

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 127

Representative Fowler Arthur

**Cosponsors: Representatives Claggett, Click, Dean, Ferguson, Gross, Holmes,
Johnson, Lear, Mathews, McClain, Seitz, Stoltzfus, Wiggam, Willis**

A BILL

To amend sections 2151.011, 3301.0712, 3310.70, 1
3313.5312, 3313.5314, 3313.618, 3313.6110, 2
3313.6114, 3314.041, 3321.03, 3321.04, 3321.13, 3
3331.02, 3331.04, 3333.31, 3333.86, 3345.06, 4
3365.01, 3365.02, 3365.03, 3365.033, 3365.034, 5
3365.035, 3365.07, 3365.071, 5103.55, 5107.281, 6
5709.07, and 5747.72 and to enact section 7
3321.042 of the Revised Code to revise the law 8
regarding the home education of children. 9

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

Section 1. That sections 2151.011, 3301.0712, 3310.70, 10
3313.5312, 3313.5314, 3313.618, 3313.6110, 3313.6114, 3314.041, 11
3321.03, 3321.04, 3321.13, 3331.02, 3331.04, 3333.31, 3333.86, 12
3345.06, 3365.01, 3365.02, 3365.03, 3365.033, 3365.034, 13
3365.035, 3365.07, 3365.071, 5103.55, 5107.281, 5709.07, and 14
5747.72 be amended and section 3321.042 of the Revised Code be 15
enacted to read as follows: 16

Sec. 2151.011. (A) As used in the Revised Code: 17

(1) "Juvenile court" means whichever of the following is applicable that has jurisdiction under this chapter and Chapter 2152. of the Revised Code:

(a) The division of the court of common pleas specified in section 2101.022 or 2301.03 of the Revised Code as having jurisdiction under this chapter and Chapter 2152. of the Revised Code or as being the juvenile division or the juvenile division combined with one or more other divisions;

(b) The juvenile court of Cuyahoga county or Hamilton county that is separately and independently created by section 2151.08 or Chapter 2153. of the Revised Code and that has jurisdiction under this chapter and Chapter 2152. of the Revised Code;

(c) If division (A) (1) (a) or (b) of this section does not apply, the probate division of the court of common pleas.

(2) "Juvenile judge" means a judge of a court having jurisdiction under this chapter.

(3) "Private child placing agency" means any association, as defined in section 5103.02 of the Revised Code, that is certified under section 5103.03 of the Revised Code to accept temporary, permanent, or legal custody of children and place the children for either foster care or adoption.

(4) "Private noncustodial agency" means any person, organization, association, or society certified by the department of job and family services that does not accept temporary or permanent legal custody of children, that is privately operated in this state, and that does one or more of the following:

(a) Receives and cares for children for two or more

consecutive weeks;	47
(b) Participates in the placement of children in certified foster homes;	48 49
(c) Provides adoption services in conjunction with a public children services agency or private child placing agency.	50 51
(B) As used in this chapter:	52
(1) "Adequate parental care" means the provision by a child's parent or parents, guardian, or custodian of adequate food, clothing, and shelter to ensure the child's health and physical safety and the provision by a child's parent or parents of specialized services warranted by the child's physical or mental needs.	53 54 55 56 57 58
(2) "Adult" means an individual who is eighteen years of age or older.	59 60
(3) "Agreement for temporary custody" means a voluntary agreement authorized by section 5103.15 of the Revised Code that transfers the temporary custody of a child to a public children services agency or a private child placing agency.	61 62 63 64
(4) "Alternative response" means the public children services agency's response to a report of child abuse or neglect that engages the family in a comprehensive evaluation of child safety, risk of subsequent harm, and family strengths and needs and that does not include a determination as to whether child abuse or neglect occurred.	65 66 67 68 69 70
(5) "Certified foster home" means a foster home, as defined in section 5103.02 of the Revised Code, certified under section 5103.03 of the Revised Code.	71 72 73
(6) "Child" means a person who is under eighteen years of	74

age, except that the juvenile court has jurisdiction over any 75
person who is adjudicated an unruly child prior to attaining 76
eighteen years of age until the person attains twenty-one years 77
of age, and, for purposes of that jurisdiction related to that 78
adjudication, a person who is so adjudicated an unruly child 79
shall be deemed a "child" until the person attains twenty-one 80
years of age. 81

(7) "Child day camp," "child care," "child day-care 82
center," "part-time child day-care center," "type A family day- 83
care home," "licensed type B family day-care home," "type B 84
family day-care home," "administrator of a child day-care 85
center," "administrator of a type A family day-care home," and 86
"in-home aide" have the same meanings as in section 5104.01 of 87
the Revised Code. 88

(8) "Child care provider" means an individual who is a 89
child-care staff member or administrator of a child day-care 90
center, a type A family day-care home, or a type B family day- 91
care home, or an in-home aide or an individual who is licensed, 92
is regulated, is approved, operates under the direction of, or 93
otherwise is certified by the department of job and family 94
services, department of developmental disabilities, or the early 95
childhood programs of the department of education. 96

(9) "Commit" means to vest custody as ordered by the 97
court. 98

(10) "Counseling" includes both of the following: 99

(a) General counseling services performed by a public 100
children services agency or shelter for victims of domestic 101
violence to assist a child, a child's parents, and a child's 102
siblings in alleviating identified problems that may cause or 103

have caused the child to be an abused, neglected, or dependent child.	104 105
(b) Psychiatric or psychological therapeutic counseling services provided to correct or alleviate any mental or emotional illness or disorder and performed by a licensed psychiatrist, licensed psychologist, or a person licensed under Chapter 4757. of the Revised Code to engage in social work or professional counseling.	106 107 108 109 110 111
(11) "Custodian" means a person who has legal custody of a child or a public children services agency or private child placing agency that has permanent, temporary, or legal custody of a child.	112 113 114 115
(12) "Delinquent child" has the same meaning as in section 2152.02 of the Revised Code.	116 117
(13) "Detention" means the temporary care of children pending court adjudication or disposition, or execution of a court order, in a public or private facility designed to physically restrict the movement and activities of children.	118 119 120 121
(14) "Developmental disability" has the same meaning as in section 5123.01 of the Revised Code.	122 123
(15) "Differential response approach" means an approach that a public children services agency may use to respond to accepted reports of child abuse or neglect with either an alternative response or a traditional response.	124 125 126 127
(16) "Foster caregiver" has the same meaning as in section 5103.02 of the Revised Code.	128 129
(17) "Guardian" means a person, association, or corporation that is granted authority by a probate court	130 131

pursuant to Chapter 2111. of the Revised Code to exercise 132
parental rights over a child to the extent provided in the 133
court's order and subject to the residual parental rights of the 134
child's parents. 135

(18) "Habitual truant" means any child of compulsory 136
school age who is absent without legitimate excuse for absence 137
from the public school the child is supposed to attend for 138
thirty or more consecutive hours, forty-two or more hours in one 139
school month, or seventy-two or more hours in a school year. 140

(19) "Intellectual disability" has the same meaning as in 141
section 5123.01 of the Revised Code. 142

(20) "Juvenile traffic offender" has the same meaning as 143
in section 2152.02 of the Revised Code. 144

(21) "Legal custody" means a legal status that vests in 145
the custodian the right to have physical care and control of the 146
child and to determine where and with whom the child shall live, 147
and the right and duty to protect, train, and discipline the 148
child and to provide the child with food, shelter, education, 149
and medical care, all subject to any residual parental rights, 150
privileges, and responsibilities. An individual granted legal 151
custody shall exercise the rights and responsibilities 152
personally unless otherwise authorized by any section of the 153
Revised Code or by the court. 154

(22) A "legitimate excuse for absence from the public 155
school the child is supposed to attend" includes, but is not 156
limited to, any of the following: 157

(a) The fact that the child in question has enrolled in 158
and is attending another public or nonpublic school in this or 159
another state; 160

(b) The fact that the child in question is excused from attendance at school for any of the reasons specified in section 3321.04 of the Revised Code or is exempt from attendance at school under section 3321.042 of the Revised Code;

(c) The fact that the child in question has received an age and schooling certificate in accordance with section 3331.01 of the Revised Code.

(23) "Mental illness" has the same meaning as in section 5122.01 of the Revised Code.

(24) "Mental injury" means any behavioral, cognitive, emotional, or mental disorder in a child caused by an act or omission that is described in section 2919.22 of the Revised Code and is committed by the parent or other person responsible for the child's care.

(25) "Nonsecure care, supervision, or training" means care, supervision, or training of a child in a facility that does not confine or prevent movement of the child within the facility or from the facility.

(26) "Of compulsory school age" has the same meaning as in section 3321.01 of the Revised Code.

(27) "Organization" means any institution, public, semipublic, or private, and any private association, society, or agency located or operating in the state, incorporated or unincorporated, having among its functions the furnishing of protective services or care for children, or the placement of children in certified foster homes or elsewhere.

(28) "Out-of-home care" means detention facilities, shelter facilities, certified children's crisis care facilities, certified foster homes, placement in a prospective adoptive home

prior to the issuance of a final decree of adoption, 190
organizations, certified organizations, child day-care centers, 191
type A family day-care homes, type B family day-care homes, 192
child care provided by in-home aides, group home providers, 193
group homes, institutions, state institutions, residential 194
facilities, residential care facilities, residential camps, day 195
camps, private, nonprofit therapeutic wilderness camps, public 196
schools, chartered nonpublic schools, educational service 197
centers, hospitals, and medical clinics that are responsible for 198
the care, physical custody, or control of children. 199

(29) "Out-of-home care child abuse" means any of the 200
following when committed by a person responsible for the care of 201
a child in out-of-home care: 202

(a) Engaging in sexual activity with a child in the 203
person's care; 204

(b) Denial to a child, as a means of punishment, of proper 205
or necessary subsistence, education, medical care, or other care 206
necessary for a child's health; 207

(c) Use of restraint procedures on a child that cause 208
injury or pain; 209

(d) Administration of prescription drugs or psychotropic 210
medication to the child without the written approval and ongoing 211
supervision of a licensed physician; 212

(e) Commission of any act, other than by accidental means, 213
that results in any injury to or death of the child in out-of- 214
home care or commission of any act by accidental means that 215
results in an injury to or death of a child in out-of-home care 216
and that is at variance with the history given of the injury or 217
death. 218

(30) "Out-of-home care child neglect" means any of the	219
following when committed by a person responsible for the care of	220
a child in out-of-home care:	221
(a) Failure to provide reasonable supervision according to	222
the standards of care appropriate to the age, mental and	223
physical condition, or other special needs of the child;	224
(b) Failure to provide reasonable supervision according to	225
the standards of care appropriate to the age, mental and	226
physical condition, or other special needs of the child, that	227
results in sexual or physical abuse of the child by any person;	228
(c) Failure to develop a process for all of the following:	229
(i) Administration of prescription drugs or psychotropic	230
drugs for the child;	231
(ii) Assuring that the instructions of the licensed	232
physician who prescribed a drug for the child are followed;	233
(iii) Reporting to the licensed physician who prescribed	234
the drug all unfavorable or dangerous side effects from the use	235
of the drug.	236
(d) Failure to provide proper or necessary subsistence,	237
education, medical care, or other individualized care necessary	238
for the health or well-being of the child;	239
(e) Confinement of the child to a locked room without	240
monitoring by staff;	241
(f) Failure to provide ongoing security for all	242
prescription and nonprescription medication;	243
(g) Isolation of a child for a period of time when there	244
is substantial risk that the isolation, if continued, will	245

impair or retard the mental health or physical well-being of the 246
child. 247

(31) "Permanent custody" means a legal status that vests 248
in a public children services agency or a private child placing 249
agency, all parental rights, duties, and obligations, including 250
the right to consent to adoption, and divests the natural 251
parents or adoptive parents of all parental rights, privileges, 252
and obligations, including all residual rights and obligations. 253

(32) "Permanent surrender" means the act of the parents 254
or, if a child has only one parent, of the parent of a child, by 255
a voluntary agreement authorized by section 5103.15 of the 256
Revised Code, to transfer the permanent custody of the child to 257
a public children services agency or a private child placing 258
agency. 259

(33) "Person" means an individual, association, 260
corporation, or partnership and the state or any of its 261
political subdivisions, departments, or agencies. 262

(34) "Person responsible for a child's care in out-of-home 263
care" means any of the following: 264

(a) Any foster caregiver, in-home aide, or provider; 265

(b) Any administrator, employee, or agent of any of the 266
following: a public or private detention facility; shelter 267
facility; certified children's crisis care facility; 268
organization; certified organization; child day-care center; 269
type A family day-care home; licensed type B family day-care 270
home; group home; institution; state institution; residential 271
facility; residential care facility; residential camp; day camp; 272
school district; community school; chartered nonpublic school; 273
educational service center; hospital; or medical clinic; 274

(c) Any person who supervises or coaches children as part of an extracurricular activity sponsored by a school district, public school, or chartered nonpublic school;

(d) Any other person who performs a similar function with respect to, or has a similar relationship to, children.

(35) "Physical impairment" means having one or more of the following conditions that substantially limit one or more of an individual's major life activities, including self-care, receptive and expressive language, learning, mobility, and self-direction:

(a) A substantial impairment of vision, speech, or hearing;

(b) A congenital orthopedic impairment;

(c) An orthopedic impairment caused by disease, rheumatic fever or any other similar chronic or acute health problem, or amputation or another similar cause.

(36) "Placement for adoption" means the arrangement by a public children services agency or a private child placing agency with a person for the care and adoption by that person of a child of whom the agency has permanent custody.

(37) "Placement in foster care" means the arrangement by a public children services agency or a private child placing agency for the out-of-home care of a child of whom the agency has temporary custody or permanent custody.

(38) "Planned permanent living arrangement" means an order of a juvenile court pursuant to which both of the following apply:

(a) The court gives legal custody of a child to a public

children services agency or a private child placing agency	303
without the termination of parental rights.	304
(b) The order permits the agency to make an appropriate	305
placement of the child and to enter into a written agreement	306
with a foster care provider or with another person or agency	307
with whom the child is placed.	308
(39) "Practice of social work" and "practice of	309
professional counseling" have the same meanings as in section	310
4757.01 of the Revised Code.	311
(40) "Private, nonprofit therapeutic wilderness camp" has	312
the same meaning as in section 5103.02 of the Revised Code.	313
(41) "Sanction, service, or condition" means a sanction,	314
service, or condition created by court order following an	315
adjudication that a child is an unruly child that is described	316
in division (A) (4) of section 2152.19 of the Revised Code.	317
(42) "Protective supervision" means an order of	318
disposition pursuant to which the court permits an abused,	319
neglected, dependent, or unruly child to remain in the custody	320
of the child's parents, guardian, or custodian and stay in the	321
child's home, subject to any conditions and limitations upon the	322
child, the child's parents, guardian, or custodian, or any other	323
person that the court prescribes, including supervision as	324
directed by the court for the protection of the child.	325
(43) "Psychiatrist" has the same meaning as in section	326
5122.01 of the Revised Code.	327
(44) "Psychologist" has the same meaning as in section	328
4732.01 of the Revised Code.	329
(45) "Resource caregiver" has the same meaning as in	330

section 5103.02 of the Revised Code.	331
(46) "Resource family" has the same meaning as in section 5103.02 of the Revised Code.	332 333
(47) "Residential camp" means a program in which the care, physical custody, or control of children is accepted overnight for recreational or recreational and educational purposes.	334 335 336
(48) "Residential care facility" means an institution, residence, or facility that is licensed by the department of mental health and addiction services under section 5119.34 of the Revised Code and that provides care for a child.	337 338 339 340
(49) "Residential facility" means a home or facility that is licensed by the department of developmental disabilities under section 5123.19 of the Revised Code and in which a child with a developmental disability resides.	341 342 343 344
(50) "Residual parental rights, privileges, and responsibilities" means those rights, privileges, and responsibilities remaining with the natural parent after the transfer of legal custody of the child, including, but not necessarily limited to, the privilege of reasonable visitation, consent to adoption, the privilege to determine the child's religious affiliation, and the responsibility for support.	345 346 347 348 349 350 351
(51) "School day" means the school day established by the board of education of the applicable school district pursuant to section 3313.481 of the Revised Code.	352 353 354
(52) "School year" has the same meaning as in section 3313.62 of the Revised Code.	355 356
(53) "Secure correctional facility" means a facility under the direction of the department of youth services that is	357 358

designed to physically restrict the movement and activities of 359
children and used for the placement of children after 360
adjudication and disposition. 361

(54) "Sexual activity" has the same meaning as in section 362
2907.01 of the Revised Code. 363

(55) "Shelter" means the temporary care of children in 364
physically unrestricted facilities pending court adjudication or 365
disposition. 366

(56) "Shelter for victims of domestic violence" has the 367
same meaning as in section 3113.33 of the Revised Code. 368

(57) "Temporary custody" means legal custody of a child 369
who is removed from the child's home, which custody may be 370
terminated at any time at the discretion of the court or, if the 371
legal custody is granted in an agreement for temporary custody, 372
by the person who executed the agreement. 373

(58) "Traditional response" means a public children 374
services agency's response to a report of child abuse or neglect 375
that encourages engagement of the family in a comprehensive 376
evaluation of the child's current and future safety needs and a 377
fact-finding process to determine whether child abuse or neglect 378
occurred and the circumstances surrounding the alleged harm or 379
risk of harm. 380

(C) For the purposes of this chapter, a child shall be 381
presumed abandoned when the parents of the child have failed to 382
visit or maintain contact with the child for more than ninety 383
days, regardless of whether the parents resume contact with the 384
child after that period of ninety days. 385

Sec. 3301.0712. (A) The state board of education, the 386
superintendent of public instruction, and the chancellor of 387

higher education shall develop a system of college and work 388
ready assessments as described in division (B) of this section 389
to assess whether each student upon graduating from high school 390
is ready to enter college or the workforce. Beginning with 391
students who enter the ninth grade for the first time on or 392
after July 1, 2014, the system shall replace the Ohio graduation 393
tests prescribed in division (B)(1) of section 3301.0710 of the 394
Revised Code as a measure of student academic performance and 395
one determinant of eligibility for a high school diploma in the 396
manner prescribed by rule of the state board adopted under 397
division (D) of this section. 398

(B) The college and work ready assessment system shall 399
consist of the following: 400

(1)(a) Except as provided in division (B)(1)(b) of this 401
section, nationally standardized assessments that measure 402
college and career readiness and are used for college admission. 403
The assessments shall be selected jointly by the state 404
superintendent and the chancellor, and one of which shall be 405
selected by each school district or school to administer to its 406
students. The assessments prescribed under division (B)(1) of 407
this section shall be administered to all eleventh-grade 408
students in the spring of the school year. 409

(b) Beginning with students who enter the ninth grade for 410
the first time on or after ~~the first day of July immediately~~ 411
~~following the effective date of this amendment~~ 1, 2022, the 412
parent or guardian of a student may elect not to have a 413
nationally standardized assessment administered to that student. 414
In that event, the student's school district or school shall not 415
administer the nationally standardized assessment to that 416
student. 417

(2) (a) Except as provided in division (B) (2) (b) of this 418
section, seven end-of-course examinations, one in each of the 419
areas of English language arts I, English language arts II, 420
science, Algebra I, geometry, American history, and American 421
government. The end-of-course examinations shall be selected 422
jointly by the state superintendent and the chancellor in 423
consultation with faculty in the appropriate subject areas at 424
institutions of higher education of the university system of 425
Ohio. Advanced placement examinations and international 426
baccalaureate examinations, as prescribed under section 427
3313.6013 of the Revised Code, in the areas of science, American 428
history, and American government may be used as end-of-course 429
examinations in accordance with division (B) (4) (a) (i) of this 430
section. Final course grades for courses taken under any other 431
advanced standing program, as prescribed under section 3313.6013 432
of the Revised Code, in the areas of science, American history, 433
and American government may be used in lieu of end-of-course 434
examinations in accordance with division (B) (4) (a) (ii) of this 435
section. 436

(b) Beginning with students who enter ninth grade for the 437
first time on or after July 1, 2019, five end-of-course 438
examinations, one in each areas of English language arts II, 439
science, Algebra I, American history, and American government. 440
However, only the end-of-course examinations in English language 441
arts II and Algebra I shall be required for graduation. 442

The department of education shall, as necessary to 443
implement division (B) (2) (b) of this section, seek a waiver from 444
the United States secretary of education for testing 445
requirements prescribed under federal law to allow for the use 446
and implementation of Algebra I as the primary assessment of 447
high school mathematics. If the department does not receive a 448

waiver under this division, the end-of-course examinations for 449
students described in division (B) (2) (b) of this section also 450
shall include an end-of-course examination in the area of 451
geometry. However, the geometry end-of-course examination shall 452
not be required for graduation. 453

~~(3) (a) Not later than July 1, 2013, each school district 454
board of education shall adopt interim end of course 455
examinations that comply with the requirements of divisions (B) 456
(3) (b) (i) and (ii) of this section to assess mastery of American 457
history and American government standards adopted under division 458
(A) (1) (b) of section 3301.079 of the Revised Code and the topics 459
required under division (M) of section 3313.603 of the Revised 460
Code. Each high school of the district shall use the interim 461
examinations until the state superintendent and chancellor 462
select end of course examinations in American history and 463
American government under division (B) (2) of this section. 464~~

~~(b) Not later than July 1, 2014, the state superintendent 465
and the chancellor shall select the end of course examinations 466
in American history and American government. 467~~

~~(i) (3) The end-of-course examinations in American history 468
and American government shall require demonstration of mastery 469
of the American history and American government content for 470
social studies standards adopted under division (A) (1) (b) of 471
section 3301.079 of the Revised Code and the topics required 472
under division (M) of section 3313.603 of the Revised Code. 473~~

~~(ii) At least twenty per cent of the end-of-course 474
examination in American government shall address the topics on 475
American history and American government described in division 476
(M) of section 3313.603 of the Revised Code. 477~~

(4) (a) Notwithstanding anything to the contrary in this 478
section, ~~beginning with the 2014-2015 school year,~~ both of the 479
following shall apply: 480

(i) If a student is enrolled in an appropriate advanced 481
placement or international baccalaureate course, that student 482
shall take the advanced placement or international baccalaureate 483
examination in lieu of the science, American history, or 484
American government end-of-course examinations prescribed under 485
division (B) (2) of this section. The state board shall specify 486
the score levels for each advanced placement examination and 487
international baccalaureate examination for purposes of 488
calculating the minimum cumulative performance score that 489
demonstrates the level of academic achievement necessary to earn 490
a high school diploma. 491

(ii) If a student is enrolled in an appropriate course 492
under any other advanced standing program, as described in 493
section 3313.6013 of the Revised Code, that student shall not be 494
required to take the science, American history, or American 495
government end-of-course examination, whichever is applicable, 496
prescribed under division (B) (2) of this section. Instead, that 497
student's final course grade shall be used in lieu of the 498
applicable end-of-course examination prescribed under that 499
section. The state superintendent, in consultation with the 500
chancellor, shall adopt guidelines for purposes of calculating 501
the corresponding final course grades that demonstrate the level 502
of academic achievement necessary to earn a high school diploma. 503

Division (B) (4) (a) (ii) of this section shall apply only to 504
courses for which students receive transcribed credit, as 505
defined in section 3365.01 of the Revised Code. It shall not 506
apply to remedial or developmental courses. 507

(b) No student shall take a substitute examination or 508
examination prescribed under division (B) (4) (a) of this section 509
in place of the end-of-course examinations in English language 510
arts I, English language arts II, Algebra I, or geometry 511
prescribed under division (B) (2) of this section. 512

(c) The state board shall consider additional assessments 513
that may be used, ~~beginning with the 2016-2017 school year,~~ as 514
substitute examinations in lieu of the end-of-course 515
examinations prescribed under division (B) (2) of this section. 516

(5) The state board shall do all of the following: 517

(a) Determine and designate at least five ranges of scores 518
on each of the end-of-course examinations prescribed under 519
division (B) (2) of this section, and substitute examinations 520
prescribed under division (B) (4) of this section. Not later than 521
sixty days after the designation of ranges of scores, the state 522
superintendent, or the state superintendent's designee, shall 523
conduct a public presentation before the standing committees of 524
the house of representatives and the senate that consider 525
primary and secondary education legislation regarding the 526
designated range of scores. Each range of scores shall be 527
considered to demonstrate a level of achievement so that any 528
student attaining a score within such range has achieved one of 529
the following: 530

(i) An advanced level of skill; 531

(ii) An accomplished level of skill; 532

(iii) A proficient level of skill; 533

(iv) A basic level of skill; 534

(v) A limited level of skill. 535

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

(c) Determine the minimum cumulative performance score that demonstrates the level of academic achievement necessary to earn a high school diploma under division (A) (2) of section 3313.618 of the Revised Code. However, the state board shall not determine a new minimum cumulative performance score after October 17, 2019.

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

A score of two on an advanced placement examination or a score of two or three on an international baccalaureate examination shall be considered equivalent to a proficient level of skill as specified under division (B) (5) (a) (iii) of this section.

(6) (a) A student who meets both of the following conditions shall not be required to take an end-of-course examination:

(i) The student received high school credit prior to July 1, 2015, for a course for which the end-of-course examination is prescribed.

(ii) The examination was not available for administration prior to July 1, 2015.

Receipt of credit for the course described in division (B) (6) (a) (i) of this section shall satisfy the requirement to take the end-of-course examination. A student exempted under division

(B) (6) (a) of this section may take the applicable end-of-course examination at a later date. 565
566

(b) For purposes of determining whether a student who is exempt from taking an end-of-course examination under division (B) (6) (a) of this section has attained the cumulative score prescribed by division (B) (5) (c) of this section, such student shall select either of the following: 567
568
569
570
571

(i) The student is considered to have attained a proficient score on the end-of-course examination from which the student is exempt; 572
573
574

(ii) The student's final course grade shall be used in lieu of a score on the end-of-course examination from which the student is exempt. 575
576
577

The state superintendent, in consultation with the chancellor, shall adopt guidelines for purposes of calculating the corresponding final course grades and the minimum cumulative performance score that demonstrates the level of academic achievement necessary to earn a high school diploma. 578
579
580
581
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(7) (a) Notwithstanding anything to the contrary in this section, the state board may replace the algebra I end-of-course examination prescribed under division (B) (2) of this section with an algebra II end-of-course examination, beginning with the 2016-2017 school year for students who enter ninth grade on or after July 1, 2016. 583
584
585
586
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588

(b) If the state board replaces the algebra I end-of-course examination with an algebra II end-of-course examination as authorized under division (B) (7) (a) of this section, both of the following shall apply: 589
590
591
592

(i) A student who is enrolled in an advanced placement or 593

international baccalaureate course in algebra II shall take the 594
advanced placement or international baccalaureate examination in 595
lieu of the algebra II end-of-course examination. 596

(ii) A student who is enrolled in an algebra II course 597
under any other advanced standing program, as described in 598
section 3313.6013 of the Revised Code, shall not be required to 599
take the algebra II end-of-course examination. Instead, that 600
student's final course grade shall be used in lieu of the 601
examination. 602

(c) If a school district or school utilizes an integrated 603
approach to mathematics instruction, the district or school may 604
do either or both of the following: 605

(i) Administer an integrated mathematics I end-of-course 606
examination in lieu of the prescribed algebra I end-of-course 607
examination; 608

(ii) Administer an integrated mathematics II end-of-course 609
examination in lieu of the prescribed geometry end-of-course 610
examination. 611

(8) (a) For students entering the ninth grade for the first 612
time on or after July 1, 2014, but prior to July 1, 2015, the 613
assessment in the area of science shall be physical science or 614
biology. For students entering the ninth grade for the first 615
time on or after July 1, 2015, the assessment in the area of 616
science shall be biology. 617

(b) Until July 1, 2019, the department shall make 618
available the end-of-course examination in physical science for 619
students who entered the ninth grade for the first time on or 620
after July 1, 2014, but prior to July 1, 2015, and who wish to 621
retake the examination. 622

(c) Not later than July 1, 2016, the state board shall 623
adopt rules prescribing the requirements for the end-of-course 624
examination in science for students who entered the ninth grade 625
for the first time on or after July 1, 2014, but prior to July 626
1, 2015, and who have not met the requirement prescribed by 627
section 3313.618 of the Revised Code by July 1, 2019, due to a 628
student's failure to satisfy division (A)(2) of section 3313.618 629
of the Revised Code. 630

(9) Neither the state board nor the department of 631
education shall develop or administer an end-of-course 632
examination in the area of world history. 633

~~(10) Not later than March 1, 2020, the~~ The department, in 634
consultation with the chancellor and the governor's office of 635
workforce transformation, shall determine a competency score for 636
both of the Algebra I and English language arts II end-of-course 637
examinations for the purpose of graduation eligibility. 638

(C) The state board shall convene a group of national 639
experts, state experts, and local practitioners to provide 640
advice, guidance, and recommendations for the alignment of 641
standards and model curricula to the assessments and in the 642
design of the end-of-course examinations prescribed by this 643
section. 644

(D) Upon completion of the development of the assessment 645
system, the state board shall adopt rules prescribing all of the 646
following: 647

(1) A timeline and plan for implementation of the 648
assessment system, including a phased implementation if the 649
state board determines such a phase-in is warranted; 650

(2) The date after which a person shall meet the 651

requirements of the entire assessment system as a prerequisite 652
for a diploma of adult education under section 3313.611 of the 653
Revised Code; 654

(3) Whether and the extent to which a person may be 655
excused from an American history end-of-course examination and 656
an American government end-of-course examination under division 657
(H) of section 3313.61 and division (B) (3) of section 3313.612 658
of the Revised Code; 659

(4) The date after which a person who has fulfilled the 660
curriculum requirement for a diploma but has not passed one or 661
more of the required assessments at the time the person 662
fulfilled the curriculum requirement shall meet the requirements 663
of the entire assessment system as a prerequisite for a high 664
school diploma under division (B) of section 3313.614 of the 665
Revised Code; 666

(5) The extent to which the assessment system applies to 667
students enrolled in a dropout recovery and prevention program 668
for purposes of division (F) of section 3313.603 and section 669
3314.36 of the Revised Code. 670

~~(E) Not later than forty five days prior to the state 671
board's adoption of a resolution directing the department to 672
file the rules prescribed by division (D) of this section in 673
final form under section 119.04 of the Revised Code, the 674
superintendent of public instruction shall present the 675
assessment system developed under this section to the respective 676
committees of the house of representatives and senate that 677
consider education legislation. 678~~

~~(F) (1)~~ (E) (1) Any person enrolled in a nonchartered 679
nonpublic school or any person who ~~has been excused~~ is exempt 680

from attendance at school for the purpose of home ~~instruction~~ 681
education under section ~~3321.04~~3321.042 of the Revised Code may 682
choose to participate in the system of assessments administered 683
under divisions (B) (1) and (2) of this section. However, no such 684
person shall be required to participate in the system of 685
assessments. 686

(2) The department shall adopt rules for the 687
administration and scoring of any assessments under division ~~(F)~~ 688
~~(1)~~ (E) (1) of this section. 689

~~(G) Not later than December 31, 2014, the~~ (F) The state 690
board shall select at least one nationally recognized job skills 691
assessment. Each school district shall administer that 692
assessment to those students who opt to take it. The state shall 693
reimburse a school district for the costs of administering that 694
assessment. The state board shall establish the minimum score a 695
student must attain on the job skills assessment in order to 696
demonstrate a student's workforce readiness and employability. 697
The administration of the job skills assessment to a student 698
under this division shall not exempt a school district from 699
administering the assessments prescribed in division (B) of this 700
section to that student. 701

Sec. 3310.70. (A) A student is an "eligible student" for 702
purposes of this section if the student is at least six but no 703
more than eighteen years old and the student's family income is 704
at or below three hundred per cent of the federal poverty 705
guidelines, as defined in section 5101.46 of the Revised Code. 706

(B) (1) There is hereby established the afterschool child 707
enrichment (ACE) educational savings account program. The 708
department of education shall adopt rules under Chapter 119. of 709
the Revised Code that prescribe procedures for the establishment 710

of these accounts in fiscal years 2022 and 2023 upon the request 711
of the parent or guardian of an eligible student enrolled in a 712
public or nonpublic school or an eligible student who ~~has been~~ 713
~~excused~~ is exempt from the compulsory attendance law for the 714
purpose of home ~~instruction~~ education under section ~~3321.04~~ 715
3321.042 of the Revised Code. Accounts shall be established on a 716
first-come, first-served basis according to the availability of 717
funds appropriated for purposes of this section. 718

Accounts shall be used in accordance with division (E) of 719
this section. Any balance remaining in a student's account after 720
fiscal year 2023 shall remain in that account for use as 721
prescribed in division (D) (3) of this section. 722

(2) The department shall create an online form for parents 723
and guardians to request the establishment of an account under 724
this section. 725

(C) (1) The department shall contract with a vendor for 726
purposes of administering the provisions of this section and may 727
contract with the treasurer of state for technical assistance. 728
In selecting a vendor, the department shall give preference to 729
those vendors who use a smart phone application that is free for 730
parents or guardians to use, is capable of scanning receipts, 731
allows users to provide program feedback, and includes customer 732
service contact information for parents and guardians who 733
experience technical issues with the application. For each 734
fiscal year in which the program operates, the department shall 735
pay the vendor not more than three per cent of the amount 736
appropriated for that fiscal year for purposes of this section. 737

(2) The vendor selected by the department under division 738
(C) (2) of this section shall do both of the following: 739

(a) Monitor how accounts are used by parents or guardians 740
and recoup moneys that are used for purposes that are not 741
authorized by this section as determined by the vendor; 742

(b) Provide the department with a comprehensive list of 743
purchases made with accounts. 744

(3) At no time shall the vendor authorize parents or 745
guardians to use moneys for purposes that are not authorized by 746
this section as determined by the vendor. If the vendor 747
authorizes parents or guardians to use moneys for a specified 748
purpose and later determines that purpose is not authorized by 749
this section, the vendor may recoup that money. 750

(D) (1) If a parent or guardian makes a request under 751
division (B) of this section during fiscal year 2022, five 752
hundred dollars shall be credited to the account established 753
pursuant to the parent's or guardian's request within fourteen 754
days of the parent's or guardian's request, and that amount 755
shall be disbursed upon request to the parent or guardian not 756
later than June 30, 2022, for use in accordance with division 757
(E) of this section. Any amount remaining in an account at the 758
end of fiscal year 2022 shall remain in that account for fiscal 759
year 2023 for use in accordance with division (E) of this 760
section. 761

(2) If a parent or guardian makes a request under division 762
(B) of this section during fiscal year 2023, five hundred 763
dollars shall be credited to the account established pursuant to 764
the parent's or guardian's request within fourteen days of the 765
parent's or guardian's request, and that amount shall be 766
disbursed upon request to the parent or guardian not later than 767
June 30, 2023, for use in accordance with division (E) of this 768
section. If a parent or guardian had an account established for 769

fiscal year 2022, that amount shall be credited and distributed 770
to that account for use in accordance with division (E) of this 771
section. 772

(3) Any amount remaining in an account established under 773
division (B) of this section at the end of fiscal year 2023 774
shall remain in that account for use in accordance with division 775
(E) of this section in future fiscal years until either the full 776
amount has been spent or the student graduates from high school. 777
Any amount remaining in the account of a student who graduates 778
from high school shall be returned to the department. 779

(E) Subject to division (F) of this section, moneys 780
credited to an education savings account established under 781
division (B) of this section shall be used by an eligible 782
student's parent or guardian for any of the following purposes, 783
whether secular or nonsecular: 784

(1) Before- or after-school educational programs; 785

(2) Day camps, including camps for academics, music, and 786
arts; 787

(3) Tuition at learning extension centers; 788

(4) Tuition for learning pods; 789

(5) If the student ~~has been excused~~ is exempt from the 790
compulsory attendance law for the purpose of home ~~instruction~~ 791
education under section ~~3321.04~~ 3321.042 of the Revised Code, 792
purchase of curriculum and materials; 793

(6) Educational, learning, or study skills services; 794

(7) Field trips to historical landmarks, museums, science 795
centers, and theaters, including admission, exhibit, and program 796
fees; 797

(8) Language classes;	798
(9) Instrument lessons;	799
(10) Tutoring.	800
(F) At no time shall moneys credited to an account established under division (B) of this section be used for the purchase of electronic devices.	801 802 803
(G) The department shall make available to parents and guardians a list of the purposes for which moneys credited to an account established under division (B) of this section may be spent in accordance with division (E) of this section.	804 805 806 807
(H) Not later than December 31, 2023, the department shall prepare a report regarding the administration of this section, including feedback from a random sampling of parents and guardians who participate in the program for fiscal year 2022, fiscal year 2023, or both and submit the report to the general assembly in accordance with section 101.68 of the Revised Code.	808 809 810 811 812 813
Sec. 3313.5312. (A) A student who is receiving home instruction-education in accordance with division (A) (2) of section 3321.04-3321.042 of the Revised Code shall be afforded, by the superintendent of the school district in which the student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code, the opportunity to participate in any extracurricular activity offered at the district school to which the student otherwise would be assigned during that school year. If more than one school operated by the school district serves the student's grade level, as determined by the district superintendent based on the student's age and academic performance, the student shall be afforded the opportunity to participate in extracurricular activities at the school to which	814 815 816 817 818 819 820 821 822 823 824 825 826

the student would be assigned by the superintendent under 827
section 3319.01 of the Revised Code. If a student who is 828
afforded the opportunity to participate in extracurricular 829
activities under division (A) of this section wishes to 830
participate in an activity that is offered by the district, the 831
student shall not participate in that activity at another school 832
or school district to which the student is not entitled to 833
attend. 834

(B) The superintendent of any school district may afford 835
any student who receives home ~~instruction~~ education under 836
~~division (A) (2) of section 3321.04~~ 3321.042 of the Revised Code, 837
and who is not entitled to attend school in the district under 838
section 3313.64 or 3313.65 of the Revised Code, the opportunity 839
to participate in any extracurricular activity offered by a 840
school of the district, if the district to which the student is 841
entitled to attend does not offer that extracurricular activity. 842

(C) In order to participate in an extracurricular activity 843
under this section, the student shall be of the appropriate age 844
and grade level, as determined by the superintendent of the 845
district, for the school that offers the extracurricular 846
activity, and shall fulfill the same nonacademic and financial 847
requirements as any other participant, ~~and shall fulfill either~~ 848
~~of the following academic requirements:~~ 849

~~(1) If the student received home instruction in the~~ 850
~~preceding grading period, the student shall meet any academic~~ 851
~~requirements established by the state board of education for the~~ 852
~~continuation of home instruction.~~ 853

~~(2) .~~ If the student did not receive home ~~instruction~~ 854
education in the preceding grading period, the student's 855
academic performance during the preceding grading period shall 856

have met any academic standards for eligibility to participate 857
in the program established by the school district. 858

(D) Eligibility for a student who leaves a school district 859
mid-year for home ~~instruction-education~~ shall be determined 860
based on an interim academic assessment issued by the district 861
in which the student was enrolled based on the student's work 862
while enrolled in that district. 863

(E) Any student who commences home ~~instruction-education~~ 864
after the beginning of a school year and who is, at the time 865
home ~~instruction-education~~ commences, ineligible to participate 866
in an extracurricular activity due to failure to meet academic 867
standards or any other requirements of the district shall not 868
participate in the extracurricular activity under this section 869
until the student meets the applicable academic requirements 870
~~established by the state board of education for continuation of~~ 871
~~home instruction~~ as verified by the superintendent of the 872
district. No student under this section shall be eligible to 873
participate in the same semester in which the student was 874
determined ineligible. 875

(F) No school district shall impose additional rules on a 876
student to participate under this section that do not apply to 877
other students participating in the same extracurricular 878
activity. No district shall impose fees for a student to 879
participate under this section that exceed any fees charged to 880
other students participating in the same extracurricular 881
activity. 882

(G) No school district, interscholastic conference, or 883
organization that regulates interscholastic conferences or 884
events shall require a student who is eligible to participate in 885
interscholastic extracurricular activities under this section to 886

meet eligibility requirements that conflict with this section. 887

Sec. 3313.5314. No student who is enrolled in a public or 888
nonpublic school shall be denied the opportunity to participate 889
in interscholastic athletics offered by that school solely 890
because the student is participating or has participated in the 891
college credit plus program under Chapter 3365. of the Revised 892
Code, so long as the student fulfills all other academic, 893
nonacademic, and financial requirements that are not related to 894
participation in the program. 895

Additionally, no student who is enrolled in a community 896
school, STEM school, or nonpublic school or who is receiving 897
home ~~instruction~~education shall be denied the opportunity to 898
participate in interscholastic athletics at the school in which 899
the student is entitled to attend school under section 3313.64 900
or 3313.65 of the Revised Code solely because of participation 901
in the college credit plus program, so long as the student meets 902
the applicable requirements under section 3313.537, 3313.5311, 903
or 3313.5312 of the Revised Code and fulfills all other 904
academic, nonacademic, and financial requirements that are not 905
related to participation in the program. 906

As used in this section, "community school" means a 907
community school established under Chapter 3314. of the Revised 908
Code, and "STEM school" means a science, technology, 909
engineering, and mathematics school established under Chapter 910
3326. of the Revised Code. 911

Sec. 3313.618. (A) In addition to the curriculum 912
requirements specified by the board of education of a school 913
district or governing authority of a chartered nonpublic school, 914
each student entering ninth grade for the first time on or after 915
July 1, 2014, but prior to July 1, 2019, shall satisfy at least 916

one of the following conditions or the conditions prescribed 917
under division (B) of this section in order to qualify for a 918
high school diploma: 919

(1) Be remediation-free, in accordance with standards 920
adopted under division (F) of section 3345.061 of the Revised 921
Code, on each of the nationally standardized assessments in 922
English, mathematics, and reading; 923

(2) Attain a score specified under division (B) (5) (c) of 924
section 3301.0712 of the Revised Code on the end-of-course 925
examinations prescribed under division (B) of section 3301.0712 926
of the Revised Code. 927

(3) Attain a score that demonstrates workforce readiness 928
and employability on a nationally recognized job skills 929
assessment selected by the state board of education under 930
division ~~(G)~~ (F) of section 3301.0712 of the Revised Code and 931
obtain either an industry-recognized credential or a license 932
issued by a state agency or board for practice in a vocation 933
that requires an examination for issuance of that license. 934

For the purposes of this division, the industry-recognized 935
credentials and licenses shall be as approved under section 936
3313.6113 of the Revised Code. 937

A student may choose to qualify for a high school diploma 938
by satisfying any of the separate requirements prescribed by 939
divisions (A) (1) to (3) of this section. If the student's school 940
district or school does not administer the examination 941
prescribed by one of those divisions that the student chooses to 942
take to satisfy the requirements of this section, the school 943
district or school may require that student to arrange for the 944
applicable scores to be sent directly to the district or school 945

by the company or organization that administers the examination. 946

(B) In addition to the curriculum requirements specified 947
by the district board or school governing authority, each 948
student entering ninth grade for the first time on or after July 949
1, 2019, shall satisfy the following conditions in order to 950
qualify for a high school diploma: 951

(1) Attain a competency score as determined under division 952
(B)(10) of section 3301.0712 of the Revised Code on each of the 953
Algebra I and English language arts II end-of-course 954
examinations prescribed under division (B)(2) of section 955
3301.0712 of the Revised Code. 956

School districts and chartered nonpublic schools shall 957
offer remedial support to any student who fails to attain a 958
competency score on one or both of the Algebra I and English 959
language arts II end-of-course examinations. 960

Following the first administration of the exam, if a 961
student fails to attain a competency score on one or both of the 962
Algebra I and English language arts II end-of-course 963
examinations that student must retake the respective examination 964
at least once. 965

If a student fails to attain a competency score on a 966
retake examination, the student may demonstrate competency in 967
the failed subject area through one of the following options: 968

(a) Earn course credit taken through the college credit 969
plus program established under Chapter 3365. of the Revised Code 970
in the failed subject area; 971

(b) Complete two of the following options, one of which 972
must be foundational: 973

(i) Foundational options to demonstrate competency, which	974
include earning a cumulative score of proficient or higher on	975
three or more state technical assessments aligned with section	976
3313.903 of the Revised Code in a single career pathway,	977
obtaining an industry-recognized credential, or group of	978
credentials, approved under section 3313.6113 of the Revised	979
Code that is at least equal to the total number of points	980
established under that section to qualify for a high school	981
diploma, obtaining a license approved under section 3313.6113 of	982
the Revised Code that is issued by a state agency or board for	983
practice in a vocation that requires an examination for issuance	984
of that license, completing a pre-apprenticeship aligned with	985
options established under section 3313.904 of the Revised Code	986
in the student's chosen career field, completing an	987
apprenticeship registered with the apprenticeship council	988
established under section 4139.02 of the Revised Code in the	989
student's chosen career field, or providing evidence of	990
acceptance into an apprenticeship program after high school that	991
is restricted to participants eighteen years of age or older;	992
(ii) Supporting options to demonstrate competency, which	993
include completing two hundred fifty hours of a work-based	994
learning experience with evidence of positive evaluations,	995
obtaining an OhioMeansJobs-readiness seal under section	996
3313.6112 of the Revised Code, or attaining a workforce	997
readiness score, as determined by the department of education,	998
on the nationally recognized job skills assessment selected by	999
the state board under division (G) <u>(F)</u> of section 3301.0712 of	1000
the Revised Code.	1001
(c) Provide evidence that the student has enlisted in a	1002
branch of the armed services of the United States as defined in	1003
section 5910.01 of the Revised Code.	1004

(d) Be remediation-free, in accordance with standards 1005
adopted under division (F) of section 3345.061 of the Revised 1006
Code, in the failed subject area on a nationally standardized 1007
assessment prescribed under division (B) (1) of section 3301.0712 1008
of the Revised Code. For English language arts II, a student 1009
must be remediation-free in the subjects of English and reading 1010
on the nationally standardized assessment. 1011

Subject to division (L) (2) of section 3313.61 of the 1012
Revised Code, for any students receiving special education and 1013
related services under Chapter 3323. of the Revised Code, the 1014
individualized education program developed for the student under 1015
that chapter shall specify the manner in which the student will 1016
participate in the assessments administered under this division 1017
or an alternate assessment in accordance with division (C) (1) of 1018
section 3301.0711 of the Revised Code. 1019

(2) Earn at least two of the state diploma seals 1020
prescribed under division (A) of section 3313.6114 of the 1021
Revised Code, at least one of which shall be any of the 1022
following: 1023

(a) The state seal of biliteracy established under section 1024
3313.6111 of the Revised Code; 1025

(b) The OhioMeansJobs-readiness seal established under 1026
section 3313.6112 of the Revised Code; 1027

(c) One of the state diploma seals established under 1028
divisions (C) (1) to (7) of section 3313.6114 of the Revised 1029
Code. 1030

(C) (1) A student who transfers into an Ohio public or 1031
chartered nonpublic high school from another state or enrolls in 1032
such a high school after receiving home ~~instruction~~ education or 1033

attending a nonchartered, nontax-supported school in the 1034
previous school year shall meet the requirements of division (B) 1035
or (D) of this section, as applicable, in order to qualify for a 1036
high school diploma. However, any student subject to division 1037
(B) of this section who transfers or enrolls after the start of 1038
the student's twelfth grade year and fails to attain a 1039
competency score on the Algebra I or English language arts II 1040
end-of-course examination shall not be required to retake the 1041
applicable examination prior to demonstrating competency in the 1042
failed subject area under the options prescribed in divisions 1043
(B) (1) (a) to (d) of this section. 1044

(2) The department shall prescribe standards that allow a 1045
transfer student who, prior to the student's transfer, took an 1046
assessment described in division (B) (1) or (2) of section 1047
3301.0712 or section 3313.619 of the Revised Code to apply the 1048
score from that assessment towards graduation requirements at 1049
the student's new public or chartered nonpublic school. 1050

(D) Notwithstanding division (B) of this section, in 1051
addition to the curriculum requirements specified by the school 1052
governing authority, a chartered nonpublic school student 1053
subject to division (L) (3) (a) (ii) of section 3301.0711 of the 1054
Revised Code entering ninth grade for the first time on or after 1055
July 1, 2019, shall qualify for a high school diploma if the 1056
student earns a remediation-free score in the areas of English, 1057
mathematics, and reading, in accordance with standards adopted 1058
under division (F) of section 3345.061 of the Revised Code, on a 1059
nationally standardized assessment prescribed under division (B) 1060
(1) of section 3301.0712 of the Revised Code. No such student 1061
shall be required to take the Algebra I or English language arts 1062
II end-of-course examination or earn diploma seals under this 1063
section. 1064

(E) The state board of education shall not create or 1065
require any additional assessment for the granting of any type 1066
of high school diploma other than as prescribed by this section. 1067
Except as provided in sections 3313.6111, 3313.6112, and 1068
3313.6114 of the Revised Code, the state board or the 1069
superintendent of public instruction shall not create any 1070
endorsement or designation that may be affiliated with a high 1071
school diploma. 1072

Sec. 3313.6110. (A) A person who has completed the final 1073
year of ~~instruction~~ education at home, as authorized under 1074
section ~~3321.04~~ 3321.042 of the Revised Code, and has 1075
successfully fulfilled the high school curriculum applicable to 1076
that person may be granted a high school diploma by the person's 1077
parent, guardian, or other person having charge or care of a 1078
child, as defined in division (A)(1) of section 3321.01 of the 1079
Revised Code. 1080

~~(B) Beginning with diplomas issued on or after July 1, 2015, each diploma granted under division (A) of this section shall be accompanied by the official letter of excuse issued by the district superintendent for the student's final year of home education.~~ 1081
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1085

~~(C)~~ A person who has graduated from a nonchartered 1086
nonpublic school in Ohio and who has successfully fulfilled that 1087
school's high school curriculum may be granted a high school 1088
diploma by the governing authority of that school. 1089

~~(D)~~ (C) Notwithstanding anything in the Revised Code to 1090
the contrary, a diploma granted under this section shall serve 1091
as proof of the successful completion of that person's 1092
applicable high school curriculum and satisfactory to fulfill 1093
any legal requirement to show such proof. 1094

~~(E)~~ (D) For the purposes of an application for employment, 1095
a diploma granted under this section shall be considered proof 1096
of completion of a high school education, regardless of whether 1097
the person to which the diploma was granted participated in the 1098
assessments prescribed by division (A) (1) or (B) (1) or (2) of 1099
section 3301.0710 and section 3301.0712 of the Revised Code. 1100

~~(F)~~ (E) A diploma granted under division (A) of this 1101
section may include a state seal of biliteracy, an 1102
OhioMeansJobs-readiness seal, or a state diploma seal that may 1103
be assigned to the student's diploma, by the parent, guardian, 1104
or other person having charge or care of the student, in the 1105
same manner as prescribed for diplomas and transcripts issued by 1106
school districts and chartered nonpublic schools under sections 1107
3313.6111, 3113.6112, and 3313.6114 of the Revised Code. 1108

Sec. 3313.6114. (A) The state board of education shall 1109
establish a system of state diploma seals for the purposes of 1110
allowing a student to qualify for graduation under section 1111
3313.618 of the Revised Code. State diploma seals may be 1112
attached or affixed to the high school diploma of a student 1113
enrolled in a public or chartered nonpublic school. The system 1114
of state diploma seals shall consist of all of the following: 1115

(1) The state seal of biliteracy established under section 1116
3313.6111 of the Revised Code; 1117

(2) The OhioMeansJobs-readiness seal established under 1118
section 3313.6112 of the Revised Code; 1119

(3) The state diploma seals prescribed under division (C) 1120
of this section. 1121

(B) A school district, community school established under 1122
Chapter 3314. of the Revised Code, STEM school established under 1123

Chapter 3326. of the Revised Code, college-preparatory boarding 1124
school established under Chapter 3328. of the Revised Code, or 1125
chartered nonpublic school shall attach or affix the state seals 1126
prescribed under division (C) of this section to the diploma and 1127
transcript of a student enrolled in the district or school who 1128
meets the requirements established under that division. 1129

(C) The state board shall establish all of the following 1130
state diploma seals: 1131

(1) An industry-recognized credential seal. A student 1132
shall meet the requirement for this seal by doing either of the 1133
following: 1134

(a) Earning an industry-recognized credential, or group of 1135
credentials, approved under section 3313.6113 of the Revised 1136
Code that is both of the following: 1137

(i) At least equal to the total number of points 1138
established under section 3313.6113 of the Revised Code to 1139
qualify for a high school diploma; 1140

(ii) Aligned to a job that is determined to be in demand 1141
in this state and its regions under section 6301.11 of the 1142
Revised Code. 1143

(b) Obtaining a license approved under section 3313.6113 1144
of the Revised Code that is issued by a state agency or board 1145
for practice in a vocation that requires an examination for 1146
issuance of that license. 1147

(2) A college-ready seal. A student shall meet the 1148
requirement for this seal by attaining a score that is 1149
remediation-free, in accordance with standards adopted under 1150
division (F) of section 3345.061 of the Revised Code, on a 1151
nationally standardized assessment prescribed under division (B) 1152

- (1) of section 3301.0712 of the Revised Code. 1153
- (3) A military enlistment seal. A student shall meet the 1154
requirement for this seal by doing either of the following: 1155
- (a) Providing evidence that the student has enlisted in a 1156
branch of the armed services of the United States as defined in 1157
section 5910.01 of the Revised Code; 1158
- (b) Participating in a junior reserve officer training 1159
program approved by the congress of the United States under 1160
title 10 of the United States Code. 1161
- (4) A citizenship seal. A student shall meet the 1162
requirement for this seal by doing any of the following: 1163
- (a) Demonstrating at least a proficient level of skill as 1164
prescribed under division (B) (5) (a) of section 3301.0712 of the 1165
Revised Code on both the American history and American 1166
government end-of-course examinations prescribed under division 1167
(B) (2) of section 3301.0712 of the Revised Code; 1168
- (b) Attaining a score level prescribed under division (B) 1169
(5) (d) of section 3301.0712 of the Revised Code that is at least 1170
the equivalent of a proficient level of skill in appropriate 1171
advanced placement or international baccalaureate examinations 1172
in lieu of the American history and American government end-of- 1173
course examinations; 1174
- (c) In lieu of the American history and American 1175
government end-of-course examinations, attaining a final course 1176
grade that is the equivalent of a "B" or higher in either: 1177
- (i) An American history course and an American government 1178
course that are offered by the student's high school; 1179
- (ii) Appropriate courses taken through the college credit 1180

plus program established under Chapter 3365. of the Revised 1181
Code. 1182

(d) In the case of a student who takes an alternate 1183
assessment in accordance with division (C)(1) of section 1184
3301.0711 of the Revised Code, attaining a score established by 1185
the state board on the alternate assessment in social studies; 1186

(e) In the case of a student who transfers into an Ohio 1187
public or chartered nonpublic high school from another state or 1188
who enrolls in an Ohio public or chartered nonpublic high school 1189
after receiving home ~~instruction-education~~ or attending a 1190
nonchartered, nontax-supported school in the previous school 1191
year, attaining a final course grade that is the equivalent of a 1192
"B" or higher in courses that correspond with the American 1193
history and American government end-of-course examinations and 1194
that the student completed in the state from which the student 1195
transferred or completed while receiving home ~~instruction-~~ 1196
education or attending a nonchartered, nontax-supported school. 1197
Division (C)(4)(e) of this section does not apply to any such 1198
student with respect to an American history or American 1199
government course for which an end-of-course examination is 1200
associated that the student takes after enrolling in the high 1201
school. 1202

(5) A science seal. A student shall meet the requirement 1203
for this seal by doing any of the following: 1204

(a) Demonstrating at least a proficient level of skill as 1205
prescribed under division (B)(5)(a) of section 3301.0712 of the 1206
Revised Code on the science end-of-course examination prescribed 1207
under division (B)(2) of section 3301.0712 of the Revised Code; 1208

(b) Attaining a score level prescribed under division (B) 1209

(5) (d) of section 3301.0712 of the Revised Code that is at least 1210
the equivalent of a proficient level of skill in an appropriate 1211
advanced placement or international baccalaureate examination in 1212
lieu of the science end-of-course examination; 1213

(c) In lieu of the science end-of-course examination, 1214
attaining a final course grade that is the equivalent of a "B" 1215
or higher in either: 1216

(i) A science course listed in divisions (C) (5) (c) (i) to 1217
(iii) of section 3313.603 of the Revised Code that is offered by 1218
the student's high school; 1219

(ii) An appropriate course taken through the college 1220
credit plus program established under Chapter 3365. of the 1221
Revised Code. 1222

(d) In the case of a student who takes an alternate 1223
assessment in accordance with division (C) (1) of section 1224
3301.0711 of the Revised Code, attaining a score established by 1225
the state board on the alternate assessment in science; 1226

(e) In the case of a student who transfers into an Ohio 1227
public or chartered nonpublic high school from another state or 1228
enrolls in an Ohio public or chartered nonpublic high school 1229
after receiving home ~~instruction-education~~ or attending a 1230
nonchartered, nontax-supported school in the previous school 1231
year, attaining a final course grade that is the equivalent of a 1232
"B" or higher in a course that corresponds with the science end- 1233
of-course examination and that the student completed in the 1234
state from which the student transferred or completed while 1235
receiving home ~~instruction-education~~ or attending a 1236
nonchartered, nontax-supported school. Division (C) (5) (e) of 1237
this section does not apply to any such student who takes a 1238

science course for which an end-of-course examination is 1239
associated after enrolling in the high school. 1240

(6) An honors diploma seal. A student shall meet the 1241
requirement for this seal by meeting the additional criteria for 1242
an honors diploma under division (B) of section 3313.61 of the 1243
Revised Code. 1244

(7) A technology seal. A student shall meet the 1245
requirement for this seal by doing any of the following: 1246

(a) Subject to division (B) (5) (d) of section 3301.0712 of 1247
the Revised Code, attaining a score level that is at least the 1248
equivalent of a proficient level of skill in an appropriate 1249
advanced placement or international baccalaureate examination; 1250

(b) Attaining a final course grade that is the equivalent 1251
of a "B" or higher in an appropriate course taken through the 1252
college credit plus program established under Chapter 3365. of 1253
the Revised Code; 1254

(c) Completing a course offered through the student's 1255
district or school that meets guidelines developed by the 1256
department of education. However, a district or school shall not 1257
be required to offer a course that meets guidelines developed by 1258
the department. 1259

(d) In the case of a student who transfers into an Ohio 1260
public or chartered nonpublic high school from another state or 1261
enrolls in an Ohio public or chartered nonpublic high school 1262
after receiving home ~~instruction-education~~ or attending a 1263
nonchartered, nontax-supported school in the previous school 1264
year, attaining a final course grade that is the equivalent of a 1265
"B" or higher in an appropriate course, as determined by the 1266
district or school, that the student completed in the state from 1267

which the student transferred or completed while receiving home 1268
~~instruction-education~~ or attending a nonchartered, nontax- 1269
supported school. 1270

(8) A community service seal. A student shall meet the 1271
requirement for this seal by completing a community service 1272
project that is aligned with guidelines adopted by the student's 1273
district board or school governing authority. 1274

(9) A fine and performing arts seal. A student shall meet 1275
the requirement for this seal by demonstrating skill in the fine 1276
or performing arts according to an evaluation that is aligned 1277
with guidelines adopted by the student's district board or 1278
school governing authority. 1279

(10) A student engagement seal. A student shall meet the 1280
requirement for this seal by participating in extracurricular 1281
activities such as athletics, clubs, or student government to a 1282
meaningful extent, as determined by guidelines adopted by the 1283
student's district board or school governing authority. 1284

(D) (1) Each district or school shall develop guidelines 1285
for at least one of the state seals prescribed under divisions 1286
(C) (8) to (10) of this section. 1287

(2) For the purposes of determining whether a student who 1288
transfers to a district or school has satisfied the state 1289
diploma seal requirement under division (B) (2) of section 1290
3313.618 of the Revised Code, each district or school shall 1291
recognize a state diploma seal prescribed under divisions (C) (8) 1292
to (10) of this section and earned by a student at another 1293
district or a different public or chartered nonpublic school 1294
regardless of whether the district or school to which the 1295
student transfers has developed guidelines under this section 1296

for that state seal. 1297

(3) In guidelines developed for a state diploma seal 1298
prescribed under divisions (C) (8) to (10) of this section, each 1299
district or school shall include a method to give, to the extent 1300
feasible, a student who transfers into the district or school a 1301
proportional amount of credit for any progress the student was 1302
making toward earning that state seal at the school district or 1303
different public or chartered nonpublic school from which the 1304
student transfers. 1305

(E) Each district or school shall maintain appropriate 1306
records to identify students who have met the requirements 1307
prescribed under division (C) of this section for earning the 1308
state seals established under that division. 1309

(F) The department shall prepare and deliver to each 1310
district or school an appropriate mechanism for assigning a 1311
state diploma seal established under division (C) of this 1312
section. 1313

(G) A student shall not be charged a fee to be assigned a 1314
state seal prescribed under division (C) of this section on the 1315
student's diploma and transcript. 1316

Sec. 3314.041. The governing authority of each community 1317
school and any operator of such school shall distribute to 1318
parents of students of the school upon their enrollment in the 1319
school the following statement in writing: 1320

"The _____ (here fill in name of the school) 1321
school is a community school established under Chapter 3314. of 1322
the Revised Code. The school is a public school and students 1323
enrolled in and attending the school are required to take 1324
proficiency tests and other examinations prescribed by law. In 1325

addition, there may be other requirements for students at the 1326
school that are prescribed by law. Students who ~~have been~~ 1327
~~excused~~ are exempt from the compulsory attendance law for the 1328
purpose of home education ~~as defined by the Administrative Code~~ 1329
under section 3321.042 of the Revised Code shall no longer be 1330
~~excused~~ exempt for that purpose upon their enrollment in a 1331
community school. For more information about this matter contact 1332
the school administration or the Ohio Department of Education." 1333

Sec. 3321.03. As used in this section and section 3321.04 1334
of the Revised Code, "special education program" means a school 1335
or the educational agency that provides special education and 1336
related services to children with disabilities in accordance 1337
with Chapter 3323. of the Revised Code. 1338

Except as provided in this section, the parent of a child 1339
of compulsory school age shall cause such child to attend a 1340
school in the school district in which the child is entitled to 1341
attend school under division (B) or (F) of section 3313.64 or 1342
section 3313.65 of the Revised Code, to participate in a special 1343
education program under Chapter 3323. of the Revised Code, or to 1344
otherwise cause the child to be instructed in accordance with 1345
law. Every child of compulsory school age shall attend a school 1346
or participate in a special education program that conforms to 1347
the minimum standards prescribed by the state board of education 1348
until the child: 1349

(A) Receives a diploma granted by the board of education 1350
or other governing authority, successfully completes the 1351
curriculum of any high school, or successfully completes the 1352
individualized education program developed for the student by 1353
any high school pursuant to Chapter 3323. of the Revised Code; 1354

(B) Receives an age and schooling certificate as provided 1355

in section 3331.01 of the Revised Code; or 1356

(C) Is excused from school under standards adopted by the 1357
state board of education pursuant to section 3321.04 or exempt 1358
under section 3321.042 of the Revised Code, or if in need of 1359
special education, the child is excused from such programs 1360
pursuant to section 3321.04 of the Revised Code. 1361

Sec. 3321.04. Notwithstanding division (D) of section 1362
3311.19 and division (D) of section 3311.52 of the Revised Code, 1363
this section does not apply to any joint vocational or 1364
cooperative education school district or its superintendent. 1365

Every parent of any child of compulsory school age who is 1366
not employed under an age and schooling certificate or exempt 1367
under section 3321.042 of the Revised Code must send such child 1368
to a school or a special education program that conforms to the 1369
minimum standards prescribed by the state board of education, 1370
for the full time the school or program attended is in session, 1371
which shall not be for less than thirty-two weeks per school 1372
year. Such attendance must begin within the first week of the 1373
school term or program or within one week of the date on which 1374
the child begins to reside in the district or within one week 1375
after the child's withdrawal from employment. 1376

For the purpose of operating a school or program on a 1377
trimester plan, "full time the school attended is in session," 1378
as used in this section means the two trimesters to which the 1379
child is assigned by the board of education. For the purpose of 1380
operating a school or program on a quarterly plan, "full time 1381
the school attended is in session," as used in this section, 1382
means the three quarters to which the child is assigned by the 1383
board of education. For the purpose of operating a school or 1384
program on a pentamester plan, "full time the school is in 1385

session," as used in this section, means the four pentamesters 1386
to which the child is assigned by the board of education. 1387

Excuses from future attendance at or past absence from 1388
school or a special education program may be granted for the 1389
causes, by the authorities, and under the following conditions: 1390

(A) The superintendent of the school district in which the 1391
child resides may excuse the child from attendance for any part 1392
of the remainder of the current school year upon a satisfactory 1393
~~showing of either of the following facts:~~ 1394

~~(1) That that the child's bodily or mental condition does 1395
not permit attendance at school or a special education program 1396
during such period; this fact is certified in writing by a 1397
licensed physician or, in the case of a mental condition, by a 1398
licensed physician, a licensed psychologist, licensed school 1399
psychologist or a certificated school psychologist; and 1400
provision is made for appropriate instruction of the child, in 1401
accordance with Chapter 3323. of the Revised Code;~~ 1402

~~(2) That the child is being instructed at home by a person 1403
qualified to teach the branches in which instruction is 1404
required, and such additional branches, as the advancement and 1405
needs of the child may, in the opinion of such superintendent, 1406
require. In each such case the . The issuing superintendent 1407
shall file in the superintendent's office, with a copy of the 1408
excuse, papers showing how the inability of the child to attend 1409
school or a special education program ~~or the qualifications of~~ 1410
~~the person instructing the child at home were determined.~~ All 1411
such excuses shall become void and subject to recall upon the 1412
removal of the disability of the child ~~or the cessation of~~ 1413
~~proper home instruction;~~ and thereupon the child or the child's 1414
parents may be proceeded against after due notice whether such 1415~~

excuse be recalled or not. 1416

(B) The state board of education may adopt rules 1417
authorizing the superintendent of schools of the district in 1418
which the child resides to excuse a child over fourteen years of 1419
age from attendance for a future limited period for the purpose 1420
of performing necessary work directly and exclusively for the 1421
child's parents or legal guardians. 1422

All excuses provided for in divisions (A) and (B) of this 1423
section shall be in writing and shall show the reason for 1424
excusing the child. A copy thereof shall be sent to the person 1425
in charge of the child. 1426

(C) The board of education of the school district or the 1427
governing authorities of a private or parochial school may in 1428
the rules governing the discipline in such schools, prescribe 1429
the authority by which and the manner in which any child may be 1430
excused for absence from such school for good and sufficient 1431
reasons. 1432

The state board of education may by rule prescribe 1433
conditions governing the issuance of excuses, which shall be 1434
binding upon the authorities empowered to issue them. 1435

Sec. 3321.042. (A) As used in this section, "home 1436
education" means the education of a child, between the ages of 1437
six and eighteen years of age, that is directed by the child's 1438
parent. "Home education" does not include education provided to 1439
a child who is enrolled full time in a public or chartered 1440
nonpublic school. 1441

(B) A child receiving home education in the subject areas 1442
of English language arts, mathematics, science, history, 1443
government, and social studies is exempt from section 3321.04 of 1444

the Revised Code. 1445

(C) Within five calendar days after commencing home 1446
education, moving into a new district, or withdrawing from a 1447
public or nonpublic school, and by the thirtieth day of August 1448
each year thereafter, the parent or guardian of a child 1449
receiving a home education shall transmit a notice to the 1450
superintendent of the child's school district of residence. The 1451
notice shall provide the parent's name and address, the child's 1452
name, and an assurance that the child will receive education in 1453
the subject areas required under this section. The child's 1454
exemption under this section is effective immediately upon 1455
receipt of notice. The district superintendent shall provide a 1456
written acknowledgement of the superintendent's receipt of the 1457
notice to the parent or guardian not later than fourteen 1458
calendar days after receiving the notice. A child exempt under 1459
this section shall not be required to be excused under section 1460
3321.04 of the Revised Code. 1461

(D) A child that is being enrolled in a public school 1462
following any period of home education shall be placed in the 1463
appropriate grade level, without discrimination or prejudice, 1464
based on the policies of the child's district of residence. 1465

(E) This section shall not be subject to any rules adopted 1466
by the state board of education or the superintendent of public 1467
instruction. 1468

(F) The state board of education shall rescind any rules 1469
regarding the issuance of excuses from compulsory attendance for 1470
the purposes of home education under division (A)(2) of section 1471
3321.04 of the Revised Code, as it existed prior to the 1472
effective date of this section. 1473

Sec. 3321.13. (A) Whenever any child of compulsory school 1474
age withdraws from school the teacher of that child shall 1475
ascertain the reason for withdrawal. The fact of the withdrawal 1476
and the reason for it shall be immediately transmitted by the 1477
teacher to the superintendent of the city, local, or exempted 1478
village school district. If the child who has withdrawn from 1479
school has done so because of change of residence, the next 1480
residence shall be ascertained and shall be included in the 1481
notice thus transmitted. The superintendent shall thereupon 1482
forward a card showing the essential facts regarding the child 1483
and stating the place of the child's new residence to the 1484
superintendent of schools of the district to which the child has 1485
moved. 1486

The superintendent of public instruction may prescribe the 1487
forms to be used in the operation of this division. 1488

(B) (1) Upon receipt of information that a child of 1489
compulsory school age has withdrawn from school for a reason 1490
other than because of change of residence or for the purposes of 1491
home education under section 3321.042 of the Revised Code, and 1492
is not enrolled in and attending in accordance with school 1493
policy an approved program to obtain a diploma or its 1494
equivalent, the district superintendent shall notify the 1495
registrar of motor vehicles and the juvenile judge of the county 1496
in which the district is located of the withdrawal and failure 1497
to enroll in and attend an approved program to obtain a diploma 1498
or its equivalent. A notification to the registrar required by 1499
this division shall be given in the manner the registrar by rule 1500
requires and a notification to the juvenile judge required by 1501
this division shall be given in writing. Each notification shall 1502
be given within two weeks after the withdrawal and failure to 1503
enroll in and attend an approved program or its equivalent. 1504

(2) The board of education of a school district may adopt 1505
a resolution providing that the provisions of division (B) (2) of 1506
this section apply within the district. The provisions of 1507
division (B) (2) of this section do not apply within any school 1508
district, and no superintendent of a school district shall send 1509
a notification of the type described in division (B) (2) of this 1510
section to the registrar of motor vehicles or the juvenile judge 1511
of the county in which the district is located, unless the board 1512
of education of the district has adopted such a resolution. If 1513
the board of education of a school district adopts a resolution 1514
providing that the provisions of division (B) (2) of this section 1515
apply within the district, and if the superintendent of schools 1516
of that district receives information that, during any semester 1517
or term, a child of compulsory school age has been absent 1518
without legitimate excuse from the school the child is supposed 1519
to attend for more than sixty consecutive hours in a single 1520
month or for at least ninety hours in a school year, the 1521
superintendent shall notify the child and the child's parent, 1522
guardian, or custodian, in writing, that the information has 1523
been provided to the superintendent, that as a result of that 1524
information the child's temporary instruction permit or driver's 1525
license will be suspended or the opportunity to obtain such a 1526
permit or license will be denied, and that the child and the 1527
child's parent, guardian, or custodian may appear in person at a 1528
scheduled date, time, and place before the superintendent or a 1529
designee to challenge the information provided to the 1530
superintendent. 1531

The notification to the child and the child's parent, 1532
guardian, or custodian required by division (B) (2) of this 1533
section shall set forth the information received by the 1534
superintendent and shall inform the child and the child's 1535

parent, guardian, or custodian of the scheduled date, time, and 1536
place of the appearance that they may have before the 1537
superintendent or a designee. The date scheduled for the 1538
appearance shall be no earlier than three and no later than five 1539
days after the notification is given, provided that an extension 1540
may be granted upon request of the child or the child's parent, 1541
guardian, or custodian. If an extension is granted, the 1542
superintendent shall schedule a new date, time, and place for 1543
the appearance and shall inform the child and the child's 1544
parent, guardian, or custodian of the new date, time, and place. 1545

If the child and the child's parent, guardian, or 1546
custodian do not appear before the superintendent or a designee 1547
on the scheduled date and at the scheduled time and place, or if 1548
the child and the child's parent, guardian, or custodian appear 1549
before the superintendent or a designee on the scheduled date 1550
and at the scheduled time and place but the superintendent or a 1551
designee determines that the information the superintendent 1552
received indicating that, during the semester or term, the child 1553
had been absent without legitimate excuse from the school the 1554
child was supposed to attend for more than sixty consecutive 1555
hours or for at least ninety total hours, the superintendent 1556
shall notify the registrar of motor vehicles and the juvenile 1557
judge of the county in which the district is located that the 1558
child has been absent for that period of time and that the child 1559
does not have any legitimate excuse for the habitual absence. A 1560
notification to the registrar required by this division shall be 1561
given in the manner the registrar by rule requires and a 1562
notification to the juvenile judge required by this division 1563
shall be given in writing. Each notification shall be given 1564
within two weeks after the receipt of the information of the 1565
habitual absence from school without legitimate excuse, or, if 1566

the child and the child's parent, guardian, or custodian appear 1567
before the superintendent or a designee to challenge the 1568
information, within two weeks after the appearance. 1569

For purposes of division (B) (2) of this section, a 1570
legitimate excuse for absence from school includes, but is not 1571
limited to, the fact that the child in question has enrolled in 1572
another school or school district in this or another state, the 1573
fact that the child in question was excused from attendance for 1574
any of the reasons specified in section 3321.04 of the Revised 1575
Code, the fact that the child is exempt for the purposes of home 1576
education under section 3321.042 of the Revised Code, or the 1577
fact that the child in question has received an age and 1578
schooling certificate in accordance with section 3331.01 of the 1579
Revised Code. 1580

(3) Whenever a pupil is suspended or expelled from school 1581
pursuant to section 3313.66 of the Revised Code and the reason 1582
for the suspension or expulsion is the use or possession of 1583
alcohol, a drug of abuse, or alcohol and a drug of abuse, the 1584
superintendent of schools of that district may notify the 1585
registrar and the juvenile judge of the county in which the 1586
district is located of such suspension or expulsion. Any such 1587
notification of suspension or expulsion shall be given to the 1588
registrar, in the manner the registrar by rule requires and 1589
shall be given to the juvenile judge in writing. The 1590
notifications shall be given within two weeks after the 1591
suspension or expulsion. 1592

(4) Whenever a pupil is suspended, expelled, removed, or 1593
permanently excluded from a school for misconduct included in a 1594
policy that the board of education of a city, exempted village, 1595
or local school district has adopted under division (A) of 1596

section 3313.661 of the Revised Code, and the misconduct 1597
involves a firearm or a knife or other weapon as defined in that 1598
policy, the superintendent of schools of that district shall 1599
notify the registrar and the juvenile judge of the county in 1600
which the district is located of the suspension, expulsion, 1601
removal, or permanent exclusion. The notification shall be given 1602
to the registrar in the manner the registrar, by rule, requires 1603
and shall be given to the juvenile judge in writing. The 1604
notifications shall be given within two weeks after the 1605
suspension, expulsion, removal, or permanent exclusion. 1606

(C) A notification of withdrawal, habitual absence without 1607
legitimate excuse, suspension, or expulsion given to the 1608
registrar or a juvenile judge under division (B) (1), (2), (3), 1609
or (4) of this section shall contain the name, address, date of 1610
birth, school, and school district of the child. If the 1611
superintendent finds, after giving a notification of withdrawal, 1612
habitual absence without legitimate excuse, suspension, or 1613
expulsion to the registrar and the juvenile judge under division 1614
(B) (1), (2), (3), or (4) of this section, that the notification 1615
was given in error, the superintendent immediately shall notify 1616
the registrar and the juvenile judge of that fact. 1617

Sec. 3331.02. (A) The superintendent of schools or the 1618
chief administrative officer, as appropriate pursuant to section 1619
3331.01 of the Revised Code, shall not issue an age and 1620
schooling certificate until the superintendent or chief 1621
administrative officer has received, examined, approved, and 1622
filed the following papers duly executed: 1623

(1) The written pledge or promise of the person, 1624
partnership, or corporation to legally employ the child, and for 1625
this purpose work performed by a minor, directly and exclusively 1626

for the benefit of such minor's parent, in the farm home or on 1627
the farm of such parent is legal employment, irrespective of any 1628
contract of employment, or the absence thereof, to permit the 1629
child to attend school as provided in section 3321.08 of the 1630
Revised Code, and give notice of the nonuse of an age and 1631
schooling certificate within five days from the date of the 1632
child's withdrawal or dismissal from the service of that person, 1633
partnership, or corporation, giving the reasons for such 1634
withdrawal or dismissal; 1635

(2) The child's school record or notification. As used in 1636
this division, a "school record" means documents properly filled 1637
out and signed by the person in charge of the school which the 1638
child last attended, giving the recorded age of the child, the 1639
child's address, standing in studies, rating in conduct, and 1640
attendance in days during the school year of the child's last 1641
attendance; "notification" means the information submitted to 1642
the superintendent by the parent of a child ~~excused-exempt~~ from 1643
attendance at school pursuant to ~~division (A) (2) of section~~ 1644
~~3321.04-3321.042~~ of the Revised Code, ~~as the notification is~~ 1645
~~required by rules adopted by the department of education.~~ 1646

(3) Evidence of the age of the child as follows: 1647

(a) A certified copy of an original birth record or a 1648
certification of birth, issued in accordance with Chapter 3705. 1649
of the Revised Code, or by an officer charged with the duty of 1650
recording births in another state or country, shall be 1651
conclusive evidence of the age of the child; 1652

(b) In the absence of such birth record or certification 1653
of birth, a passport, or duly attested transcript thereof, 1654
showing the date and place of birth of the child, filed with a 1655
register of passports at a port of entry of the United States; 1656

or an attested transcript of the certificate of birth or baptism 1657
or other religious record, showing the date and place of birth 1658
of the child, shall be conclusive evidence of the age of the 1659
child; 1660

(c) In case none of the above proofs of age can be 1661
produced, other documentary evidence, except the affidavit of 1662
the parent, guardian, or custodian, satisfactory to the 1663
superintendent or chief administrative officer may be accepted 1664
in lieu thereof; 1665

(d) In case no documentary proof of age can be procured, 1666
the superintendent or chief administrative officer may receive 1667
and file an application signed by the parent, guardian, or 1668
custodian of the child that a medical certificate be secured to 1669
establish the sufficiency of the age of the child, which 1670
application shall state the alleged age of the child, the place 1671
and date of birth, the child's present residence, and such 1672
further facts as may be of assistance in determining the age of 1673
the child, and shall certify that the person signing the 1674
application is unable to obtain any of the documentary proofs 1675
specified in divisions (A) (3) (a), (b), and (c) of this section; 1676
and if the superintendent or chief administrative officer is 1677
satisfied that a reasonable effort to procure such documentary 1678
proof has been without success such application shall be granted 1679
and the certificate of the school physician or if there be none, 1680
of a physician, a physician assistant, a clinical nurse 1681
specialist, or a certified nurse practitioner employed by the 1682
board of education, that said physician, physician assistant, 1683
clinical nurse specialist, or certified nurse practitioner is 1684
satisfied that the child is above the age required for an age 1685
and schooling certificate as stated in section 3331.01 of the 1686
Revised Code, shall be accepted as sufficient evidence of age. 1687

(4) A certificate, including an athletic certificate of examination, from a physician licensed pursuant to Chapter 4731. of the Revised Code, a physician assistant, a clinical nurse specialist, or a certified nurse practitioner, or from the district health commissioner, showing after a thorough examination that the child is physically fit to be employed in such occupations as are not prohibited by law for a boy or girl, as the case may be, under eighteen years of age; but a certificate with "limited" written, printed, marked, or stamped thereon may be furnished by such physician, physician assistant, clinical nurse specialist, or certified nurse practitioner and accepted by the superintendent or chief administrative officer in issuing a "limited" age and schooling certificate provided in section 3331.06 of the Revised Code, showing that the child is physically fit to be employed in some particular occupation not prohibited by law for a boy or girl of such child's age, as the case may be, even if the child's complete physical ability to engage in such occupation cannot be vouched for.

(B) (1) Except as provided in division (B) (2) of this section, a physical fitness certificate described in division (A) (4) of this section is valid for purposes of that division while the child remains employed in job duties of a similar nature as the job duties for which the child last was issued an age and schooling certificate. The superintendent or chief administrative officer who issues an age and schooling certificate shall determine whether job duties are similar for purposes of this division.

(2) A "limited" physical fitness certificate described in division (A) (4) of this section is valid for one year.

(C) The superintendent of schools or the chief

administrative officer shall require a child who resides out of 1718
this state to file all the information required under division 1719
(A) of this section. The superintendent of schools or the chief 1720
administrative officer shall evaluate the information filed and 1721
determine whether to issue the age and schooling certificate 1722
using the same standards as those the superintendent or officer 1723
uses for in-state children. 1724

Sec. 3331.04. (A) Until July 1, 2016, an age and schooling 1725
certificate may be issued by the superintendent of schools to a 1726
child over sixteen years of age upon proof acceptable to such 1727
superintendent of the following facts and upon agreement to the 1728
respective conditions made in writing by the child and by the 1729
parents, guardian, or custodian in charge of such child: 1730

(1) That the child is addicted to no habit which is likely 1731
to detract from the child's reliability or effectiveness as a 1732
worker, or proper use of the child's earnings or leisure, or the 1733
probability of the child's faithfully carrying out the 1734
conditions to which the child agrees as specified in division 1735
(A) (2) of this section, and in addition any one of the following 1736
groups of facts: 1737

(a) That the child has been a resident of the school 1738
district for the last two years, has diligently attended upon 1739
instruction at school for the last two years, and is able to 1740
read, write, and perform the fundamental operations of 1741
arithmetic. These abilities shall be judged by the 1742
superintendent. 1743

(b) That the child having been a resident of the school 1744
district less than two years, diligently attended upon 1745
instruction in school in the district in which the child was a 1746
resident next preceding the child's residence in the present 1747

district for the last school year preceding the child's removal 1748
to the present district, and has diligently attended upon 1749
instruction in the schools of the present district for the 1750
period that the child has been a resident thereof; 1751

(c) That the child has removed to the present school 1752
district since the beginning of the last annual school session, 1753
and that instruction adapted to the child's needs is not 1754
provided in the regular day schools in the district; 1755

(d) That conditions are such that the child must provide 1756
for the child's own support or that the child is needed for the 1757
support or care of parents or for the support or care of 1758
brothers or sisters for whom the parents are unable to provide 1759
and that the child is desirous of working for the support or 1760
care of self or of such parents or siblings and that such child 1761
cannot render such needed support or care by a reasonable effort 1762
outside of school hours; but no age and schooling certificate 1763
shall be granted to a child of this group upon proof of such 1764
facts without written consent given to the superintendent by the 1765
juvenile judge and by the department of job and family services. 1766

(2) In case the certificate is granted under division (A) 1767
(1) of this section, that until reaching the age of eighteen 1768
years the child will diligently attend in addition to part-time 1769
classes, such evening classes as will add to the child's 1770
education for literacy, citizenship, or vocational preparation 1771
which may be made available to the child in the school district 1772
and which the child may be directed to attend by the 1773
superintendent, or in case no such classes are available, that 1774
the child will pursue such reading and study and report monthly 1775
thereon as may be directed by the superintendent. 1776

(B) ~~Beginning July 1, 2016, an~~ An age and schooling 1777

certificate may be issued pursuant to this section ~~only~~ to a 1778
child over sixteen years of age who is not exempt for the 1779
purposes of home education under section 3321.042 of the Revised 1780
Code and who does both of the following: 1781

(1) Upon agreement in writing, by the child and the 1782
parents, guardian, or custodian in charge of such child, 1783
provides proof acceptable to the superintendent that the 1784
conditions in division (A) (1) of this section are met; 1785

(2) Is enrolled in a competency-based instructional 1786
program to earn a high school diploma in accordance with the 1787
rules adopted by the state board of education pursuant to this 1788
~~division (C) of this section.~~ 1789

~~(C) Not later than July 1, 2016, the~~ The state board, in 1790
accordance with Chapter 119. of the Revised Code, shall adopt 1791
rules on the requirements for completing a competency-based 1792
instructional program that leads to a high school diploma under 1793
~~this section~~ division. 1794

(C) Beginning July 1, 2023, an age and schooling 1795
certificate may be issued by a parent of a child over sixteen 1796
years of age who is exempt for the purposes of home education 1797
under section 3321.042 of the Revised Code. 1798

Sec. 3333.31. (A) For state subsidy and tuition surcharge 1799
purposes, status as a resident of Ohio shall be defined by the 1800
chancellor of higher education by rule promulgated pursuant to 1801
Chapter 119. of the Revised Code. No adjudication as to the 1802
status of any person under such rule, however, shall be required 1803
to be made pursuant to Chapter 119. of the Revised Code. The 1804
term "resident" for these purposes shall not be equated with the 1805
definition of that term as it is employed elsewhere under the 1806

laws of this state and other states, and shall not carry with it 1807
any of the legal connotations appurtenant thereto. Rather, 1808
except as provided in divisions (B), (C), (D), (F), and (G) of 1809
this section, for such purposes, the rule promulgated under this 1810
section shall have the objective of excluding from treatment as 1811
residents those who are present in the state primarily for the 1812
purpose of attending a state-supported or state-assisted 1813
institution of higher education, and may prescribe presumptive 1814
rules, rebuttable or conclusive, as to such purpose based upon 1815
the source or sources of support of the student, residence prior 1816
to first enrollment, evidence of intention to remain in the 1817
state after completion of studies, or such other factors as the 1818
chancellor deems relevant. 1819

(B) The rules of the chancellor for determining student 1820
residency shall grant residency status to a veteran and to the 1821
veteran's spouse and any dependent of the veteran, if both of 1822
the following conditions are met: 1823

(1) The veteran either: 1824

(a) Served one or more years on active military duty and 1825
was honorably discharged or received a medical discharge that 1826
was related to the military service; 1827

(b) Was killed while serving on active military duty or 1828
has been declared to be missing in action or a prisoner of war. 1829

(2) If the veteran seeks residency status for tuition 1830
surcharge purposes, the veteran has established domicile in this 1831
state as of the first day of a term of enrollment in an 1832
institution of higher education. If the spouse or a dependent of 1833
the veteran seeks residency status for tuition surcharge 1834
purposes, the veteran and the spouse or dependent seeking 1835

residency status have established domicile in this state as of 1836
the first day of a term of enrollment in an institution of 1837
higher education, except that if the veteran was killed while 1838
serving on active military duty, has been declared to be missing 1839
in action or a prisoner of war, or is deceased after discharge, 1840
only the spouse or dependent seeking residency status shall be 1841
required to have established domicile in accordance with this 1842
division. 1843

(C) The rules of the chancellor for determining student 1844
residency shall grant residency status to both of the following: 1845

(1) A veteran who is the recipient of federal veterans' 1846
benefits under the "All-Volunteer Force Educational Assistance 1847
Program," 38 U.S.C. 3001 et seq., or "Post-9/11 Veterans 1848
Educational Assistance Program," 38 U.S.C. 3301 et seq., or any 1849
successor program, if the veteran meets all of the following 1850
criteria: 1851

(a) The veteran served at least ninety days on active 1852
duty. 1853

(b) The veteran enrolls in a state institution of higher 1854
education, as defined in section 3345.011 of the Revised Code. 1855

(c) The veteran lives in the state as of the first day of 1856
a term of enrollment in the state institution of higher 1857
education. 1858

(2) A person who is the recipient of the federal Marine 1859
Gunnery Sergeant John David Fry scholarship or transferred 1860
federal veterans' benefits under any of the programs described 1861
in division (C)(1) of this section, if the person meets both of 1862
the following criteria: 1863

(a) The person enrolls in a state institution of higher 1864

education. 1865

(b) The person lives in the state as of the first day of a 1866
term of enrollment in the state institution of higher education. 1867

In order for a person using transferred federal veterans' 1868
benefits to qualify under division (C) (2) of this section, the 1869
veteran who transferred the benefits must have served at least 1870
ninety days on active duty or the service member who transferred 1871
the benefits must be on active duty. 1872

(D) The rules of the chancellor for determining student 1873
residency shall grant residency status to a service member who 1874
is on active duty and to the service member's spouse and any 1875
dependent of the service member while the service member is on 1876
active duty. In order to qualify under division (D) of this 1877
section, the rules shall require the student seeking in-state 1878
tuition rates to live in the state as of the first day of a term 1879
of enrollment in the state institution of higher education, but 1880
shall not require the service member or the service member's 1881
spouse or dependent to establish domicile in this state as of 1882
the first day of a term of enrollment in an institution of 1883
higher education. 1884

(E) The rules of the chancellor for determining student 1885
residency shall not deny residency status to a student who is 1886
either a dependent child of a parent, or the spouse of a person 1887
who, as of the first day of a term of enrollment in an 1888
institution of higher education, has accepted full-time 1889
employment and established domicile in this state for reasons 1890
other than gaining the benefit of favorable tuition rates. 1891

Documentation of full-time employment and domicile shall 1892
include both of the following documents: 1893

(1) A sworn statement from the employer or the employer's representative on the letterhead of the employer or the employer's representative certifying that the parent or spouse of the student is employed full-time in Ohio;

(2) A copy of the lease under which the parent or spouse is the lessee and occupant of rented residential property in the state, a copy of the closing statement on residential real property of which the parent or spouse is the owner and occupant in this state or, if the parent or spouse is not the lessee or owner of the residence in which the parent or spouse has established domicile, a letter from the owner of the residence certifying that the parent or spouse resides at that residence.

Residency officers may also evaluate, in accordance with the chancellor's rule, requests for immediate residency status from dependent students whose parents are not living and whose domicile follows that of a legal guardian who has accepted full-time employment and established domicile in the state for reasons other than gaining the benefit of favorable tuition rates.

(F) (1) The rules of the chancellor for determining student residency shall grant residency status to a person who enrolls in an institution of higher education and establishes domicile in this state, regardless of the student's residence prior to that enrollment and satisfies either of the following conditions:

(a) The person, while a resident of this state for state subsidy and tuition surcharge purposes, graduated from a high school in this state or completed the final year of ~~instruction~~ education at home as authorized under section ~~3321.04~~ 3321.042 of the Revised Code.

(b) The person meets all of the following criteria:	1924
(i) The person officially withdrew from a school in this state while the person was a resident of this state for state subsidy and tuition surcharge purposes.	1925 1926 1927
(ii) The person has not received a high school diploma or honors diploma awarded under section 3313.61, 3313.611, 3313.612, or 3325.08 of the Revised Code or a high school diploma awarded by a school located in another state or country.	1928 1929 1930 1931
(iii) The person, while a resident of this state for state subsidy and tuition surcharge purposes, both took a high school equivalency test and was awarded a certificate of high school equivalence.	1932 1933 1934 1935
(2) The rules of the chancellor for determining student residency shall not grant residency status to an alien if the alien is not also an immigrant or a nonimmigrant.	1936 1937 1938
(G) The rules of the chancellor for determining student residency status shall grant residency status to a person to whom all of the following apply:	1939 1940 1941
(1) The person, while not a resident of this state for state subsidy and tuition surcharge purposes, lives in this state and completes a bachelor's degree program at an institution of higher education in this state.	1942 1943 1944 1945
(2) The person, upon completing that bachelor's degree program, immediately enrolls in a graduate degree program, as determined appropriate by the chancellor, offered at any state institution of higher education.	1946 1947 1948 1949
(3) The person, while enrolled in the graduate degree program, resides in this state.	1950 1951

The chancellor's rules adopted under this section shall	1952
define "immediately" for the purposes of division (G) of this	1953
section.	1954
(H) As used in this section:	1955
(1) "Dependent," "domicile," "institution of higher	1956
education," and "residency officer" have the meanings ascribed	1957
in the chancellor's rules adopted under this section.	1958
(2) "Alien" means a person who is not a United States	1959
citizen or a United States national.	1960
(3) "Immigrant" means an alien who has been granted the	1961
right by the United States bureau of citizenship and immigration	1962
services to reside permanently in the United States and to work	1963
without restrictions in the United States.	1964
(4) "Nonimmigrant" means an alien who has been granted the	1965
right by the United States bureau of citizenship and immigration	1966
services to reside temporarily in the United States.	1967
(5) "Veteran" means any person who has completed service	1968
in the uniformed services, as defined in section 3511.01 of the	1969
Revised Code.	1970
(6) "Service member" has the same meaning as in section	1971
5903.01 of the Revised Code.	1972
(7) "Certificate of high school equivalence" means either	1973
of the following:	1974
(a) A certificate of high school equivalence awarded by	1975
the department of education under division (A) of section	1976
3301.80 of the Revised Code;	1977
(b) The equivalent of a certificate of high school	1978

equivalence awarded by the state board of education under former 1979
law, as defined in division (C)(1) of section 3301.80 of the 1980
Revised Code. 1981

Sec. 3333.86. The chancellor of higher education may 1982
determine the manner in which a course included in the 1983
clearinghouse may be offered as an advanced standing program as 1984
defined in section 3313.6013 of the Revised Code, may be offered 1985
to students who are enrolled in nonpublic schools or are 1986
~~instructed~~ educated at home pursuant to section ~~3321.04~~ 3321.042 1987
of the Revised Code, or may be offered at times outside the 1988
normal school day or school week, including any necessary 1989
additional fees and methods of payment for a course so offered. 1990

Sec. 3345.06. (A) Subject to divisions (B) and (C) of this 1991
section, a graduate of the twelfth grade shall be entitled to 1992
admission without examination to any college or university which 1993
is supported wholly or in part by the state, but for 1994
unconditional admission may be required to complete such units 1995
not included in the graduate's high school course as may be 1996
prescribed, not less than two years prior to the graduate's 1997
entrance, by the faculty of the institution. 1998

(B) Beginning with the 2014-2015 academic year, each state 1999
university listed in section 3345.011 of the Revised Code, 2000
except for Central state university, Shawnee state university, 2001
and Youngstown state university, shall permit a resident of this 2002
state who entered ninth grade for the first time on or after 2003
July 1, 2010, to begin undergraduate coursework at the 2004
university only if the person has successfully completed the 2005
requirements for high school graduation prescribed in division 2006
(C) of section 3313.603 of the Revised Code, unless one of the 2007
following applies: 2008

(1) The person has earned at least ten semester hours, or 2009
the equivalent, at a community college, state community college, 2010
university branch, technical college, or another post-secondary 2011
institution except a state university to which division (B) of 2012
this section applies, in courses that are college-credit-bearing 2013
and may be applied toward the requirements for a degree. The 2014
university shall grant credit for successful completion of those 2015
courses pursuant to any applicable articulation and transfer 2016
policy of the chancellor of higher education or any agreements 2017
the university has entered into in accordance with policies and 2018
procedures adopted under section 3333.16, 3333.161, or 3333.162 2019
of the Revised Code. The university may count college credit 2020
that the student earned while in high school through the college 2021
credit plus program under Chapter 3365. of the Revised Code, or 2022
through other advanced standing programs, toward the 2023
requirements of division (B) (1) of this section if the credit 2024
may be applied toward a degree. 2025

(2) The person qualified to graduate from high school 2026
under division (D) or (F) of section 3313.603 of the Revised 2027
Code and has successfully completed the topics or courses that 2028
the person lacked to graduate under division (C) of that section 2029
at any post-secondary institution or at a summer program at the 2030
state university. A state university may admit a person for 2031
enrollment contingent upon completion of such topics or courses 2032
or summer program. 2033

(3) The person met the high school graduation requirements 2034
by successfully completing the person's individualized education 2035
program developed under section 3323.08 of the Revised Code. 2036

(4) The person is receiving or has completed the final 2037
year of ~~instruction~~education at home as authorized under 2038

section ~~3321.04~~3321.042 of the Revised Code, or has graduated 2039
from a nonchartered, nonpublic school in Ohio, and demonstrates 2040
mastery of the academic content and skills in reading, writing, 2041
and mathematics needed to successfully complete introductory 2042
level coursework at an institution of higher education and to 2043
avoid remedial coursework. 2044

(5) The person is a high school student participating in 2045
the college credit plus program under Chapter 3365. of the 2046
Revised Code or another advanced standing program. 2047

(C) A state university subject to division (B) of this 2048
section may delay admission for or admit conditionally an 2049
undergraduate student who has successfully completed the 2050
requirements prescribed in division (C) of section 3313.603 of 2051
the Revised Code if the university determines the student 2052
requires academic remedial or developmental coursework. The 2053
university may delay admission pending, or make admission 2054
conditional upon, the student's successful completion of the 2055
academic remedial or developmental coursework at a university 2056
branch, community college, state community college, or technical 2057
college. 2058

(D) This section does not deny the right of a college of 2059
law, medicine, or other specialized education to require college 2060
training for admission, or the right of a department of music or 2061
other art to require particular preliminary training or talent. 2062

Sec. 3365.01. As used in this chapter: 2063

(A) "Articulated credit" means post-secondary credit that 2064
is reflected on the official record of a student at an 2065
institution of higher education only upon enrollment at that 2066
institution after graduation from a secondary school. 2067

(B) "Default ceiling amount" means one of the following 2068
amounts, whichever is applicable: 2069

(1) For a participant enrolled in a college operating on a 2070
semester schedule, the amount calculated according to the 2071
following formula: 2072

$((0.83 \times \text{formula amount}) / 30)$ 2073

X number of enrolled credit hours 2074

(2) For a participant enrolled in a college operating on a 2075
quarter schedule, the amount calculated according to the 2076
following formula: 2077

$((0.83 \times \text{formula amount}) / 45)$ 2078

X number of enrolled credit hours 2079

(C) "Default floor amount" means twenty-five per cent of 2080
the default ceiling amount. 2081

(D) "Eligible out-of-state college" means any institution 2082
of higher education that is located outside of Ohio and is 2083
approved by the chancellor of higher education to participate in 2084
the college credit plus program. 2085

(E) "Fee" means any course-related fee and any other fee 2086
imposed by the college, but not included in tuition, for 2087
participation in the program established by this chapter. 2088

(F) "Formula amount" means \$6,020. 2089

(G) "Governing entity" means any of the following: 2090

(1) A board of education of a school district; 2091

(2) A governing authority of a community school 2092
established under Chapter 3314. of the Revised Code; 2093

(3) A governing body of a STEM school established under Chapter 3326. of the Revised Code;	2094 2095
(4) A board of trustees of a college-preparatory boarding school established under Chapter 3328. of the Revised Code;	2096 2097
(5) When referring to the state school for the deaf or the state school for the blind, the state board of education;	2098 2099
(6) When referring to an institution operated by the department of youth services, the superintendent of that institution.	2100 2101 2102
(H) "Home-instructed" <u>"Home-educated participant"</u> means a student who has been excused <u>is exempt</u> from the compulsory attendance law for the purpose of home instruction <u>education</u> under section 3321.04 <u>3321.042</u> of the Revised Code, and is participating in the program established by this chapter.	2103 2104 2105 2106 2107
(I) "Maximum per participant charge amount" means one of the following amounts, whichever is applicable:	2108 2109
(1) For a participant enrolled in a college operating on a semester schedule, the amount calculated according to the following formula:	2110 2111 2112
((formula amount / 30)	2113
X number of enrolled credit hours)	2114
(2) For a participant enrolled in a college operating on a quarter schedule, the amount calculated according to the following formula:	2115 2116 2117
((formula amount / 45)	2118
X number of enrolled credit hours)	2119
(J) "Nonpublic secondary school" means a chartered school	2120

for which minimum standards are prescribed by the state board of 2121
education pursuant to division (D) of section 3301.07 of the 2122
Revised Code. 2123

(K) "Number of enrolled credit hours" means the number of 2124
credit hours for a course in which a participant is enrolled 2125
during the previous term after the date on which a withdrawal 2126
from a course would have negatively affected the participant's 2127
transcripted grade, as prescribed by the college's established 2128
withdrawal policy. 2129

(L) "Parent" has the same meaning as in section 3313.64 of 2130
the Revised Code. 2131

(M) "Participant" means any student enrolled in a college 2132
under the program established by this chapter. 2133

(N) "Partnering college" means a college with which a 2134
public or nonpublic secondary school has entered into an 2135
agreement in order to offer the program established by this 2136
chapter. 2137

(O) "Partnering secondary school" means a public or 2138
nonpublic secondary school with which a college has entered into 2139
an agreement in order to offer the program established by this 2140
chapter. 2141

(P) "Private college" means any of the following: 2142

(1) A nonprofit institution holding a certificate of 2143
authorization pursuant to Chapter 1713. of the Revised Code; 2144

(2) An institution holding a certificate of registration 2145
from the state board of career colleges and schools and program 2146
authorization for an associate or bachelor's degree program 2147
issued under section 3332.05 of the Revised Code; 2148

(3) A private institution exempt from regulation under 2149
Chapter 3332. of the Revised Code as prescribed in section 2150
3333.046 of the Revised Code. 2151

(Q) "Public college" means a "state institution of higher 2152
education" in section 3345.011 of the Revised Code, excluding 2153
the northeast Ohio medical university. 2154

(R) "Public secondary school" means a school serving 2155
grades nine through twelve in a city, local, or exempted village 2156
school district, a joint vocational school district, a community 2157
school established under Chapter 3314. of the Revised Code, a 2158
STEM school established under Chapter 3326. of the Revised Code, 2159
a college-preparatory boarding school established under Chapter 2160
3328. of the Revised Code, the state school for the deaf, the 2161
state school for the blind, or an institution operated by the 2162
department of youth services. 2163

(S) "School year" has the same meaning as in section 2164
3313.62 of the Revised Code. 2165

(T) "Secondary grade" means any of grades nine through 2166
twelve. 2167

(U) "Standard rate" means the amount per credit hour 2168
assessed by the college for an in-state student who is enrolled 2169
in an undergraduate course at that college, but who is not 2170
participating in the college credit plus program, as prescribed 2171
by the college's established tuition policy. 2172

(V) "Transcripted credit" means post-secondary credit that 2173
is conferred by an institution of higher education and is 2174
reflected on a student's official record at that institution 2175
upon completion of a course. 2176

Sec. 3365.02. (A) There is hereby established the college 2177

credit plus program under which, beginning with the 2015-2016 2178
school year, a secondary grade student who is a resident of this 2179
state may enroll at a college, on a full- or part-time basis, 2180
and complete nonsectarian, nonremedial courses for high school 2181
and college credit. The program shall govern arrangements in 2182
which a secondary grade student enrolls in a college and, upon 2183
successful completion of coursework taken under the program, 2184
receives transcribed credit from the college. The following are 2185
not governed by the college credit plus program: 2186

(1) An agreement governing an early college high school 2187
program, provided the program meets the definition set forth in 2188
division (F) (2) of section 3313.6013 of the Revised Code and is 2189
approved by the superintendent of public instruction and the 2190
chancellor of higher education; 2191

(2) An advanced placement course or international 2192
baccalaureate diploma course, as described in divisions (A) (2) 2193
and (3) of section 3313.6013 of the Revised Code; 2194

(3) A career-technical education program that is approved 2195
by the department of education under section 3317.161 of the 2196
Revised Code and grants articulated credit to students 2197
participating in that program. However, any portion of an 2198
approved program that results in the conferral of transcribed 2199
credit upon the completion of the course shall be governed by 2200
the college credit plus program. 2201

(B) Any student enrolled in a public or nonpublic 2202
secondary school in the student's ninth, tenth, eleventh, or 2203
twelfth grade; any student enrolled in a nonchartered nonpublic 2204
secondary school in the student's ninth, tenth, eleventh, or 2205
twelfth grade; and any student who ~~has been excused~~ is exempt 2206
from the compulsory attendance law for the purpose of home 2207

~~instruction-education~~ under section ~~3321.04-3321.042~~ of the 2208
Revised Code and is the equivalent of a ninth, tenth, eleventh, 2209
or twelfth grade student, may participate in the program, if the 2210
student meets the applicable eligibility criteria in section 2211
3365.03 of the Revised Code. If a nonchartered nonpublic 2212
secondary school student chooses to participate in the program, 2213
that student shall be subject to the same requirements as a 2214
~~home-instructed-home-educated~~ student who chooses to participate 2215
in the program under this chapter. 2216

(C) All public secondary schools and all public colleges 2217
shall participate in the program and are subject to the 2218
requirements of this chapter. Any nonpublic secondary school or 2219
private college that chooses to participate in the program shall 2220
also be subject to the requirements of this chapter. 2221

(D) The chancellor, in accordance with Chapter 119. of the 2222
Revised Code and in consultation with the state superintendent, 2223
shall adopt rules governing the program. 2224

Sec. 3365.03. (A) A student enrolled in a public or 2225
nonpublic secondary school during the student's ninth, tenth, 2226
eleventh, or twelfth grade school year; a student enrolled in a 2227
nonchartered nonpublic secondary school in the student's ninth, 2228
tenth, eleventh, or twelfth grade school year; or a student who 2229
~~has been excused~~ is exempt from the compulsory attendance law 2230
for the purpose of home ~~instruction-education~~ under section 2231
~~3321.04~~3321.042 of the Revised Code and is the equivalent of a 2232
ninth, tenth, eleventh, or twelfth grade student, may apply to 2233
and enroll in a college under the college credit plus program. 2234

(1) In order for a public secondary school student to 2235
participate in the program, all of the following criteria shall 2236
be met: 2237

(a) The student or the student's parent shall inform the principal, or equivalent, of the student's school by the first day of April of the student's intent to participate in the program during the following school year. Any student who fails to provide the notification by the required date may not participate in the program during the following school year without the written consent of the principal, or equivalent. If a student seeks consent from the principal after failing to provide notification by the required date, the principal shall notify the department of education of the student's intent to participate within ten days of the date on which the student seeks consent. If the principal does not provide written consent, the student may appeal the principal's decision to the governing entity of the school, except for a student who is enrolled in a school district, who may appeal the decision to the district superintendent. Not later than thirty days after the notification of the appeal, the district superintendent or governing entity shall hear the appeal and shall make a decision to either grant or deny that student's participation in the program. The decision of the district superintendent or governing entity shall be final.

(b) The student shall:

(i) Apply to a public or a participating private college, or an eligible out-of-state college participating in the program, in accordance with the college's established procedures for admission, pursuant to section 3365.05 of the Revised Code;

(ii) As a condition of eligibility, satisfy one of the following criteria:

(I) Be remediation-free, in accordance with one of the assessments established under division (F) of section 3345.061

of the Revised Code; 2268

(II) Meet an alternative remediation-free eligibility 2269
option, as defined by the chancellor of higher education, in 2270
consultation with the superintendent of public instruction, in 2271
rules adopted under this section; 2272

(III) Have participated in the program prior to ~~the~~ 2273
~~effective date of this amendment~~ September 30, 2021, and 2274
qualified to participate in the program by scoring within one 2275
standard error of measurement below the remediation-free 2276
threshold for one of the assessments established under division 2277
(F) of section 3345.061 of the Revised Code and satisfying one 2278
of the conditions specified under division (A) (1) (b) (ii) (I) or 2279
(II) of this section as those divisions existed prior to ~~the~~ 2280
~~effective date of this amendment~~ September 30, 2021. 2281

(iii) Meet the college's and relevant academic program's 2282
established standards for admission, enrollment, and course 2283
placement, including course-specific capacity limitations, 2284
pursuant to section 3365.05 of the Revised Code. 2285

(c) The student shall elect at the time of enrollment to 2286
participate under either division (A) or (B) of section 3365.06 2287
of the Revised Code for each course under the program. 2288

(d) The student and the student's parent shall sign a 2289
form, provided by the school, stating that they have received 2290
the counseling required under division (B) of section 3365.04 of 2291
the Revised Code and that they understand the responsibilities 2292
they must assume in the program. 2293

(2) In order for a nonpublic secondary school student, a 2294
nonchartered nonpublic secondary school student, or a ~~home-~~ 2295
~~instructed~~ home-educated student to participate in the program, 2296

both of the following criteria shall be met: 2297

(a) The student shall meet the criteria in divisions (A) 2298
(1)(b) and (c) of this section. 2299

(b)(i) If the student is enrolled in a nonpublic secondary 2300
school, that student shall send to the department of education a 2301
copy of the student's acceptance from a college and an 2302
application. The application shall be made on forms provided by 2303
the state board of education and shall include information about 2304
the student's proposed participation, including the school year 2305
in which the student wishes to participate; and the semesters or 2306
terms the student wishes to enroll during such year. The 2307
department shall mark each application with the date and time of 2308
receipt. 2309

(ii) If the student is enrolled in a nonchartered 2310
nonpublic secondary school or is ~~home-instructed~~ home-educated, 2311
the parent or guardian of that student shall notify the 2312
department by the first day of April prior to the school year in 2313
which the student wishes to participate. 2314

(B) Except as provided for in division (C) of this section 2315
and in sections 3365.031 and 3365.032 of the Revised Code: 2316

(1) No public secondary school shall prohibit a student 2317
enrolled in that school from participating in the program if 2318
that student meets all of the criteria in division (A)(1) of 2319
this section. 2320

(2) No participating nonpublic secondary school shall 2321
prohibit a student enrolled in that school from participating in 2322
the program if the student meets all of the criteria in division 2323
(A)(2) of this section and, if the student is enrolled under 2324
division (B) of section 3365.06 of the Revised Code, the student 2325

is awarded funding from the department in accordance with rules 2326
adopted by the chancellor, in consultation with the 2327
superintendent of public instruction, pursuant to section 2328
3365.071 of the Revised Code. 2329

(C) For purposes of this section, during the period of an 2330
expulsion imposed by a public secondary school, a student is 2331
ineligible to apply to enroll in a college under this section, 2332
unless the student is admitted to another public secondary or 2333
participating nonpublic secondary school. If a student is 2334
enrolled in a college under this section at the time the student 2335
is expelled, the student's status for the remainder of the 2336
college term in which the expulsion is imposed shall be 2337
determined under section 3365.032 of the Revised Code. 2338

(D) Upon a student's graduation from high school, 2339
participation in the college credit plus program shall not 2340
affect the student's eligibility at any public college for 2341
scholarships or for other benefits or opportunities that are 2342
available to first-time college students and are awarded by that 2343
college, regardless of the number of credit hours that the 2344
student completed under the program. 2345

(E) The college to which a student applies to participate 2346
under this section shall pay for one assessment used to 2347
determine that student's eligibility under this section. 2348
However, notwithstanding anything to the contrary in Chapter 2349
3365. of the Revised Code, any additional assessments used to 2350
determine the student's eligibility shall be the financial 2351
responsibility of the student. 2352

Sec. 3365.033. (A) Notwithstanding anything to the 2353
contrary in Chapter 3365. of the Revised Code, any student 2354
enrolled in a public or nonpublic secondary school in the 2355

student's seventh or eighth grade; any student enrolled in a 2356
nonchartered nonpublic secondary school in the student's seventh 2357
or eighth grade; and any student who ~~has been excused~~ is exempt 2358
from the compulsory attendance law for the purpose of home 2359
~~instruction education~~ under section ~~3321.04~~3321.042 of the 2360
Revised Code and is the equivalent of a seventh or eighth grade 2361
student, may participate in the college credit plus program, if 2362
the student meets the applicable eligibility criteria required 2363
of secondary grade students for participation. Participants 2364
under this section shall be subject to the same requirements as 2365
secondary grade participants under this chapter. 2366

(B) Participants under this section shall receive high 2367
school and college credit for courses taken under the program, 2368
in accordance with the option elected under section 3365.06 of 2369
the Revised Code. High school credit earned under the program 2370
shall be awarded in the same manner as for secondary grade 2371
participants. 2372

(C) If a participant under this section elects to have the 2373
college reimbursed under section 3365.07 of the Revised Code for 2374
courses taken under the program, the department shall reimburse 2375
the college in the same manner as for secondary grade 2376
participants in accordance with that section. 2377

(D) Notwithstanding section 3327.01 of the Revised Code, 2378
the parent or guardian of a participant under this section shall 2379
be responsible for any transportation for the participant 2380
related to participation in the program. 2381

Sec. 3365.034. (A) Notwithstanding anything to the 2382
contrary in the Revised Code, a student who is eligible to 2383
participate in the college credit plus program under section 2384
3365.03 or 3365.033 of the Revised Code may participate in the 2385

program during the summer term of a public or participating 2386
private college or an eligible out-of-state college 2387
participating in the program. 2388

Unless otherwise specified, if a student participates in 2389
the college credit plus program under this section, all 2390
requirements of the program shall apply. 2391

(B) (1) In order for a public secondary school student to 2392
participate under this section, the student shall meet the 2393
criteria in division (A) (1) of section 3365.03 of the Revised 2394
Code, except that the student or the student's parent shall 2395
inform the principal, or equivalent, of the student's school by 2396
the date designated by rule of the chancellor of higher 2397
education, pursuant to division (E) of this section, of the 2398
student's intent to participate in the program during the summer 2399
term. 2400

(2) In order for a nonpublic secondary school student, a 2401
nonchartered nonpublic secondary school student, or a ~~home-~~ 2402
~~instructed-home-educated~~ student to participate under this 2403
section, the student shall meet the applicable criteria in 2404
division (A) (2) of section 3365.03 of the Revised Code, except 2405
that the parent or guardian of a nonchartered nonpublic 2406
secondary school student or a ~~home-instructed-home-educated~~ 2407
student shall notify the department of education by the date 2408
designated by rule of the chancellor of higher education, 2409
pursuant to division (E) of this section, of the student's 2410
intent to participate in the program during the summer term. 2411

(C) If a participant under this section elects to have the 2412
college reimbursed under section 3365.07 of the Revised Code for 2413
courses taken under the program, the department shall reimburse 2414
the college in the same manner as for students who participate 2415

during the school year in accordance with that section, except 2416
that the department shall make the applicable payments each 2417
September, or as soon as possible thereafter. 2418

(D) Notwithstanding section 3327.01 of the Revised Code, 2419
the participant or the participant's parent or guardian shall be 2420
responsible for any transportation related to participation in 2421
the program during the summer term. 2422

(E) The chancellor of higher education, in accordance with 2423
Chapter 119. of the Revised Code and in consultation with the 2424
superintendent of public instruction, shall adopt rules for the 2425
administration of this section. The rules shall include the 2426
dates by which the student or student's parent must provide 2427
notification of the student's intent to participate in the 2428
program during the summer term. 2429

Sec. 3365.035. (A) As used in this section, "mature 2430
subject matter" means any course subject matter or material of a 2431
graphic, explicit, violent, or sexual nature. 2432

(B) The department of education and the department of 2433
higher education shall jointly develop a permission slip 2434
regarding the potential for mature subject matter in a course 2435
taken through the college credit plus program. The departments 2436
shall post the permission slip in a prominent place on their 2437
college credit plus program web sites. 2438

(C) For a student enrolled in a public, chartered 2439
nonpublic, or nonchartered nonpublic school or a ~~home-instructed~~ 2440
home-educated student to enroll in any college course under the 2441
college credit plus program, the parent of the student and the 2442
student shall sign and include the permission slip described in 2443
division (B) of this section within the student's application to 2444

the public college, participating private college, or eligible 2445
out-of-state college in which the student wishes to enroll. 2446

(D) Each public and participating private college and 2447
eligible out-of-state college participating in the program, upon 2448
admitting a student under the program, shall include in the 2449
college's enrollment materials the following: 2450

(1) A questionnaire for students, developed by the 2451
college, to answer in the affirmative acknowledging that the 2452
student possesses the necessary social and emotional maturity 2453
and is ready to accept the responsibility and independence that 2454
a college classroom demands and to resubmit to the college; 2455

(2) Guidance on reviewing any course materials available 2456
prior to enrolling in a course; 2457

(3) Information about the college's and the program's 2458
policies on withdrawing from or dropping a course; 2459

(4) Information about the student's right to speak with 2460
the student's high school counselor or with the academic advisor 2461
assigned to the student as prescribed in division (F) of section 2462
3365.05 of the Revised Code. 2463

(E) Each public and participating private college and 2464
eligible out-of-state college participating in the program shall 2465
include a discussion at student orientation about the potential 2466
for mature subject matter in courses taken through the program. 2467

(F) The department of education, the department of higher 2468
education, and each public and participating private college and 2469
eligible out-of-state college participating in the program shall 2470
post in a prominent place on their college credit plus program 2471
web sites the following disclaimer: 2472

"The subject matter of a course enrolled in under the college credit plus program may include mature subject matter or materials, including those of a graphic, explicit, violent, or sexual nature, that will not be modified based upon college credit plus enrollee participation regardless of where course instruction occurs."

Sec. 3365.07. The department of education shall calculate and pay state funds to colleges for participants in the college credit plus program under division (B) of section 3365.06 of the Revised Code pursuant to this section. For a nonpublic secondary school participant, a nonchartered nonpublic secondary school participant, or a ~~home-instructed~~ home-educated participant, the department shall pay state funds pursuant to this section only if that participant is awarded funding according to rules adopted by the chancellor of higher education, in consultation with the superintendent of public instruction, pursuant to section 3365.071 of the Revised Code. The program shall be the sole mechanism by which state funds are paid to colleges for students to earn transcribed credit for college courses while enrolled in both a secondary school and a college, with the exception of state funds paid to colleges according to an agreement described in division (A)(1) of section 3365.02 of the Revised Code.

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

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

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

(i) For a participant enrolled in a college course 2502
delivered on the college campus, at another location operated by 2503
the college, or online, the lesser of the default ceiling amount 2504
or the college's standard rate; 2505

(ii) For a participant enrolled in a college course 2506
delivered at the participant's secondary school but taught by 2507
college faculty, the lesser of fifty per cent of the default 2508
ceiling amount or the college's standard rate; 2509

(iii) For a participant enrolled in a college course 2510
delivered at the participant's secondary school and taught by a 2511
high school teacher who has met the credential requirements 2512
established for purposes of the program in rules adopted by the 2513
chancellor, the default floor amount. 2514

(b) The participant's secondary school shall pay for 2515
textbooks, and the college shall waive payment of all other fees 2516
related to participation in the program. 2517

(2) The governing entity of a participant's secondary 2518
school and the college may enter into an agreement to establish 2519
an alternative payment structure for tuition, textbooks, and 2520
fees. Under such an agreement, payments for each participant 2521
made by the department shall be not less than the default floor 2522
amount, unless approved by the chancellor, and not more than 2523
either the default ceiling amount or the college's standard 2524
rate, whichever is less. The chancellor may approve an agreement 2525
that includes a payment below the default floor amount, as long 2526
as the provisions of the agreement comply with all other 2527
requirements of this chapter to ensure program quality. If no 2528
agreement is entered into under division (A)(2) of this section, 2529
both of the following shall apply: 2530

(a) The department shall pay to the college the applicable 2531
default amounts prescribed by division (A) (1) (a) of this 2532
section, depending upon the method of delivery and instruction. 2533

(b) In accordance with division (A) (1) (b) of this section, 2534
the participant's secondary school shall pay for textbooks, and 2535
the college shall waive payment of all other fees related to 2536
participation in the program. 2537

(3) No participant that is enrolled in a public college 2538
shall be charged for any tuition, textbooks, or other fees 2539
related to participation in the program. 2540

(B) For each public secondary school participant enrolled 2541
in a private college: 2542

(1) If no agreement has been entered into under division 2543
(B) (2) of this section, the department shall pay to the college 2544
the applicable amount calculated in the same manner as in 2545
division (A) (1) (a) of this section. 2546

(2) The governing entity of a participant's secondary 2547
school and the college may enter into an agreement to establish 2548
an alternative payment structure for tuition, textbooks, and 2549
fees. Under such an agreement, payments shall be not less than 2550
the default floor amount, unless approved by the chancellor, and 2551
not more than either the default ceiling amount or the college's 2552
standard rate, whichever is less. 2553

If an agreement is entered into under division (B) (2) of 2554
this section, both of the following shall apply: 2555

(a) The department shall make a payment to the college for 2556
each participant that is equal to the default floor amount, 2557
unless approved by the chancellor to pay an amount below the 2558
default floor amount. The chancellor may approve an agreement 2559

that includes a payment below the default floor amount, as long 2560
as the provisions of the agreement comply with all other 2561
requirements of this chapter to ensure program quality. 2562

(b) Payment for costs for the participant that exceed the 2563
amount paid by the department pursuant to division (B)(2)(a) of 2564
this section shall be negotiated by the school and the college. 2565
The agreement may include a stipulation permitting the charging 2566
of a participant. 2567

However, under no circumstances shall: 2568

(i) Payments for a participant made by the department 2569
under division (B)(2) of this section exceed the lesser of the 2570
default ceiling amount or the college's standard rate; 2571

(ii) The amount charged to a participant under division 2572
(B)(2) of this section exceed the difference between the maximum 2573
per participant charge amount and the default floor amount; 2574

(iii) The sum of the payments made by the department for a 2575
participant and the amount charged to that participant under 2576
division (B)(2) of this section exceed the following amounts, as 2577
applicable: 2578

(I) For a participant enrolled in a college course 2579
delivered on the college campus, at another location operated by 2580
the college, or online, the maximum per participant charge 2581
amount; 2582

(II) For a participant enrolled in a college course 2583
delivered at the participant's secondary school but taught by 2584
college faculty, one hundred twenty-five dollars; 2585

(III) For a participant enrolled in a college course 2586
delivered at the participant's secondary school and taught by a 2587

high school teacher who has met the credential requirements 2588
established for purposes of the program in rules adopted by the 2589
chancellor, one hundred dollars. 2590

(iv) A participant that is identified as economically 2591
disadvantaged according to rules adopted by the department be 2592
charged under division (B) (2) of this section for any tuition, 2593
textbooks, or other fees related to participation in the 2594
program. 2595

(C) For each nonpublic secondary school participant 2596
enrolled in a private or eligible out-of-state college, the 2597
department shall pay to the college the applicable amount 2598
calculated in the same manner as in division (A) (1) (a) of this 2599
section. Payment for costs for the participant that exceed the 2600
amount paid by the department shall be negotiated by the 2601
governing body of the nonpublic secondary school and the 2602
college. 2603

However, under no circumstances shall: 2604

(1) The payments for a participant made by the department 2605
under this division exceed the lesser of the default ceiling 2606
amount or the college's standard rate. 2607

(2) Any nonpublic secondary school participant, who is 2608
enrolled in that secondary school with a scholarship awarded 2609
under either the educational choice scholarship pilot program, 2610
as prescribed by sections 3310.01 to 3310.17, or the pilot 2611
project scholarship program, as prescribed by sections 3313.974 2612
to 3313.979 of the Revised Code, and who qualifies as a low- 2613
income student under either of those programs, be charged for 2614
any tuition, textbooks, or other fees related to participation 2615
in the college credit plus program. 2616

(D) For each nonchartered nonpublic secondary school 2617
participant and each ~~home-instructed~~home-educated participant 2618
enrolled in a public, private, or eligible out-of-state college, 2619
the department shall pay to the college the lesser of the 2620
default ceiling amount or the college's standard rate, if that 2621
participant is enrolled in a college course delivered on the 2622
college campus, at another location operated by the college, or 2623
online. 2624

(E) Not later than thirty days after the end of each term, 2625
each college expecting to receive payment for the costs of a 2626
participant under this section shall notify the department of 2627
the number of enrolled credit hours for each participant. 2628

(F) The department shall make the applicable payments 2629
under this section to each college, which provided proper 2630
notification to the department under division (E) of this 2631
section, for the number of enrolled credit hours for 2632
participants enrolled in the college under division (B) of 2633
section 3365.06 of the Revised Code. Except in cases involving 2634
incomplete participant information or a dispute of participant 2635
information, payments shall be made by the last day of January 2636
for participants who were enrolled during the fall term and by 2637
the last day of July for participants who were enrolled during 2638
the spring term. The department shall not make any payments to a 2639
college under this section if a participant withdrew from a 2640
course prior to the date on which a withdrawal from the course 2641
would have negatively affected the participant's transcribed 2642
grade, as prescribed by the college's established withdrawal 2643
policy. 2644

(1) Payments made for public secondary school participants 2645
under this section shall be deducted as follows: 2646

(a) For a participant enrolled in a school district, from 2647
the school foundation payments made to the participant's school 2648
district. If the participant is enrolled in a joint vocational 2649
school district, a portion of the amount shall be deducted from 2650
the payments to the joint vocational school district and a 2651
portion shall be deducted from the payments to the participant's 2652
city, local, or exempted village school district in accordance 2653
with the full-time equivalency of the student's enrollment in 2654
each district. 2655

(b) For a participant enrolled in a community school 2656
established under Chapter 3314. of the Revised Code, from the 2657
payments made to that school under section 3317.022 of the 2658
Revised Code; 2659

(c) For a participant enrolled in a STEM school, from the 2660
payments made to that school under section 3317.022 of the 2661
Revised Code; 2662

(d) For a participant enrolled in a college-preparatory 2663
boarding school, from the payments made to that school under 2664
section 3328.34 of the Revised Code; 2665

(e) For a participant enrolled in the state school for the 2666
deaf or the state school for the blind, from the amount paid to 2667
that school with funds appropriated by the general assembly for 2668
support of that school; 2669

(f) For a participant enrolled in an institution operated 2670
by the department of youth services, from the amount paid to 2671
that institution with funds appropriated by the general assembly 2672
for support of that institution. 2673

Amounts deducted under divisions (F) (1) (a) to (f) of this 2674
section shall be calculated in accordance with rules adopted by 2675

the chancellor, in consultation with the state superintendent, 2676
pursuant to division (B) of section 3365.071 of the Revised Code 2677

(2) Payments made for nonpublic secondary school 2678
participants, nonchartered nonpublic secondary school 2679
participants, and ~~home-instructed~~ home-educated participants 2680
under this section shall be deducted from moneys appropriated by 2681
the general assembly for such purpose. Payments shall be 2682
allocated and distributed in accordance with rules adopted by 2683
the chancellor, in consultation with the state superintendent, 2684
pursuant to division (A) of section 3365.071 of the Revised 2685
Code. 2686

(G) Any public college that enrolls a student under 2687
division (B) of section 3365.06 of the Revised Code may include 2688
that student in the calculation used to determine its state 2689
share of instruction funds appropriated to the department of 2690
higher education by the general assembly. 2691

Sec. 3365.071. (A) The chancellor of ~~the Ohio board of~~ 2692
~~regents~~ higher education, in accordance with Chapter 119. of the 2693
Revised Code and in consultation with the superintendent of 2694
public instruction, shall adopt rules prescribing a method to 2695
allocate and distribute payments under section 3365.07 of the 2696
Revised Code for nonpublic secondary school participants, 2697
nonchartered nonpublic secondary school participants, and ~~home-~~ 2698
~~instructed~~ home-educated participants. The rules shall include 2699
that payments made for nonchartered nonpublic secondary school 2700
participants be made in the same manner as payments for ~~home-~~ 2701
~~instructed~~ home-educated participants under that section. 2702

(B) The chancellor, in consultation with the state 2703
superintendent, shall also adopt rules establishing a method to 2704
calculate the amounts deducted from a joint vocational school 2705

district and from a participant's city, local, or exempted 2706
village school district for payments under section 3365.07 of 2707
the Revised Code. 2708

Sec. 5103.55. A parent of a child attending a private, 2709
nonprofit therapeutic wilderness camp is not relieved of the 2710
parent's obligations regarding compulsory school attendance 2711
pursuant to section 3321.04 of the Revised Code, unless the 2712
child is exempt from compulsory attendance under section 2713
3321.042 of the Revised Code. 2714

Sec. 5107.281. A participant of Ohio works first who is 2715
enrolled in a school district in a county that is participating 2716
in the learnfare program and is not younger than age six but not 2717
older than age nineteen shall participate in the learnfare 2718
program unless one of the following is the case: 2719

(A) The participant is not yet eligible for enrollment in 2720
first grade; 2721

(B) The participant is subject to the LEAP program; 2722

(C) The participant has received one of the following: 2723

(1) A high school diploma; 2724

(2) A certificate stating that the participant has 2725
achieved the equivalent of a high school education as measured 2726
by scores obtained on a high school equivalency test approved by 2727
the department of education pursuant to division (B) of section 2728
3301.80 of the Revised Code. 2729

(D) The participant has been excused from school 2730
attendance pursuant to section 3321.04 of the Revised Code or is 2731
exempt under section 3321.042 of the Revised Code; 2732

(E) If child care services for a member of the 2733

participant's household are necessary for the participant to 2734
attend school, child care licensed or certified under Chapter 2735
5104. of the Revised Code or under sections 3301.52 to 3301.59 2736
of the Revised Code and transportation to and from the child 2737
care are not available; 2738

(F) The participant has been adjudicated a delinquent or 2739
unruly child pursuant to section 2151.28 of the Revised Code. 2740

Sec. 5709.07. (A) The following property shall be exempt 2741
from taxation: 2742

(1) Real property used by a school for primary or 2743
secondary educational purposes, including only so much of the 2744
land as is necessary for the proper occupancy, use, and 2745
enjoyment of such real property by the school for primary or 2746
secondary educational purposes. The exemption under division (A) 2747
(1) of this section does not apply to any portion of the real 2748
property not used for primary or secondary educational purposes. 2749

For purposes of division (A) (1) of this section: 2750

(a) "School" means a public or nonpublic school. "School" 2751
excludes home ~~instruction-education~~ as authorized under section 2752
~~3321.04~~3321.042 of the Revised Code. 2753

(b) "Public school" includes schools of a school district, 2754
STEM schools established under Chapter 3326. of the Revised 2755
Code, community schools established under Chapter 3314. of the 2756
Revised Code, and educational service centers established under 2757
section 3311.05 of the Revised Code. 2758

(c) "Nonpublic school" means a nonpublic school for which 2759
the state board of education has issued a charter pursuant to 2760
section 3301.16 of the Revised Code and prescribes minimum 2761
standards under division (D) (2) of section 3301.07 of the 2762

Revised Code.	2763
(2) Houses used exclusively for public worship, the books and furniture in them, and the ground attached to them that is not leased or otherwise used with a view to profit and that is necessary for their proper occupancy, use, and enjoyment;	2764 2765 2766 2767
(3) Real property owned and operated by a church that is used primarily for church retreats or church camping, and that is not used as a permanent residence. Real property exempted under division (A) (3) of this section may be made available by the church on a limited basis to charitable and educational institutions if the property is not leased or otherwise made available with a view to profit.	2768 2769 2770 2771 2772 2773 2774
(4) Public colleges and academies and all buildings connected with them, and all lands connected with public institutions of learning, not used with a view to profit, including those buildings and lands that satisfy all of the following:	2775 2776 2777 2778 2779
(a) The buildings are used for housing for full-time students or housing-related facilities for students, faculty, or employees of a state university, or for other purposes related to the state university's educational purpose, and the lands are underneath the buildings or are used for common space, walkways, and green spaces for the state university's students, faculty, or employees. As used in this division, "housing-related facilities" includes both parking facilities related to the buildings and common buildings made available to students, faculty, or employees of a state university. The leasing of space in housing-related facilities shall not be considered an activity with a view to profit for purposes of division (A) (4) of this section.	2780 2781 2782 2783 2784 2785 2786 2787 2788 2789 2790 2791 2792

(b) The buildings and lands are supervised or otherwise 2793
under the control, directly or indirectly, of an organization 2794
that is exempt from federal income taxation under section 501(c) 2795
(3) of the Internal Revenue Code of 1986, 100 Stat. 2085, 26 2796
U.S.C. 1, as amended, and the state university has entered into 2797
a qualifying joint use agreement with the organization that 2798
entitles the students, faculty, or employees of the state 2799
university to use the lands or buildings; 2800

(c) The state university has agreed, under the terms of 2801
the qualifying joint use agreement with the organization 2802
described in division (A) (4) (b) of this section, that the state 2803
university, to the extent applicable under the agreement, will 2804
make payments to the organization in amounts sufficient to 2805
maintain agreed-upon debt service coverage ratios on bonds 2806
related to the lands or buildings. 2807

(B) This section shall not extend to leasehold estates or 2808
real property held under the authority of a college or 2809
university of learning in this state; but leaseholds, or other 2810
estates or property, real or personal, the rents, issues, 2811
profits, and income of which is given to a municipal 2812
corporation, school district, or subdistrict in this state 2813
exclusively for the use, endowment, or support of schools for 2814
the free education of youth without charge shall be exempt from 2815
taxation as long as such property, or the rents, issues, 2816
profits, or income of the property is used and exclusively 2817
applied for the support of free education by such municipal 2818
corporation, district, or subdistrict. Division (B) of this 2819
section shall not apply with respect to buildings and lands that 2820
satisfy all of the requirements specified in divisions (A) (4) (a) 2821
to (c) of this section. 2822

(C) For purposes of this section, if the requirements 2823
specified in divisions (A) (4) (a) to (c) of this section are 2824
satisfied, the buildings and lands with respect to which 2825
exemption is claimed under division (A) (4) of this section shall 2826
be deemed to be used with reasonable certainty in furthering or 2827
carrying out the necessary objects and purposes of a state 2828
university. 2829

(D) As used in this section: 2830

(1) "Church" means a fellowship of believers, 2831
congregation, society, corporation, convention, or association 2832
that is formed primarily or exclusively for religious purposes 2833
and that is not formed for the private profit of any person. 2834

(2) "State university" has the same meaning as in section 2835
3345.011 of the Revised Code. 2836

(3) "Qualifying joint use agreement" means an agreement 2837
that satisfies all of the following: 2838

(a) The agreement was entered into before June 30, 2004; 2839

(b) The agreement is between a state university and an 2840
organization that is exempt from federal income taxation under 2841
section 501(c) (3) of the Internal Revenue Code of 1986, 100 2842
Stat. 2085, 26 U.S.C. 1, as amended; and 2843

(c) The state university that is a party to the agreement 2844
reported to the ~~Ohio board~~ chancellor of regents-higher 2845
education that the university maintained a headcount of at least 2846
twenty-five thousand students on its main campus during the 2847
academic school year that began in calendar year 2003 and ended 2848
in calendar year 2004. 2849

Sec. 5747.72. (A) As used in this section: 2850

(1) "Qualifying taxpayer" means a taxpayer that is an individual with a dependent who is a qualifying student.

(2) "Qualifying student" means a student who ~~was excused~~ is exempt from the compulsory attendance law for the purpose of home ~~instruction-education~~ under section ~~3321.04~~3321.042 of the Revised Code for the school year.

(3) "Education expenses" means expenses or fees for any of the following items used directly for home ~~instruction-education~~ of a qualifying student: books, supplementary materials, supplies, computer software, applications, or subscriptions. "Education expenses" does not include expenses or fees for computers or similar electronic devices or accessories thereto.

(B) There is hereby allowed a nonrefundable credit against a qualifying taxpayer's aggregate tax liability under section 5747.02 of the Revised Code equal to the lesser of two hundred fifty dollars or the amount of education expenses incurred by the taxpayer in the taxable year for the benefit of one or more of the taxpayer's qualifying students. The credit shall be claimed in the order required under section 5747.98 of the Revised Code.

The tax commissioner may request that a qualifying taxpayer claiming a credit under this section furnish information as is necessary to support the claim for the credit under this section, and no credit shall be allowed unless the requested information is provided.

Section 2. That existing sections 2151.011, 3301.0712, 3310.70, 3313.5312, 3313.5314, 3313.618, 3313.6110, 3313.6114, 3314.041, 3321.03, 3321.04, 3321.13, 3331.02, 3331.04, 3333.31, 3333.86, 3345.06, 3365.01, 3365.02, 3365.03, 3365.033, 3365.034,

3365.035, 3365.07, 3365.071, 5103.55, 5107.281, 5709.07, and 2880
5747.72 of the Revised Code are hereby repealed. 2881

Section 3. Section 3301.0712 of the Revised Code is 2882
presented in this act as a composite of the section as amended 2883
by both H.B. 82 and H.B. 110 of the 134th General Assembly. The 2884
General Assembly, applying the principle stated in division (B) 2885
of section 1.52 of the Revised Code that amendments are to be 2886
harmonized if reasonably capable of simultaneous operation, 2887
finds that the composite is the resulting version of the section 2888
in effect prior to the effective date of the section as 2889
presented in this act. 2890