073 of the Revised Code, suspend the operation of the school pursuant to section 3314.072 of the Revised Code, or terminate the contract of the school pursuant to section 3314.07 of the Revised Code as determined necessary by the sponsor;
- (6) Have in place a plan of action to be undertaken in the event the community school experiences financial difficulties or closes prior to the end of a school year.

(E) Upon the expiration of a contract entered into under this section, the sponsor of a

community school may, with the approval of the governing authority of the school, renew that contract for a period of time determined by the sponsor, but not ending earlier than the end of any school year, if the sponsor finds that the school's compliance with applicable laws and terms of the contract and the school's progress in meeting the academic goals prescribed in the contract have been satisfactory. Any contract that is renewed under this division remains subject to the provisions of sections 3314.07, 3314.072, and 3314.073 of the Revised Code.

(F) If a community school fails to open for operation within one year after the contract entered into under this section is adopted pursuant to division (D) of section 3314.02 of the Revised Code or permanently closes prior to the expiration of the contract, the contract shall be void and the school shall not enter into a contract with any other sponsor. A school shall not be considered permanently closed because the operations of the school have been suspended pursuant to section 3314.072 of the Revised Code.

SECTION 4. That the existing versions of sections 3301.079 and 3314.03 of the Revised Code that are scheduled to take effect January 1, 2025, are hereby repealed.

SECTION 5. Sections 3 and 4 of this act and the amendment by this act of section 3325.071 of the Revised Code take effect on January 1, 2025.

SECTION 6. That Sections 265.550, 307.10, and 307.140 of H.B. 33 of the 135th General Assembly be amended to read as follows:

Sec. 265.550. PUPIL TRANSPORTATION PILOT PROGRAM

(A) The Department of Education and Workforce shall establish ~~a two pilot program~~ programs under which two educational service centers shall provide transportation to students ~~enrolled in community schools established under Chapter 3314. of the Revised Code and chartered nonpublic schools,~~ in lieu of the students receiving transportation from their resident school district. Not later than October 15, 2023, the Department shall select ~~one both of the following to participate in a pilot program under this section:~~

(1) ~~One~~ service center that is in a county located in central Ohio with a population of 1,323,807, according to the 2020 United States census, ~~and one;~~

(2) ~~One~~ service center that is in a county located in southwest Ohio with a population of 537,309, according to the 2020 United States census, ~~to participate in the pilot program. The Department and each participating.~~

(B)(1) ~~The service center jointly selected under division (A)(1) of this section shall identify a school district served by the service center and community schools and chartered nonpublic schools that enroll students from the district who are struggling with transportation issues, as determined by their resident school district, and are served by the service center, community schools, or chartered~~

nonpublic schools that enroll students from the district or districts for whom the service center will provide transportation during the 2024-2025 school year.

(2) The service center selected under division (A)(2) of this section shall provide transportation during the 2024-2025 school year to any student whom the district and the educational service center determine is struggling with transportation issues that meets either of the following criteria:

(a) The student attends a school different from the one to which the student would be assigned in the student's resident school district.

(b) The student is a child with a disability for whom the student's resident school district is required to provide transportation as a related service.

(3) Both service centers shall report to the Department, in the manner prescribed by the Department, students who are transported by the service center.

(C) No community school or chartered nonpublic school shall be required to participate in the either pilot program.

(B) During the 2023-2024 school year, each (D) Each participating educational service center shall do all of the following for the 2024-2025 school year:

(1) Arrange for the use of a sufficient number of school buses or other approved vehicles designed to transport not more than nine passengers, not including the driver, and bus drivers or other individuals authorized to transport students in other approved vehicles, to transport all students from participating schools who qualify for transportation under section 3327.01 of the Revised Code and the school district's transportation policy. However, nothing shall preclude the service center from providing transportation to other students enrolled in the schools, so long as that transportation is provided equally to all students who are similarly situated.

(2) Collaborate with participating schools to designate daily start and end times for the 2024-2025 school year that will enable timely and efficient transportation of the schools' students;

(3) On behalf of participating schools, notify the school district that those schools students will not require transportation for the 2024-2025 school year.

(C) For each participating community school and chartered nonpublic school (E)(1) Except as described in division (E)(2) of this section, the Department shall deduct from the school district's transportation payment under section 3317.0212 of the Revised Code and pay to the educational service center the amount the district would receive for each student transported by statewide average cost per student for the qualifying ridership, under section 3317.0212 of the Revised Code, for each student transported by the service center, including the additional weight specified under division (E) of that section in compliance with this section.

(2) In the case of a student described in division (C)(1) of section 3317.024 of the Revised Code, the service center shall not receive a payment under division (E)(1) of this section. Instead, the department shall make a payment to the service center for such student in the manner prescribed under division (C) of section 3317.024 of the Revised Code.

~~(D)~~(F) The educational service centers and the school districts shall not be subject to section 3327.021 of the Revised Code during the 2024-2025 school year with regard to students enrolled in participating schools. Notwithstanding section 3314.46 of the Revised Code, the service centers may provide transportation to any participating community school they sponsor.

~~(E)~~(G) The educational service centers shall comply with all transportation requirements for students with disabilities as specified in the individualized education programs developed for the students pursuant to Chapter 3323. of the Revised Code

~~(F)~~(H) The Department shall evaluate ~~the~~each pilot program and issue a report of its findings not later than September 15, 2025. The educational service centers and participating schools shall submit data and other information to the Department, in a manner determined by the Department, for the purpose of conducting the evaluation.

Sec. 307.10.

| | 1 | 2 | 3 | 4 | 5 |
|---|---|--------|--|---------------|---------------|
| A | JFS DEPARTMENT OF JOB AND FAMILY SERVICES | | | | |
| B | General Revenue Fund | | | | |
| C | GRF | 600410 | TANF State Maintenance of Effort | \$149,268,000 | \$149,268,000 |
| D | GRF | 600450 | Program Operations | \$197,705,000 | \$199,975,000 |
| E | GRF | 600502 | Child Support- Local | \$26,400,000 | \$26,400,000 |
| F | GRF | 600521 | Family Assistance - Local | \$53,248,000 | \$53,248,000 |
| G | GRF | 600533 | Child, Family, and Community Protection Services | \$13,500,000 | \$13,500,000 |
| H | GRF | 600534 | Adult Protective Services | \$9,720,000 | \$9,720,000 |
| I | GRF | 600551 | Job and Family Services Program Support | \$750,000 | \$750,000 |

| | | | | | |
|---|--------------------------------|--------|---|--------------------------|--------------------------|
| J | GRF | 600561 | Parenting and Pregnancy Program | \$7,000,000 | \$7,000,000 |
| K | GRF | 600562 | Adoption Grant Program | \$15,000,000 | \$15,000,000 |
| | | | | <u>\$34,000,000</u> | <u>\$34,000,000</u> |
| L | GRF | 655425 | Medicaid Program Support | \$15,605,000 | \$15,673,000 |
| M | GRF | 655522 | Medicaid Program Support - Local | \$44,000,000 | \$49,000,000 |
| N | GRF | 655523 | Medicaid Program Support - Local Transportation | \$43,530,000 | \$43,530,000 |
| O | TOTAL GRF General Revenue Fund | | | \$575,726,000 | \$583,064,000 |
| | | | | <u>\$594,726,000</u> | <u>\$602,064,000</u> |
| P | Dedicated Purpose Fund Group | | | | |
| Q | 4A80 | 600658 | Public Assistance Activities | \$19,900,000 | \$19,900,000 |
| R | 4A90 | 600607 | Unemployment Compensation Administration Fund | \$11,400,000 | \$11,400,000 |
| S | 4E70 | 600604 | Family and Children Services Collections | \$650,000 | \$650,000 |
| T | 5AJ1 | 6006A8 | Foodbanks | \$7,500,000 | \$7,500,000 |
| U | 5CV3 | 6006A5 | Foodbank Assistance ARPA | \$10,000,000 | \$0 |
| V | 5DM0 | 600633 | Audit Settlements and Contingency | \$1,000,000 | \$1,000,000 |
| W | 5DM0 | 6006A9 | Benefit Bridge | \$3,000,000 | \$5,000,000 |

| | | | | | |
|----|--|--------|-----------------------------------|---------------|---------------|
| X | 5DM0 | 6006B1 | Employment Incentive Program | \$1,500,000 | \$1,500,000 |
| Y | 5ES0 | 600630 | Food Bank Assistance | \$500,000 | \$500,000 |
| Z | 5RX0 | 600699 | Workforce Development Projects | \$500,000 | \$500,000 |
| AA | 5TZ0 | 600674 | Childrens Crisis Care | \$985,000 | \$1,235,000 |
| AB | 5U60 | 600663 | Family and Children Support | \$6,932,065 | \$7,787,465 |
| AC | TOTAL DPF Dedicated Purpose Fund Group | | | \$63,867,065 | \$56,972,465 |
| AD | Internal Service Activity Fund Group | | | | |
| AE | 5HL0 | 600602 | State and County Shared Services | \$2,000,000 | \$2,000,000 |
| AF | TOTAL ISA Internal Service Activity Fund Group | | | \$2,000,000 | \$2,000,000 |
| AG | Fiduciary Fund Group | | | | |
| AH | 1920 | 600646 | Child Support Intercept - Federal | \$100,000,000 | \$100,000,000 |
| AI | 5830 | 600642 | Child Support Intercept - State | \$13,000,000 | \$13,000,000 |
| AJ | 5B60 | 600601 | Food Assistance Intercept | \$4,000,000 | \$4,000,000 |
| AK | TOTAL FID Fiduciary Fund Group | | | \$117,000,000 | \$117,000,000 |
| AL | Holding Account Fund Group | | | | |
| AM | R012 | 600643 | Refunds and Audit Settlements | \$500,000 | \$500,000 |

| | | | | | |
|----|--------------------------------------|--------|---|---------------|---------------|
| AN | TOTAL HLD Holding Account Fund Group | | \$500,000 | \$500,000 | |
| AO | Federal Fund Group | | | | |
| AP | 3310 | 600615 | Veterans Programs | \$11,872,779 | \$11,893,147 |
| AQ | 3310 | 600624 | Employment Services | \$30,454,022 | \$30,882,752 |
| AR | 3310 | 600686 | Workforce Programs | \$3,926,746 | \$3,980,332 |
| AS | 3840 | 600610 | Food Assistance Programs | \$245,396,656 | \$236,482,931 |
| AT | 3850 | 600614 | Refugee Services | \$23,157,277 | \$12,375,030 |
| AU | 3950 | 600616 | Federal Discretionary Grants | \$8,367,273 | \$5,047,878 |
| AV | 3960 | 600620 | Social Services Block Grant | \$38,191,659 | \$38,280,049 |
| AW | 3970 | 600626 | Child Support - Federal | \$205,929,146 | \$205,192,248 |
| AX | 3F01 | 655624 | Medicaid Program Support - Federal | \$220,005,026 | \$220,103,397 |
| AY | 3S50 | 600622 | Child Support Projects | \$534,050 | \$534,050 |
| AZ | 3V00 | 600688 | Workforce Innovation and Opportunity Act Programs | \$165,190,735 | \$165,578,756 |
| BA | 3V40 | 600632 | Trade Programs | \$29,560,798 | \$29,727,681 |
| BB | 3V40 | 600678 | Federal Unemployment Programs | \$132,198,612 | \$131,184,431 |
| BC | 3V40 | 600679 | Unemployment Compensation Review Commission - Federal | \$6,830,615 | \$6,948,482 |
| BD | 3V60 | 600689 | TANF Block Grant | \$814,044,607 | \$818,722,142 |

| | | | |
|----|---|----------------------------|----------------------------|
| BE | TOTAL FED Federal Fund Group | \$1,935,660,001 | \$1,916,933,306 |
| BF | TOTAL ALL BUDGET FUND GROUPS | \$2,694,753,066 | \$2,676,469,771 |
| BG | <u>TOTAL ALL BUDGET FUND GROUPS</u> | <u>\$2,713,753,066</u> | <u>\$2,695,469,771</u> |

Sec. 307.140. ADOPTION GRANT PROGRAM

The foregoing appropriation item 600562, Adoption Grant Program, shall be used, in consultation with the Department of Children and Youth, to administer grants to adoptive parents through the Adoption Grant Program, in accordance with sections 5101.191 and 5101.192 of the Revised Code.

On July 1, 2024, or as soon as possible thereafter, the Director of Job and Family Services may certify to the Director of Budget and Management an amount up to the unexpended, unencumbered balance of the foregoing appropriation item 600562, Adoption Grant Program, at the end of fiscal year 2024 to be reappropriated to fiscal year 2025. The amount certified is hereby reappropriated to the same appropriation item for the same purpose for fiscal year 2025.

SECTION 7. That existing Sections 265.550, 307.10, and 307.140 of H.B. 33 of the 135th General Assembly are hereby repealed.

SECTION 8. Any school district that purchased state diploma seals that include the text "Military Enlistment Seal" prior to the effective date of this section may attach or affix those seals to the high school diplomas of students who, on and after that date, earn a military seal prescribed under division (C)(3) of section 3313.6114 of the Revised Code.

SECTION 9. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:

Section 3301.079 of the Revised Code as amended by both H.B. 33 and S.B. 17 of the 135th General Assembly.

The version of section 3301.079 of the Revised Code that is scheduled to take effect January 1, 2025, as amended by both H.B. 33 and S.B. 17 of the 135th General Assembly.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20 ____.

Secretary of State.

File No. _____ Effective Date _____