

**As Passed by the Senate**

**135th General Assembly**

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**Sub. S. B. No. 162**

**Senator Brenner**

**Cosponsors: Senators Cirino, Dolan, Gavarone, Lang, Reineke, Reynolds,  
Romanchuk, Sykes**

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**A BILL**

To amend sections 3301.0714, 3314.03, and 3326.11 1  
and to enact sections 3302.131, 3302.132, and 2  
3313.6030 of the Revised Code with regard to 3  
academic intervention services at public schools 4  
and the establishment of mathematics improvement 5  
and intervention plans and to amend the versions 6  
of sections 3301.0714 and 3314.03 of the Revised 7  
Code that are scheduled to take effect January 8  
1, 2025, to continue the changes on and after 9  
that effective date. 10

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

**Section 1.** That sections 3301.0714, 3314.03, and 3326.11 11  
be amended and sections 3302.131, 3302.132, and 3313.6030 of the 12  
Revised Code be enacted to read as follows: 13

**Sec. 3301.0714.** (A) The department of education and 14  
workforce shall adopt rules for a statewide education management 15  
information system. The rules shall require the department to 16  
establish guidelines for the establishment and maintenance of 17  
the system in accordance with this section and the rules adopted 18

under this section. The guidelines shall include:	19
(1) Standards identifying and defining the types of data in the system in accordance with divisions (B) and (C) of this section;	20 21 22
(2) Procedures for annually collecting and reporting the data to the department in accordance with division (D) of this section;	23 24 25
(3) Procedures for annually compiling the data in accordance with division (G) of this section;	26 27
(4) Procedures for annually reporting the data to the public in accordance with division (H) of this section;	28 29
(5) Standards to provide strict safeguards to protect the confidentiality of personally identifiable student data.	30 31
(B) The guidelines adopted under this section shall require the data maintained in the education management information system to include at least the following:	32 33 34
(1) Student participation and performance data, for each grade in each school district as a whole and for each grade in each school building in each school district, that includes:	35 36 37
(a) The numbers of students receiving each category of instructional service offered by the school district, such as regular education instruction, vocational education instruction, specialized instruction programs or enrichment instruction that is part of the educational curriculum, instruction for gifted students, instruction for students with disabilities, and remedial instruction. The guidelines shall require instructional services under this division to be divided into discrete categories if an instructional service is limited to a specific	38 39 40 41 42 43 44 45 46

subject, a specific type of student, or both, such as regular 47  
instructional services in mathematics, remedial reading 48  
instructional services, instructional services specifically for 49  
students gifted in mathematics or some other subject area, or 50  
instructional services for students with a specific type of 51  
disability. The categories of instructional services required by 52  
the guidelines under this division shall be the same as the 53  
categories of instructional services used in determining cost 54  
units pursuant to division (C) (3) of this section. 55

(b) The numbers of students receiving support or 56  
extracurricular services for each of the support services or 57  
extracurricular programs offered by the school district, such as 58  
counseling services, health services, and extracurricular sports 59  
and fine arts programs. The categories of services required by 60  
the guidelines under this division shall be the same as the 61  
categories of services used in determining cost units pursuant 62  
to division (C) (4) (a) of this section. 63

(c) Average student grades in each subject in grades nine 64  
through twelve; 65

(d) Academic achievement levels as assessed under sections 66  
3301.0710, 3301.0711, and 3301.0712 of the Revised Code; 67

(e) The number of students designated as having a 68  
disabling condition pursuant to division (C) (1) of section 69  
3301.0711 of the Revised Code; 70

(f) The numbers of students reported to the department 71  
pursuant to division (C) (2) of section 3301.0711 of the Revised 72  
Code; 73

(g) Attendance rates and the average daily attendance for 74  
the year. For purposes of this division, a student shall be 75

counted as present for any field trip that is approved by the school administration.	76 77
(h) Expulsion rates;	78
(i) Suspension rates;	79
(j) Dropout rates;	80
(k) Rates of retention in grade;	81
(l) For pupils in grades nine through twelve, the average number of carnegie units, as calculated in accordance with the director's rules;	82 83 84
(m) Graduation rates, to be calculated in a manner specified by the department that reflects the rate at which students who were in the ninth grade three years prior to the current year complete school and that is consistent with nationally accepted reporting requirements;	85 86 87 88 89
(n) Results of diagnostic assessments administered to kindergarten students as required under section 3301.0715 of the Revised Code to permit a comparison of the academic readiness of kindergarten students. However, no district shall be required to report to the department the results of any diagnostic assessment administered to a kindergarten student, except for the language and reading assessment described in division (A)(2) of section 3301.0715 of the Revised Code, if the parent of that student requests the district not to report those results.	90 91 92 93 94 95 96 97 98
(o) Beginning on July 1, 2018, for each disciplinary action which is required to be reported under division (B)(5) of this section, districts and schools also shall include an identification of the person or persons, if any, at whom the student's violent behavior that resulted in discipline was	99 100 101 102 103

directed. The person or persons shall be identified by the 104  
respective classification at the district or school, such as 105  
student, teacher, or nonteaching employee, but shall not be 106  
identified by name. 107

Division (B) (1) (o) of this section does not apply after 108  
the date that is two years following the submission of the 109  
report required by Section 733.13 of H.B. 49 of the 132nd 110  
general assembly. 111

(p) The number of students earning each state diploma seal 112  
included in the system prescribed under division (A) of section 113  
3313.6114 of the Revised Code; 114

(q) The number of students demonstrating competency for 115  
graduation using each option described in divisions (B) (1) (a) to 116  
(d) of section 3313.618 of the Revised Code; 117

(r) The number of students completing each foundational 118  
and supporting option as part of the demonstration of competency 119  
for graduation pursuant to division (B) (1) (b) of section 120  
3313.618 of the Revised Code; 121

(s) The number of students enrolled in all-day 122  
kindergarten, as defined in section 3321.05 of the Revised Code. 123

(2) Personnel and classroom enrollment data for each 124  
school district, including: 125

(a) The total numbers of licensed employees and 126  
nonlicensed employees and the numbers of full-time equivalent 127  
licensed employees and nonlicensed employees providing each 128  
category of instructional service, instructional support 129  
service, and administrative support service used pursuant to 130  
division (C) (3) of this section. The guidelines adopted under 131  
this section shall require these categories of data to be 132

maintained for the school district as a whole and, wherever 133  
applicable, for each grade in the school district as a whole, 134  
for each school building as a whole, and for each grade in each 135  
school building. 136

(b) The total number of employees and the number of full- 137  
time equivalent employees providing each category of service 138  
used pursuant to divisions (C) (4) (a) and (b) of this section, 139  
and the total numbers of licensed employees and nonlicensed 140  
employees and the numbers of full-time equivalent licensed 141  
employees and nonlicensed employees providing each category used 142  
pursuant to division (C) (4) (c) of this section. The guidelines 143  
adopted under this section shall require these categories of 144  
data to be maintained for the school district as a whole and, 145  
wherever applicable, for each grade in the school district as a 146  
whole, for each school building as a whole, and for each grade 147  
in each school building. 148

(c) The total number of regular classroom teachers 149  
teaching classes of regular education and the average number of 150  
pupils enrolled in each such class, in each of grades 151  
kindergarten through five in the district as a whole and in each 152  
school building in the school district. 153

(d) The number of lead teachers employed by each school 154  
district and each school building. 155

(3) (a) Student demographic data for each school district, 156  
including information regarding the gender ratio of the school 157  
district's pupils, the racial make-up of the school district's 158  
pupils, the number of English learners in the district, and an 159  
appropriate measure of the number of the school district's 160  
pupils who reside in economically disadvantaged households. The 161  
demographic data shall be collected in a manner to allow 162

correlation with data collected under division (B) (1) of this 163  
section. Categories for data collected pursuant to division (B) 164  
(3) of this section shall conform, where appropriate, to 165  
standard practices of agencies of the federal government. 166

(b) With respect to each student entering kindergarten, 167  
whether the student previously participated in a public 168  
preschool program, a private preschool program, or a head start 169  
program, and the number of years the student participated in 170  
each of these programs. 171

(4) (a) The core curriculum and instructional materials 172  
being used for English language arts in each of grades pre- 173  
kindergarten to five; 174

(b) The reading intervention programs being used in each 175  
of grades pre-kindergarten to twelve. 176

~~(5)~~ (5) (a) The core curriculum and instructional materials 177  
being used for mathematics in each of grades kindergarten to 178  
eight; 179

(b) The mathematics intervention programs being used in 180  
each of grades kindergarten to twelve. 181

(6) Any data required to be collected pursuant to federal 182  
law. 183

(C) The education management information system shall 184  
include cost accounting data for each district as a whole and 185  
for each school building in each school district. The guidelines 186  
adopted under this section shall require the cost data for each 187  
school district to be maintained in a system of mutually 188  
exclusive cost units and shall require all of the costs of each 189  
school district to be divided among the cost units. The 190  
guidelines shall require the system of mutually exclusive cost 191

units to include at least the following:	192
(1) Administrative costs for the school district as a whole. The guidelines shall require the cost units under this division (C) (1) to be designed so that each of them may be compiled and reported in terms of average expenditure per pupil in enrolled ADM in the school district, as determined pursuant to section 3317.03 of the Revised Code.	193 194 195 196 197 198
(2) Administrative costs for each school building in the school district. The guidelines shall require the cost units under this division (C) (2) to be designed so that each of them may be compiled and reported in terms of average expenditure per full-time equivalent pupil receiving instructional or support services in each building.	199 200 201 202 203 204
(3) Instructional services costs for each category of instructional service provided directly to students and required by guidelines adopted pursuant to division (B) (1) (a) of this section. The guidelines shall require the cost units under division (C) (3) of this section to be designed so that each of them may be compiled and reported in terms of average expenditure per pupil receiving the service in the school district as a whole and average expenditure per pupil receiving the service in each building in the school district and in terms of a total cost for each category of service and, as a breakdown of the total cost, a cost for each of the following components:	205 206 207 208 209 210 211 212 213 214 215
(a) The cost of each instructional services category required by guidelines adopted under division (B) (1) (a) of this section that is provided directly to students by a classroom teacher;	216 217 218 219
(b) The cost of the instructional support services, such	220

as services provided by a speech-language pathologist, classroom 221  
aide, multimedia aide, or librarian, provided directly to 222  
students in conjunction with each instructional services 223  
category; 224

(c) The cost of the administrative support services 225  
related to each instructional services category, such as the 226  
cost of personnel that develop the curriculum for the 227  
instructional services category and the cost of personnel 228  
supervising or coordinating the delivery of the instructional 229  
services category. 230

(4) Support or extracurricular services costs for each 231  
category of service directly provided to students and required 232  
by guidelines adopted pursuant to division (B) (1) (b) of this 233  
section. The guidelines shall require the cost units under 234  
division (C) (4) of this section to be designed so that each of 235  
them may be compiled and reported in terms of average 236  
expenditure per pupil receiving the service in the school 237  
district as a whole and average expenditure per pupil receiving 238  
the service in each building in the school district and in terms 239  
of a total cost for each category of service and, as a breakdown 240  
of the total cost, a cost for each of the following components: 241

(a) The cost of each support or extracurricular services 242  
category required by guidelines adopted under division (B) (1) (b) 243  
of this section that is provided directly to students by a 244  
licensed employee, such as services provided by a guidance 245  
counselor or any services provided by a licensed employee under 246  
a supplemental contract; 247

(b) The cost of each such services category provided 248  
directly to students by a nonlicensed employee, such as 249  
janitorial services, cafeteria services, or services of a sports 250

trainer;	251
(c) The cost of the administrative services related to	252
each services category in division (C) (4) (a) or (b) of this	253
section, such as the cost of any licensed or nonlicensed	254
employees that develop, supervise, coordinate, or otherwise are	255
involved in administering or aiding the delivery of each	256
services category.	257
(D) (1) The guidelines adopted under this section shall	258
require school districts to collect information about individual	259
students, staff members, or both in connection with any data	260
required by division (B) or (C) of this section or other	261
reporting requirements established in the Revised Code. The	262
guidelines may also require school districts to report	263
information about individual staff members in connection with	264
any data required by division (B) or (C) of this section or	265
other reporting requirements established in the Revised Code.	266
The guidelines shall not authorize school districts to request	267
social security numbers of individual students. The guidelines	268
shall prohibit the reporting under this section of a student's	269
name, address, and social security number to the department. The	270
guidelines shall also prohibit the reporting under this section	271
of any personally identifiable information about any student,	272
except for the purpose of assigning the data verification code	273
required by division (D) (2) of this section, to any other person	274
unless such person is employed by the school district or the	275
information technology center operated under section 3301.075 of	276
the Revised Code and is authorized by the district or technology	277
center to have access to such information or is employed by an	278
entity with which the department contracts for the scoring or	279
the development of state assessments. The guidelines may require	280
school districts to provide the social security numbers of	281

individual staff members and the county of residence for a 282  
student. Nothing in this section prohibits the department from 283  
providing a student's county of residence to the department of 284  
taxation to facilitate the distribution of tax revenue. 285

(2) (a) The guidelines shall provide for each school 286  
district or community school to assign a data verification code 287  
that is unique on a statewide basis over time to each student 288  
whose initial Ohio enrollment is in that district or school and 289  
to report all required individual student data for that student 290  
utilizing such code. The guidelines shall also provide for 291  
assigning data verification codes to all students enrolled in 292  
districts or community schools on the effective date of the 293  
guidelines established under this section. The assignment of 294  
data verification codes for other entities, as described in 295  
division (D) (2) (d) of this section, the use of those codes, and 296  
the reporting and use of associated individual student data 297  
shall be coordinated by the department of education and 298  
workforce in accordance with state and federal law. 299

School districts shall report individual student data to 300  
the department through the information technology centers 301  
utilizing the code. The entities described in division (D) (2) (d) 302  
of this section shall report individual student data to the 303  
department in the manner prescribed by the department. 304

(b) (i) Except as provided in sections 3301.941, 3310.11, 305  
3310.42, 3310.63, 3313.978, 3317.20, and 5747.057 of the Revised 306  
Code, and in division (D) (2) (b) (ii) of this section, at no time 307  
shall the department have access to information that would 308  
enable any data verification code to be matched to personally 309  
identifiable student data. 310

(ii) For the purpose of making per-pupil payments to 311

community schools under section 3317.022 of the Revised Code, 312  
the department shall have access to information that would 313  
enable any data verification code to be matched to personally 314  
identifiable student data. 315

(c) Each school district and community school shall ensure 316  
that the data verification code is included in the student's 317  
records reported to any subsequent school district, community 318  
school, or state institution of higher education, as defined in 319  
section 3345.011 of the Revised Code, in which the student 320  
enrolls. Any such subsequent district or school shall utilize 321  
the same identifier in its reporting of data under this section. 322

(d) (i) The director of any state agency that administers a 323  
publicly funded program providing services to children who are 324  
younger than compulsory school age, as defined in section 325  
3321.01 of the Revised Code, including the directors of health, 326  
job and family services, mental health and addiction services, 327  
and developmental disabilities, shall request and receive, 328  
pursuant to sections 3301.0723 and 5123.0423 of the Revised 329  
Code, a data verification code for a child who is receiving 330  
those services. 331

(ii) The director of developmental disabilities, director 332  
of health, director of job and family services, director of 333  
mental health and addiction services, medicaid director, 334  
executive director of the commission on minority health, 335  
executive director of the opportunities for Ohioans with 336  
disabilities agency, or director of education and workforce, on 337  
behalf of a program that receives public funds and provides 338  
services to children who are younger than compulsory school age, 339  
may request and receive, pursuant to section 3301.0723 of the 340  
Revised Code, a data verification code for a child who is 341

receiving services from the program. 342

(E) The guidelines adopted under this section may require 343  
school districts to collect and report data, information, or 344  
reports other than that described in divisions (A), (B), and (C) 345  
of this section for the purpose of complying with other 346  
reporting requirements established in the Revised Code. The 347  
other data, information, or reports may be maintained in the 348  
education management information system but are not required to 349  
be compiled as part of the profile formats required under 350  
division (G) of this section or the annual statewide report 351  
required under division (H) of this section. 352

(F) The board of education of each school district shall 353  
annually collect and report to the department, in accordance 354  
with the guidelines established by the department, the data 355  
required pursuant to this section. A school district may collect 356  
and report these data notwithstanding section 2151.357 or 357  
3319.321 of the Revised Code. 358

(G) The department shall, in accordance with the 359  
procedures it adopts, annually compile the data reported by each 360  
school district pursuant to division (D) of this section. The 361  
department shall design formats for profiling each school 362  
district as a whole and each school building within each 363  
district and shall compile the data in accordance with these 364  
formats. These profile formats shall: 365

(1) Include all of the data gathered under this section in 366  
a manner that facilitates comparison among school districts and 367  
among school buildings within each school district; 368

(2) Present the data on academic achievement levels as 369  
assessed by the testing of student achievement maintained 370

pursuant to division (B) (1) (d) of this section. 371

(H) (1) The department shall, in accordance with the 372  
procedures it adopts, annually prepare a statewide report for 373  
all school districts and the general public that includes the 374  
profile of each of the school districts developed pursuant to 375  
division (G) of this section. Copies of the report shall be sent 376  
to each school district. 377

(2) The department shall, in accordance with the 378  
procedures it adopts, annually prepare an individual report for 379  
each school district and the general public that includes the 380  
profiles of each of the school buildings in that school district 381  
developed pursuant to division (G) of this section. Copies of 382  
the report shall be sent to the superintendent of the district 383  
and to each member of the district board of education. 384

(3) Copies of the reports prescribed in divisions (H) (1) 385  
and (2) of this section shall be made available to the general 386  
public at each school district's offices. Each district board of 387  
education shall make copies of each report available to any 388  
person upon request and payment of a reasonable fee for the cost 389  
of reproducing the report. The board shall annually publish in a 390  
newspaper of general circulation in the school district, at 391  
least twice during the two weeks prior to the week in which the 392  
reports will first be available, a notice containing the address 393  
where the reports are available and the date on which the 394  
reports will be available. 395

(I) Any data that is collected or maintained pursuant to 396  
this section and that identifies an individual pupil is not a 397  
public record for the purposes of section 149.43 of the Revised 398  
Code. 399

(J) As used in this section:	400
(1) "School district" means any city, local, exempted village, or joint vocational school district and, in accordance with section 3314.17 of the Revised Code, any community school. As used in division (L) of this section, "school district" also includes any educational service center or other educational entity required to submit data using the system established under this section.	401 402 403 404 405 406 407
(2) "Cost" means any expenditure for operating expenses made by a school district excluding any expenditures for debt retirement except for payments made to any commercial lending institution for any loan approved pursuant to section 3313.483 of the Revised Code.	408 409 410 411 412
(K) Any person who removes data from the information system established under this section for the purpose of releasing it to any person not entitled under law to have access to such information is subject to section 2913.42 of the Revised Code prohibiting tampering with data.	413 414 415 416 417
(L) (1) In accordance with division (L) (2) of this section and the rules adopted under division (L) (10) of this section, the department may sanction any school district that reports incomplete or inaccurate data, reports data that does not conform to data requirements and descriptions published by the department, fails to report data in a timely manner, or otherwise does not make a good faith effort to report data as required by this section.	418 419 420 421 422 423 424 425
(2) If the department decides to sanction a school district under this division, the department shall take the following sequential actions:	426 427 428

(a) Notify the district in writing that the department has 429  
determined that data has not been reported as required under 430  
this section and require the district to review its data 431  
submission and submit corrected data by a deadline established 432  
by the department. The department also may require the district 433  
to develop a corrective action plan, which shall include 434  
provisions for the district to provide mandatory staff training 435  
on data reporting procedures. 436

(b) Withhold up to ten per cent of the total amount of 437  
state funds due to the district for the current fiscal year and, 438  
if not previously required under division (L) (2) (a) of this 439  
section, require the district to develop a corrective action 440  
plan in accordance with that division; 441

(c) Withhold an additional amount of up to twenty per cent 442  
of the total amount of state funds due to the district for the 443  
current fiscal year; 444

(d) Direct department staff or an outside entity to 445  
investigate the district's data reporting practices and make 446  
recommendations for subsequent actions. The recommendations may 447  
include one or more of the following actions: 448

(i) Arrange for an audit of the district's data reporting 449  
practices by department staff or an outside entity; 450

(ii) Conduct a site visit and evaluation of the district; 451

(iii) Withhold an additional amount of up to thirty per 452  
cent of the total amount of state funds due to the district for 453  
the current fiscal year; 454

(iv) Continue monitoring the district's data reporting; 455

(v) Assign department staff to supervise the district's 456

data management system; 457

(vi) Conduct an investigation to determine whether to 458  
suspend or revoke the license of any district employee in 459  
accordance with division (N) of this section; 460

(vii) If the district is issued a report card under 461  
section 3302.03 of the Revised Code, indicate on the report card 462  
that the district has been sanctioned for failing to report data 463  
as required by this section; 464

(viii) If the district is issued a report card under 465  
section 3302.03 of the Revised Code and incomplete or inaccurate 466  
data submitted by the district likely caused the district to 467  
receive a higher performance rating than it deserved under that 468  
section, issue a revised report card for the district; 469

(ix) Any other action designed to correct the district's 470  
data reporting problems. 471

(3) Any time the department takes an action against a 472  
school district under division (L)(2) of this section, the 473  
department shall make a report of the circumstances that 474  
prompted the action. The department shall send a copy of the 475  
report to the district superintendent or chief administrator and 476  
maintain a copy of the report in its files. 477

(4) If any action taken under division (L)(2) of this 478  
section resolves a school district's data reporting problems to 479  
the department's satisfaction, the department shall not take any 480  
further actions described by that division. If the department 481  
withheld funds from the district under that division, the 482  
department may release those funds to the district, except that 483  
if the department withheld funding under division (L)(2)(c) of 484  
this section, the department shall not release the funds 485

withheld under division (L) (2) (b) of this section and, if the 486  
department withheld funding under division (L) (2) (d) of this 487  
section, the department shall not release the funds withheld 488  
under division (L) (2) (b) or (c) of this section. 489

(5) Notwithstanding anything in this section to the 490  
contrary, the department may use its own staff or an outside 491  
entity to conduct an audit of a school district's data reporting 492  
practices any time the department has reason to believe the 493  
district has not made a good faith effort to report data as 494  
required by this section. If any audit conducted by an outside 495  
entity under division (L) (2) (d) (i) or (5) of this section 496  
confirms that a district has not made a good faith effort to 497  
report data as required by this section, the district shall 498  
reimburse the department for the full cost of the audit. The 499  
department may withhold state funds due to the district for this 500  
purpose. 501

(6) Prior to issuing a revised report card for a school 502  
district under division (L) (2) (d) (viii) of this section, the 503  
department may hold a hearing to provide the district with an 504  
opportunity to demonstrate that it made a good faith effort to 505  
report data as required by this section. The hearing shall be 506  
conducted by a referee appointed by the department. Based on the 507  
information provided in the hearing, the referee shall recommend 508  
whether the department should issue a revised report card for 509  
the district. If the referee affirms the department's contention 510  
that the district did not make a good faith effort to report 511  
data as required by this section, the district shall bear the 512  
full cost of conducting the hearing and of issuing any revised 513  
report card. 514

(7) If the department determines that any inaccurate data 515

reported under this section caused a school district to receive 516  
excess state funds in any fiscal year, the district shall 517  
reimburse the department an amount equal to the excess funds, in 518  
accordance with a payment schedule determined by the department. 519  
The department may withhold state funds due to the district for 520  
this purpose. 521

(8) Any school district that has funds withheld under 522  
division (L) (2) of this section may appeal the withholding in 523  
accordance with Chapter 119. of the Revised Code. 524

(9) In all cases of a disagreement between the department 525  
and a school district regarding the appropriateness of an action 526  
taken under division (L) (2) of this section, the burden of proof 527  
shall be on the district to demonstrate that it made a good 528  
faith effort to report data as required by this section. 529

(10) The director of education and workforce shall adopt 530  
rules under Chapter 119. of the Revised Code to implement 531  
division (L) of this section. 532

(M) No information technology center or school district 533  
shall acquire, change, or update its student administration 534  
software package to manage and report data required to be 535  
reported to the department unless it converts to a student 536  
software package that is certified by the department. 537

(N) The state board of education, in accordance with 538  
sections 3319.31 and 3319.311 of the Revised Code, may suspend 539  
or revoke a license as defined under division (A) of section 540  
3319.31 of the Revised Code that has been issued to any school 541  
district employee found to have willfully reported erroneous, 542  
inaccurate, or incomplete data to the education management 543  
information system. 544

(O) No person shall release or maintain any information 545  
about any student in violation of this section. Whoever violates 546  
this division is guilty of a misdemeanor of the fourth degree. 547

(P) The department shall disaggregate the data collected 548  
under division (B) (1) (n) of this section according to the race 549  
and socioeconomic status of the students assessed. 550

(Q) If the department cannot compile any of the 551  
information required by division (I) of section 3302.03 of the 552  
Revised Code based upon the data collected under this section, 553  
the department shall develop a plan and a reasonable timeline 554  
for the collection of any data necessary to comply with that 555  
division. 556

Sec. 3302.131. (A) Beginning with the 2024-2025 school 557  
year and each school year thereafter, each school district or 558  
community school in which fifty-one per cent or less of the 559  
district's or school's students who took the third grade 560  
mathematics assessment prescribed under section 3301.0710 of the 561  
Revised Code for that school year attained at least a proficient 562  
score on that assessment shall establish and submit to the 563  
department of education and workforce a mathematics achievement 564  
improvement plan. 565

(B) The department shall establish guidelines prescribing 566  
the content of and deadlines for mathematics achievement 567  
improvement plans required under division (A) of this section. 568  
The guidelines shall prescribe that each plan include, at a 569  
minimum, an analysis of relevant student performance data, 570  
measurable student performance goals, strategies to meet 571  
specific student needs, a staffing and professional development 572  
plan, and instructional strategies for improving student 573  
performance. 574

(C) Beginning with the 2024-2025 school year and each 575  
school year thereafter, any school district or community school 576  
to which this section applies is no longer required to submit an 577  
improvement plan pursuant to division (A) of this section when 578  
not less than fifty-one per cent of the district's students who 579  
took the third grade mathematics assessment prescribed under 580  
section 3301.0710 of the Revised Code for that school year 581  
attained at least a proficient score on that assessment. 582

(D) The department shall post in a prominent location on 583  
its web site all plans submitted pursuant to this section. 584

**Sec. 3302.132.** (A) Beginning with the 2024-2025 school 585  
year and each school year thereafter, for each student required 586  
to be provided mathematics intervention services under section 587  
3313.6030 of the Revised Code, the district shall develop a 588  
mathematics improvement and monitoring plan within sixty days 589  
after receiving the student's results on the third grade 590  
mathematics assessment prescribed under section 3301.0710 of the 591  
Revised Code. The district shall involve the student's parent or 592  
guardian and classroom teacher in developing the plan. The plan 593  
shall include all of the following: 594

(1) Identification of the student's specific mathematics 595  
deficiencies; 596

(2) A description of the additional instructional services 597  
and support that will be provided to the student to remediate 598  
the identified mathematics deficiencies; 599

(3) Opportunities for the student's parent or guardian to 600  
be involved in the instructional services and support described 601  
in division (A) (2) of this section; 602

(4) A process for monitoring the extent to which the 603

student receives the instructional services and support 604  
described in division (A) (2) of this section; 605

(5) A mathematics curriculum during regular school hours 606  
that does all of the following: 607

(a) Assists students in mathematics at grade level; 608

(b) Provides scientifically based and reliable assessment; 609

(c) Provides initial and ongoing analysis of each 610  
student's progress. 611

(6) High-dosage tutoring opportunities aligned with the 612  
student's classroom instruction through a state-approved vendor 613  
on the list of high-quality tutoring vendors under section 614  
3301.136 of the Revised Code or a locally approved opportunity 615  
that aligns with high-dosage tutoring best practices. High- 616  
dosage tutoring opportunities shall include additional 617  
instruction time delivered at least three days per week, or at 618  
least fifty hours over thirty-six weeks. 619

(B) (1) The district shall continue to implement the plan 620  
developed under division (A) of this section until the student 621  
achieves the required level of skill in mathematics for the 622  
student's current grade level. 623

(2) The district shall report any information requested by 624  
the department of education and workforce about the mathematics 625  
improvement and monitoring plans developed under this section in 626  
the manner required by the department. 627

**Sec. 3313.6030. (A) As used in this section:** 628

(1) "Qualifying student" means a student who demonstrates 629  
a limited level of skill on a state assessment in mathematics or 630  
English language arts, or both. 631

(2) "State assessment" means an achievement assessment 632  
prescribed under section 3301.0710 of the Revised Code or an 633  
end-of-course examination prescribed under section 3301.0712 of 634  
the Revised Code. 635

(3) "Tutoring supports" means high-dosage tutoring 636  
opportunities aligned with the student's classroom instruction 637  
through a state-approved vendor on the list of high-quality 638  
tutoring vendors under section 3301.136 of the Revised Code or a 639  
locally approved opportunity that aligns with high-dosage 640  
tutoring best practices. High-dosage tutoring opportunities 641  
shall include additional instruction time of at least three days 642  
per week, or at least fifty hours over thirty-six weeks. 643

To the extent practicable, districts and schools shall 644  
endeavor to provide each of a student's tutoring supports with 645  
the same tutor. 646

(4) "Integrated student supports" means an evidence based 647  
approach whereby schools intentionally and systematically 648  
leverage and coordinate resources and relationships available in 649  
the school and the surrounding community to address 650  
comprehensive student strengths, interests, and needs. 651

(B) Each school district, community school established 652  
pursuant to Chapter 3314., and STEM school established pursuant 653  
to Chapter 3326. of the Revised Code shall provide evidence- 654  
based academic intervention services, free of cost, to each 655  
qualifying student. The district or school shall provide those 656  
services directly, through a contracted vendor, or as a 657  
combination of both options. A district or school annually shall 658  
notify the department of education and workforce, through the 659  
education management information system established under 660  
section 3301.0714 of the Revised Code, of all of the following: 661

(1) The number of qualifying students enrolled in the 662  
district or school; 663

(2) The number of qualifying students receiving academic 664  
intervention services in mathematics, English language arts, or 665  
both; 666

(3) The number of qualifying students receiving academic 667  
intervention services from the district or school directly, 668  
through a vendor, or a combination of both options. 669

(C) (1) Academic intervention services provided to a 670  
student under this section may encompass a variety of evidence- 671  
based supports, including tutoring supports, additional 672  
instruction time, an extended school calendar, participation in 673  
a learning support program, or any other academically centered 674  
support service that the district or school determines will 675  
improve the student's academic performance. Intervention 676  
services may also be offered in combination with integrated 677  
student supports. 678

(2) All academic intervention services provided to a 679  
qualifying student under this section shall align with the 680  
academic instruction the student receives. Intervention services 681  
shall be in addition to and not a replacement for existing 682  
academic instruction and other services provided to students. 683  
All academic intervention services in English language arts 684  
shall align with the science of reading as defined in section 685  
3313.6028 of the Revised Code. 686

(D) A district or school shall ensure that academic 687  
intervention services provided to a qualifying student under 688  
division (C) of this section do not supplant the student's core 689  
academic instructional time. 690

(E) (1) A district or school shall notify the parent or guardian of a qualifying student that the student will receive academic intervention services prior to providing services to the student. Notification shall include a description of which intervention or interventions the qualifying student will receive and who will provide services to the student. 691  
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(2) The district or school periodically shall update the parent or guardian on the academic intervention services provided to the qualifying student and shall provide resources and recommendations for ways the parent or guardian may assist the qualifying student. 697  
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(F) (1) Beginning with the 2024-2025 school year, and each school year thereafter, the department randomly shall identify and select individual schools operated by a school district, community schools, and STEM schools for a review of their academic intervention services for qualifying students under this section. The department shall not select more than five per cent of all schools to review each year. No school shall be selected for review more than once every three years. The review shall include, at a minimum, a document review, interviews with applicable school staff, and observations of interventions. 702  
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The review shall assess all of the following: 712

(a) Whether qualifying students receive academic intervention services in accordance with division (B) of this section; 713  
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(b) The types and methods of academic intervention services that qualifying students receive; 716  
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(c) The quality of the academic intervention services provided by the school or the contracted vendor. To determine 718  
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quality, the department may consider the length and duration of 720  
the intervention, specific programs and curriculum being used, 721  
the credentials and training of intervention providers, and data 722  
regarding qualifying student progress. 723

(2) The department shall provide a report to the school 724  
containing its review of the school's academic intervention 725  
services not later than seventy-five days after the department 726  
completes the review. Each report shall include an assessment of 727  
the efficacy of the academic intervention services provided to 728  
qualifying students, along with any recommendations the 729  
department considers necessary. The school shall post a copy of 730  
the report on its web site and shall make the report available 731  
upon request to any person. The department shall include a 732  
review completed under this division as part of the student 733  
opportunity profile on the state report card under section 734  
3302.03 of the Revised Code. 735

(3) The department may contract with an organization that 736  
has documented expertise in supporting school improvement and 737  
academic intervention services to help with conducting its 738  
review under division (F) of this section. 739

(G) (1) A student is no longer a qualifying student under 740  
this section when the student achieves a level of skill higher 741  
than limited on a statewide assessment or diagnostic assessment 742  
prescribed under sections 3301.079, 3301.0710, 3301.0712, and 743  
3301.0715 of the Revised Code, in mathematics or English 744  
language arts, taken for the grade level in which the student is 745  
enrolled. 746

(2) A district or school shall not be required to provide 747  
academic intervention services in either mathematics or English 748  
language arts to a qualifying student if both of the following 749

apply: 750

(a) The student receives a final course letter grade of "C" or higher, or the equivalent, in the course in the subject area that is associated with the state assessment on which the student demonstrates a limited level of skill. 751  
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(b) The student scored at or above grade level in the last two diagnostic assessments in the subject area described in division (G) (2) (a) of this section that were administered to the student. 755  
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(3) If a qualifying student receiving academic intervention services in both mathematics and English language arts demonstrates a skill greater than limited under this section in one, but not both, subject areas, the student shall continue to receive academic intervention services for the subject area in which the student continues to demonstrate a limited level of skill. 759  
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(4) Any student in any of grades nine through twelve who fails to demonstrate a level of skill greater than limited on an end-of-course examination in mathematics or English language arts, or both, as prescribed under section 3301.0712 of the Revised Code, and is not required to retake the examination, continues to qualify for intervention services under this section. For such a student, the district or school shall align intervention services with the student's selected graduation pathway prescribed under section 3313.618 of the Revised Code. 766  
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(H) Nothing in this section prohibits a district or school from providing academic intervention services to a student who does not meet the definition of a qualifying student under this section. 775  
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<b>Sec. 3314.03.</b> A copy of every contract entered into under	779
this section shall be filed with the director of education and	780
workforce. The department of education and workforce shall make	781
available on its web site a copy of every approved, executed	782
contract filed with the director under this section.	783
(A) Each contract entered into between a sponsor and the	784
governing authority of a community school shall specify the	785
following:	786
(1) That the school shall be established as either of the	787
following:	788
(a) A nonprofit corporation established under Chapter	789
1702. of the Revised Code, if established prior to April 8,	790
2003;	791
(b) A public benefit corporation established under Chapter	792
1702. of the Revised Code, if established after April 8, 2003.	793
(2) The education program of the school, including the	794
school's mission, the characteristics of the students the school	795
is expected to attract, the ages and grades of students, and the	796
focus of the curriculum;	797
(3) The academic goals to be achieved and the method of	798
measurement that will be used to determine progress toward those	799
goals, which shall include the statewide achievement	800
assessments;	801
(4) Performance standards, including but not limited to	802
all applicable report card measures set forth in section 3302.03	803
or 3314.017 of the Revised Code, by which the success of the	804
school will be evaluated by the sponsor;	805
(5) The admission standards of section 3314.06 of the	806

Revised Code and, if applicable, section 3314.061 of the Revised Code;	807 808
(6) (a) Dismissal procedures;	809
(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in seventy-two consecutive hours of the learning opportunities offered to the student.	810 811 812 813 814 815
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	816 817
(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.	818 819 820 821 822 823
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	824 825
(a) A detailed description of each facility used for instructional purposes;	826 827
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	828 829
(c) The annual mortgage principal and interest payments that are paid by the school;	830 831
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	832 833 834

(10) Qualifications of employees, including both of the following:	835 836
(a) A requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours or forty hours per week pursuant to section 3319.301 of the Revised Code;	837 838 839 840 841
(b) A prohibition against the school employing an individual described in section 3314.104 of the Revised Code in any position.	842 843 844
(11) That the school will comply with the following requirements:	845 846
(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred twenty hours per school year.	847 848 849
(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school.	850 851 852
(c) The school will be nonsectarian in its programs, admission policies, employment practices, and all other operations, and will not be operated by a sectarian school or religious institution.	853 854 855 856
(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, <u>3302.131, 3302.132</u> , 3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 3313.6029, <u>3313.6030</u> , 3313.643, 3313.648,	857 858 859 860 861 862 863

3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 864  
3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 865  
3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 866  
3313.719, 3313.7112, 3313.7117, 3313.721, 3313.80, 3313.814, 867  
3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 868  
3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.238, 869  
3319.318, 3319.321, 3319.324, 3319.39, 3319.391, 3319.393, 870  
3319.41, 3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 871  
3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 872  
3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 873  
5502.703, and 5705.391 and Chapters 117., 1347., 2744., 3365., 874  
3742., 4112., 4123., 4141., and 4167. of the Revised Code as if 875  
it were a school district and will comply with section 3301.0714 876  
of the Revised Code in the manner specified in section 3314.17 877  
of the Revised Code. 878

(e) The school shall comply with Chapter 102. and section 879  
2921.42 of the Revised Code. 880

(f) The school will comply with sections 3313.61, 881  
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 882  
Revised Code, except that for students who enter ninth grade for 883  
the first time before July 1, 2010, the requirement in sections 884  
3313.61 and 3313.611 of the Revised Code that a person must 885  
successfully complete the curriculum in any high school prior to 886  
receiving a high school diploma may be met by completing the 887  
curriculum adopted by the governing authority of the community 888  
school rather than the curriculum specified in Title XXXVIII of 889  
the Revised Code or any rules of the department. Beginning with 890  
students who enter ninth grade for the first time on or after 891  
July 1, 2010, the requirement in sections 3313.61 and 3313.611 892  
of the Revised Code that a person must successfully complete the 893  
curriculum of a high school prior to receiving a high school 894

diploma shall be met by completing the requirements prescribed 895  
in section 3313.6027 and division (C) of section 3313.603 of the 896  
Revised Code, unless the person qualifies under division (D) or 897  
(F) of that section. Each school shall comply with the plan for 898  
awarding high school credit based on demonstration of subject 899  
area competency, and beginning with the 2017-2018 school year, 900  
with the updated plan that permits students enrolled in seventh 901  
and eighth grade to meet curriculum requirements based on 902  
subject area competency adopted by the department under 903  
divisions (J) (1) and (2) of section 3313.603 of the Revised 904  
Code. Beginning with the 2018-2019 school year, the school shall 905  
comply with the framework for granting units of high school 906  
credit to students who demonstrate subject area competency 907  
through work-based learning experiences, internships, or 908  
cooperative education developed by the department under division 909  
(J) (3) of section 3313.603 of the Revised Code. 910

(g) The school governing authority will submit within four 911  
months after the end of each school year a report of its 912  
activities and progress in meeting the goals and standards of 913  
divisions (A) (3) and (4) of this section and its financial 914  
status to the sponsor and the parents of all students enrolled 915  
in the school. 916

(h) The school, unless it is an internet- or computer- 917  
based community school, will comply with section 3313.801 of the 918  
Revised Code as if it were a school district. 919

(i) If the school is the recipient of moneys from a grant 920  
awarded under the federal race to the top program, Division (A), 921  
Title XIV, Sections 14005 and 14006 of the "American Recovery 922  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 923  
the school will pay teachers based upon performance in 924

accordance with section 3317.141 and will comply with section 925  
3319.111 of the Revised Code as if it were a school district. 926

(j) If the school operates a preschool program that is 927  
licensed by the department under sections 3301.52 to 3301.59 of 928  
the Revised Code, the school shall comply with sections 3301.50 929  
to 3301.59 of the Revised Code and the minimum standards for 930  
preschool programs prescribed in rules adopted by the department 931  
under section 3301.53 of the Revised Code. 932

(k) The school will comply with sections 3313.6021 and 933  
3313.6023 of the Revised Code as if it were a school district 934  
unless it is either of the following: 935

(i) An internet- or computer-based community school; 936

(ii) A community school in which a majority of the 937  
enrolled students are children with disabilities as described in 938  
division (A) (4) (b) of section 3314.35 of the Revised Code. 939

(l) The school will comply with section 3321.191 of the 940  
Revised Code, unless it is an internet- or computer-based 941  
community school that is subject to section 3314.261 of the 942  
Revised Code. 943

(12) Arrangements for providing health and other benefits 944  
to employees; 945

(13) The length of the contract, which shall begin at the 946  
beginning of an academic year. No contract shall exceed five 947  
years unless such contract has been renewed pursuant to division 948  
(E) of this section. 949

(14) The governing authority of the school, which shall be 950  
responsible for carrying out the provisions of the contract; 951

(15) A financial plan detailing an estimated school budget 952

for each year of the period of the contract and specifying the 953  
total estimated per pupil expenditure amount for each such year. 954

(16) Requirements and procedures regarding the disposition 955  
of employees of the school in the event the contract is 956  
terminated or not renewed pursuant to section 3314.07 of the 957  
Revised Code; 958

(17) Whether the school is to be created by converting all 959  
or part of an existing public school or educational service 960  
center building or is to be a new start-up school, and if it is 961  
a converted public school or service center building, 962  
specification of any duties or responsibilities of an employer 963  
that the board of education or service center governing board 964  
that operated the school or building before conversion is 965  
delegating to the governing authority of the community school 966  
with respect to all or any specified group of employees provided 967  
the delegation is not prohibited by a collective bargaining 968  
agreement applicable to such employees; 969

(18) Provisions establishing procedures for resolving 970  
disputes or differences of opinion between the sponsor and the 971  
governing authority of the community school; 972

(19) A provision requiring the governing authority to 973  
adopt a policy regarding the admission of students who reside 974  
outside the district in which the school is located. That policy 975  
shall comply with the admissions procedures specified in 976  
sections 3314.06 and 3314.061 of the Revised Code and, at the 977  
sole discretion of the authority, shall do one of the following: 978

(a) Prohibit the enrollment of students who reside outside 979  
the district in which the school is located; 980

(b) Permit the enrollment of students who reside in 981

districts adjacent to the district in which the school is	982
located;	983
(c) Permit the enrollment of students who reside in any	984
other district in the state.	985
(20) A provision recognizing the authority of the	986
department to take over the sponsorship of the school in	987
accordance with the provisions of division (C) of section	988
3314.015 of the Revised Code;	989
(21) A provision recognizing the sponsor's authority to	990
assume the operation of a school under the conditions specified	991
in division (B) of section 3314.073 of the Revised Code;	992
(22) A provision recognizing both of the following:	993
(a) The authority of public health and safety officials to	994
inspect the facilities of the school and to order the facilities	995
closed if those officials find that the facilities are not in	996
compliance with health and safety laws and regulations;	997
(b) The authority of the department as the community	998
school oversight body to suspend the operation of the school	999
under section 3314.072 of the Revised Code if the department has	1000
evidence of conditions or violations of law at the school that	1001
pose an imminent danger to the health and safety of the school's	1002
students and employees and the sponsor refuses to take such	1003
action.	1004
(23) A description of the learning opportunities that will	1005
be offered to students including both classroom-based and non-	1006
classroom-based learning opportunities that is in compliance	1007
with criteria for student participation established by the	1008
department under division (H) (2) of section 3314.08 of the	1009
Revised Code;	1010

(24) The school will comply with sections 3302.04 and 1011  
3302.041 of the Revised Code, except that any action required to 1012  
be taken by a school district pursuant to those sections shall 1013  
be taken by the sponsor of the school. 1014

(25) Beginning in the 2006-2007 school year, the school 1015  
will open for operation not later than the thirtieth day of 1016  
September each school year, unless the mission of the school as 1017  
specified under division (A) (2) of this section is solely to 1018  
serve dropouts. In its initial year of operation, if the school 1019  
fails to open by the thirtieth day of September, or within one 1020  
year after the adoption of the contract pursuant to division (D) 1021  
of section 3314.02 of the Revised Code if the mission of the 1022  
school is solely to serve dropouts, the contract shall be void. 1023

(26) Whether the school's governing authority is planning 1024  
to seek designation for the school as a STEM school equivalent 1025  
under section 3326.032 of the Revised Code; 1026

(27) That the school's attendance and participation 1027  
policies will be available for public inspection; 1028

(28) That the school's attendance and participation 1029  
records shall be made available to the department, auditor of 1030  
state, and school's sponsor to the extent permitted under and in 1031  
accordance with the "Family Educational Rights and Privacy Act 1032  
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 1033  
regulations promulgated under that act, and section 3319.321 of 1034  
the Revised Code; 1035

(29) If a school operates using the blended learning 1036  
model, as defined in section 3301.079 of the Revised Code, all 1037  
of the following information: 1038

(a) An indication of what blended learning model or models 1039

will be used;	1040
(b) A description of how student instructional needs will	1041
be determined and documented;	1042
(c) The method to be used for determining competency,	1043
granting credit, and promoting students to a higher grade level;	1044
(d) The school's attendance requirements, including how	1045
the school will document participation in learning	1046
opportunities;	1047
(e) A statement describing how student progress will be	1048
monitored;	1049
(f) A statement describing how private student data will	1050
be protected;	1051
(g) A description of the professional development	1052
activities that will be offered to teachers.	1053
(30) A provision requiring that all moneys the school's	1054
operator loans to the school, including facilities loans or cash	1055
flow assistance, must be accounted for, documented, and bear	1056
interest at a fair market rate;	1057
(31) A provision requiring that, if the governing	1058
authority contracts with an attorney, accountant, or entity	1059
specializing in audits, the attorney, accountant, or entity	1060
shall be independent from the operator with which the school has	1061
contracted.	1062
(32) A provision requiring the governing authority to	1063
adopt an enrollment and attendance policy that requires a	1064
student's parent to notify the community school in which the	1065
student is enrolled when there is a change in the location of	1066
the parent's or student's primary residence.	1067

(33) A provision requiring the governing authority to 1068  
adopt a student residence and address verification policy for 1069  
students enrolling in or attending the school. 1070

(B) The community school shall also submit to the sponsor 1071  
a comprehensive plan for the school. The plan shall specify the 1072  
following: 1073

(1) The process by which the governing authority of the 1074  
school will be selected in the future; 1075

(2) The management and administration of the school; 1076

(3) If the community school is a currently existing public 1077  
school or educational service center building, alternative 1078  
arrangements for current public school students who choose not 1079  
to attend the converted school and for teachers who choose not 1080  
to teach in the school or building after conversion; 1081

(4) The instructional program and educational philosophy 1082  
of the school; 1083

(5) Internal financial controls. 1084

When submitting the plan under this division, the school 1085  
shall also submit copies of all policies and procedures 1086  
regarding internal financial controls adopted by the governing 1087  
authority of the school. 1088

(C) A contract entered into under section 3314.02 of the 1089  
Revised Code between a sponsor and the governing authority of a 1090  
community school may provide for the community school governing 1091  
authority to make payments to the sponsor, which is hereby 1092  
authorized to receive such payments as set forth in the contract 1093  
between the governing authority and the sponsor. The total 1094  
amount of such payments for monitoring, oversight, and technical 1095

assistance of the school shall not exceed three per cent of the 1096  
total amount of payments for operating expenses that the school 1097  
receives from the state. 1098

(D) The contract shall specify the duties of the sponsor 1099  
which shall be in accordance with the written agreement entered 1100  
into with the department under division (B) of section 3314.015 1101  
of the Revised Code and shall include the following: 1102

(1) Monitor the community school's compliance with all 1103  
laws applicable to the school and with the terms of the 1104  
contract; 1105

(2) Monitor and evaluate the academic and fiscal 1106  
performance and the organization and operation of the community 1107  
school on at least an annual basis; 1108

(3) Report on an annual basis the results of the 1109  
evaluation conducted under division (D) (2) of this section to 1110  
the department and to the parents of students enrolled in the 1111  
community school; 1112

(4) Provide technical assistance to the community school 1113  
in complying with laws applicable to the school and terms of the 1114  
contract; 1115

(5) Take steps to intervene in the school's operation to 1116  
correct problems in the school's overall performance, declare 1117  
the school to be on probationary status pursuant to section 1118  
3314.073 of the Revised Code, suspend the operation of the 1119  
school pursuant to section 3314.072 of the Revised Code, or 1120  
terminate the contract of the school pursuant to section 3314.07 1121  
of the Revised Code as determined necessary by the sponsor; 1122

(6) Have in place a plan of action to be undertaken in the 1123  
event the community school experiences financial difficulties or 1124

closes prior to the end of a school year. 1125

(E) Upon the expiration of a contract entered into under 1126  
this section, the sponsor of a community school may, with the 1127  
approval of the governing authority of the school, renew that 1128  
contract for a period of time determined by the sponsor, but not 1129  
ending earlier than the end of any school year, if the sponsor 1130  
finds that the school's compliance with applicable laws and 1131  
terms of the contract and the school's progress in meeting the 1132  
academic goals prescribed in the contract have been 1133  
satisfactory. Any contract that is renewed under this division 1134  
remains subject to the provisions of sections 3314.07, 3314.072, 1135  
and 3314.073 of the Revised Code. 1136

(F) If a community school fails to open for operation 1137  
within one year after the contract entered into under this 1138  
section is adopted pursuant to division (D) of section 3314.02 1139  
of the Revised Code or permanently closes prior to the 1140  
expiration of the contract, the contract shall be void and the 1141  
school shall not enter into a contract with any other sponsor. A 1142  
school shall not be considered permanently closed because the 1143  
operations of the school have been suspended pursuant to section 1144  
3314.072 of the Revised Code. 1145

**Sec. 3326.11.** Each science, technology, engineering, and 1146  
mathematics school established under this chapter and its 1147  
governing body shall comply with sections 9.90, 9.91, 109.65, 1148  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 1149  
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3302.131, 1150  
3302.132, 3313.14, 3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 1151  
3313.472, 3313.48, 3313.481, 3313.482, 3313.50, 3313.539, 1152  
3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.6012, 3313.6013, 1153  
3313.6014, 3313.6015, 3313.6020, 3313.6021, 3313.6024, 1154

3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.6030, 3313.61, 1155  
3313.611, 3313.614, 3313.615, 3313.617, 3313.618, 3313.6114, 1156  
3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 1157  
3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 1158  
3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 1159  
3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 3313.721, 1160  
3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 3313.818, 1161  
3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 1162  
3319.078, 3319.0812, 3319.21, 3319.238, 3319.318, 3319.32, 1163  
3319.321, 3319.324, 3319.35, 3319.39, 3319.391, 3319.393, 1164  
3319.41, 3319.45, 3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 1165  
3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 1166  
3321.19, 3321.191, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 1167  
4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 102., 1168  
117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 4123., 1169  
4141., and 4167. of the Revised Code as if it were a school 1170  
district. 1171

**Section 2.** That existing sections 3301.0714, 3314.03, and 1172  
3326.11 of the Revised Code are hereby repealed. 1173

**Section 3.** That the versions of sections 3301.0714 and 1174  
3314.03 of the Revised Code that are scheduled to take effect 1175  
January 1, 2025, be amended to read as follows: 1176

**Sec. 3301.0714.** (A) The department of education and 1177  
workforce shall adopt rules for a statewide education management 1178  
information system. The rules shall require the department to 1179  
establish guidelines for the establishment and maintenance of 1180  
the system in accordance with this section and the rules adopted 1181  
under this section. The guidelines shall include: 1182

(1) Standards identifying and defining the types of data 1183  
in the system in accordance with divisions (B) and (C) of this 1184

section;	1185
(2) Procedures for annually collecting and reporting the data to the department in accordance with division (D) of this section;	1186 1187 1188
(3) Procedures for annually compiling the data in accordance with division (G) of this section;	1189 1190
(4) Procedures for annually reporting the data to the public in accordance with division (H) of this section;	1191 1192
(5) Standards to provide strict safeguards to protect the confidentiality of personally identifiable student data.	1193 1194
(B) The guidelines adopted under this section shall require the data maintained in the education management information system to include at least the following:	1195 1196 1197
(1) Student participation and performance data, for each grade in each school district as a whole and for each grade in each school building in each school district, that includes:	1198 1199 1200
(a) The numbers of students receiving each category of instructional service offered by the school district, such as regular education instruction, vocational education instruction, specialized instruction programs or enrichment instruction that is part of the educational curriculum, instruction for gifted students, instruction for students with disabilities, and remedial instruction. The guidelines shall require instructional services under this division to be divided into discrete categories if an instructional service is limited to a specific subject, a specific type of student, or both, such as regular instructional services in mathematics, remedial reading instructional services, instructional services specifically for students gifted in mathematics or some other subject area, or	1201 1202 1203 1204 1205 1206 1207 1208 1209 1210 1211 1212 1213

instructional services for students with a specific type of 1214  
disability. The categories of instructional services required by 1215  
the guidelines under this division shall be the same as the 1216  
categories of instructional services used in determining cost 1217  
units pursuant to division (C) (3) of this section. 1218

(b) The numbers of students receiving support or 1219  
extracurricular services for each of the support services or 1220  
extracurricular programs offered by the school district, such as 1221  
counseling services, health services, and extracurricular sports 1222  
and fine arts programs. The categories of services required by 1223  
the guidelines under this division shall be the same as the 1224  
categories of services used in determining cost units pursuant 1225  
to division (C) (4) (a) of this section. 1226

(c) Average student grades in each subject in grades nine 1227  
through twelve; 1228

(d) Academic achievement levels as assessed under sections 1229  
3301.0710, 3301.0711, and 3301.0712 of the Revised Code; 1230

(e) The number of students designated as having a 1231  
disabling condition pursuant to division (C) (1) of section 1232  
3301.0711 of the Revised Code; 1233

(f) The numbers of students reported to the department 1234  
pursuant to division (C) (2) of section 3301.0711 of the Revised 1235  
Code; 1236

(g) Attendance rates and the average daily attendance for 1237  
the year. For purposes of this division, a student shall be 1238  
counted as present for any field trip that is approved by the 1239  
school administration. 1240

(h) Expulsion rates; 1241

(i) Suspension rates;	1242
(j) Dropout rates;	1243
(k) Rates of retention in grade;	1244
(l) For pupils in grades nine through twelve, the average number of carnegie units, as calculated in accordance with the director's rules;	1245 1246 1247
(m) Graduation rates, to be calculated in a manner specified by the department that reflects the rate at which students who were in the ninth grade three years prior to the current year complete school and that is consistent with nationally accepted reporting requirements;	1248 1249 1250 1251 1252
(n) Results of diagnostic assessments administered to kindergarten students as required under section 3301.0715 of the Revised Code to permit a comparison of the academic readiness of kindergarten students. However, no district shall be required to report to the department the results of any diagnostic assessment administered to a kindergarten student, except for the language and reading assessment described in division (A) (2) of section 3301.0715 of the Revised Code, if the parent of that student requests the district not to report those results.	1253 1254 1255 1256 1257 1258 1259 1260 1261
(o) Beginning on July 1, 2018, for each disciplinary action which is required to be reported under division (B) (5) of this section, districts and schools also shall include an identification of the person or persons, if any, at whom the student's violent behavior that resulted in discipline was directed. The person or persons shall be identified by the respective classification at the district or school, such as student, teacher, or nonteaching employee, but shall not be identified by name.	1262 1263 1264 1265 1266 1267 1268 1269 1270

Division (B) (1) (o) of this section does not apply after	1271
the date that is two years following the submission of the	1272
report required by Section 733.13 of H.B. 49 of the 132nd	1273
general assembly.	1274
(p) The number of students earning each state diploma seal	1275
included in the system prescribed under division (A) of section	1276
3313.6114 of the Revised Code;	1277
(q) The number of students demonstrating competency for	1278
graduation using each option described in divisions (B) (1) (a) to	1279
(d) of section 3313.618 of the Revised Code;	1280
(r) The number of students completing each foundational	1281
and supporting option as part of the demonstration of competency	1282
for graduation pursuant to division (B) (1) (b) of section	1283
3313.618 of the Revised Code;	1284
(s) The number of students enrolled in all-day	1285
kindergarten, as defined in section 3321.05 of the Revised Code.	1286
(2) Personnel and classroom enrollment data for each	1287
school district, including:	1288
(a) The total numbers of licensed employees and	1289
nonlicensed employees and the numbers of full-time equivalent	1290
licensed employees and nonlicensed employees providing each	1291
category of instructional service, instructional support	1292
service, and administrative support service used pursuant to	1293
division (C) (3) of this section. The guidelines adopted under	1294
this section shall require these categories of data to be	1295
maintained for the school district as a whole and, wherever	1296
applicable, for each grade in the school district as a whole,	1297
for each school building as a whole, and for each grade in each	1298
school building.	1299

(b) The total number of employees and the number of full-time equivalent employees providing each category of service used pursuant to divisions (C) (4) (a) and (b) of this section, and the total numbers of licensed employees and nonlicensed employees and the numbers of full-time equivalent licensed employees and nonlicensed employees providing each category used pursuant to division (C) (4) (c) of this section. The guidelines adopted under this section shall require these categories of data to be maintained for the school district as a whole and, wherever applicable, for each grade in the school district as a whole, for each school building as a whole, and for each grade in each school building.

(c) The total number of regular classroom teachers teaching classes of regular education and the average number of pupils enrolled in each such class, in each of grades kindergarten through five in the district as a whole and in each school building in the school district.

(d) The number of lead teachers employed by each school district and each school building.

(3) (a) Student demographic data for each school district, including information regarding the gender ratio of the school district's pupils, the racial make-up of the school district's pupils, the number of English learners in the district, and an appropriate measure of the number of the school district's pupils who reside in economically disadvantaged households. The demographic data shall be collected in a manner to allow correlation with data collected under division (B) (1) of this section. Categories for data collected pursuant to division (B) (3) of this section shall conform, where appropriate, to standard practices of agencies of the federal government.

(b) With respect to each student entering kindergarten, 1330  
whether the student previously participated in a public 1331  
preschool program, a private preschool program, or a head start 1332  
program, and the number of years the student participated in 1333  
each of these programs. 1334

(4) (a) The core curriculum and instructional materials 1335  
being used for English language arts in each of grades pre- 1336  
kindergarten to five; 1337

(b) The reading intervention programs being used in each 1338  
of grades pre-kindergarten to twelve. 1339

~~(5) (a) The core curriculum and instructional materials~~ 1340  
~~being used for mathematics in each of grades kindergarten to~~ 1341  
~~eight;~~ 1342

~~(b) The mathematics intervention programs being used in~~ 1343  
~~each of grades kindergarten to twelve.~~ 1344

~~(6) Any data required to be collected pursuant to federal~~ 1345  
~~law.~~ 1346

(C) The education management information system shall 1347  
include cost accounting data for each district as a whole and 1348  
for each school building in each school district. The guidelines 1349  
adopted under this section shall require the cost data for each 1350  
school district to be maintained in a system of mutually 1351  
exclusive cost units and shall require all of the costs of each 1352  
school district to be divided among the cost units. The 1353  
guidelines shall require the system of mutually exclusive cost 1354  
units to include at least the following: 1355

(1) Administrative costs for the school district as a 1356  
whole. The guidelines shall require the cost units under this 1357  
division (C) (1) to be designed so that each of them may be 1358

compiled and reported in terms of average expenditure per pupil 1359  
in enrolled ADM in the school district, as determined pursuant 1360  
to section 3317.03 of the Revised Code. 1361

(2) Administrative costs for each school building in the 1362  
school district. The guidelines shall require the cost units 1363  
under this division (C) (2) to be designed so that each of them 1364  
may be compiled and reported in terms of average expenditure per 1365  
full-time equivalent pupil receiving instructional or support 1366  
services in each building. 1367

(3) Instructional services costs for each category of 1368  
instructional service provided directly to students and required 1369  
by guidelines adopted pursuant to division (B) (1) (a) of this 1370  
section. The guidelines shall require the cost units under 1371  
division (C) (3) of this section to be designed so that each of 1372  
them may be compiled and reported in terms of average 1373  
expenditure per pupil receiving the service in the school 1374  
district as a whole and average expenditure per pupil receiving 1375  
the service in each building in the school district and in terms 1376  
of a total cost for each category of service and, as a breakdown 1377  
of the total cost, a cost for each of the following components: 1378

(a) The cost of each instructional services category 1379  
required by guidelines adopted under division (B) (1) (a) of this 1380  
section that is provided directly to students by a classroom 1381  
teacher; 1382

(b) The cost of the instructional support services, such 1383  
as services provided by a speech-language pathologist, classroom 1384  
aide, multimedia aide, or librarian, provided directly to 1385  
students in conjunction with each instructional services 1386  
category; 1387

(c) The cost of the administrative support services 1388  
related to each instructional services category, such as the 1389  
cost of personnel that develop the curriculum for the 1390  
instructional services category and the cost of personnel 1391  
supervising or coordinating the delivery of the instructional 1392  
services category. 1393

(4) Support or extracurricular services costs for each 1394  
category of service directly provided to students and required 1395  
by guidelines adopted pursuant to division (B) (1) (b) of this 1396  
section. The guidelines shall require the cost units under 1397  
division (C) (4) of this section to be designed so that each of 1398  
them may be compiled and reported in terms of average 1399  
expenditure per pupil receiving the service in the school 1400  
district as a whole and average expenditure per pupil receiving 1401  
the service in each building in the school district and in terms 1402  
of a total cost for each category of service and, as a breakdown 1403  
of the total cost, a cost for each of the following components: 1404

(a) The cost of each support or extracurricular services 1405  
category required by guidelines adopted under division (B) (1) (b) 1406  
of this section that is provided directly to students by a 1407  
licensed employee, such as services provided by a guidance 1408  
counselor or any services provided by a licensed employee under 1409  
a supplemental contract; 1410

(b) The cost of each such services category provided 1411  
directly to students by a nonlicensed employee, such as 1412  
janitorial services, cafeteria services, or services of a sports 1413  
trainer; 1414

(c) The cost of the administrative services related to 1415  
each services category in division (C) (4) (a) or (b) of this 1416  
section, such as the cost of any licensed or nonlicensed 1417

employees that develop, supervise, coordinate, or otherwise are 1418  
involved in administering or aiding the delivery of each 1419  
services category. 1420

(D) (1) The guidelines adopted under this section shall 1421  
require school districts to collect information about individual 1422  
students, staff members, or both in connection with any data 1423  
required by division (B) or (C) of this section or other 1424  
reporting requirements established in the Revised Code. The 1425  
guidelines may also require school districts to report 1426  
information about individual staff members in connection with 1427  
any data required by division (B) or (C) of this section or 1428  
other reporting requirements established in the Revised Code. 1429  
The guidelines shall not authorize school districts to request 1430  
social security numbers of individual students. The guidelines 1431  
shall prohibit the reporting under this section of a student's 1432  
name, address, and social security number to the department. The 1433  
guidelines shall also prohibit the reporting under this section 1434  
of any personally identifiable information about any student, 1435  
except for the purpose of assigning the data verification code 1436  
required by division (D) (2) of this section, to any other person 1437  
unless such person is employed by the school district or the 1438  
information technology center operated under section 3301.075 of 1439  
the Revised Code and is authorized by the district or technology 1440  
center to have access to such information or is employed by an 1441  
entity with which the department contracts for the scoring or 1442  
the development of state assessments. The guidelines may require 1443  
school districts to provide the social security numbers of 1444  
individual staff members and the county of residence for a 1445  
student. Nothing in this section prohibits the department from 1446  
providing a student's county of residence to the department of 1447  
taxation to facilitate the distribution of tax revenue. 1448

(2) (a) The guidelines shall provide for each school 1449  
district or community school to assign a data verification code 1450  
that is unique on a statewide basis over time to each student 1451  
whose initial Ohio enrollment is in that district or school and 1452  
to report all required individual student data for that student 1453  
utilizing such code. The guidelines shall also provide for 1454  
assigning data verification codes to all students enrolled in 1455  
districts or community schools on the effective date of the 1456  
guidelines established under this section. The assignment of 1457  
data verification codes for other entities, as described in 1458  
division (D) (2) (d) of this section, the use of those codes, and 1459  
the reporting and use of associated individual student data 1460  
shall be coordinated by the department of education and 1461  
workforce in accordance with state and federal law. 1462

School districts shall report individual student data to 1463  
the department through the information technology centers 1464  
utilizing the code. The entities described in division (D) (2) (d) 1465  
of this section shall report individual student data to the 1466  
department in the manner prescribed by the department. 1467

(b) (i) Except as provided in sections 3301.941, 3310.11, 1468  
3310.42, 3310.63, 3313.978, 3317.20, and 5747.057 of the Revised 1469  
Code, and in division (D) (2) (b) (ii) of this section, at no time 1470  
shall the department have access to information that would 1471  
enable any data verification code to be matched to personally 1472  
identifiable student data. 1473

(ii) For the purpose of making per-pupil payments to 1474  
community schools under section 3317.022 of the Revised Code, 1475  
the department shall have access to information that would 1476  
enable any data verification code to be matched to personally 1477  
identifiable student data. 1478

(c) Each school district and community school shall ensure 1479  
that the data verification code is included in the student's 1480  
records reported to any subsequent school district, community 1481  
school, or state institution of higher education, as defined in 1482  
section 3345.011 of the Revised Code, in which the student 1483  
enrolls. Any such subsequent district or school shall utilize 1484  
the same identifier in its reporting of data under this section. 1485

(d) (i) The director of any state agency that administers a 1486  
publicly funded program providing services to children who are 1487  
younger than compulsory school age, as defined in section 1488  
3321.01 of the Revised Code, including the directors of health, 1489  
job and family services, mental health and addiction services, 1490  
children and youth, and developmental disabilities, shall 1491  
request and receive, pursuant to sections 3301.0723 and 5180.33 1492  
of the Revised Code, a data verification code for a child who is 1493  
receiving those services. 1494

(ii) The director of developmental disabilities, director 1495  
of health, director of job and family services, director of 1496  
mental health and addiction services, medicaid director, 1497  
executive director of the commission on minority health, 1498  
executive director of the opportunities for Ohioans with 1499  
disabilities agency, or director of education and workforce, on 1500  
behalf of a program that receives public funds and provides 1501  
services to children who are younger than compulsory school age, 1502  
may request and receive, pursuant to section 3301.0723 of the 1503  
Revised Code, a data verification code for a child who is 1504  
receiving services from the program. 1505

(E) The guidelines adopted under this section may require 1506  
school districts to collect and report data, information, or 1507  
reports other than that described in divisions (A), (B), and (C) 1508

of this section for the purpose of complying with other 1509  
reporting requirements established in the Revised Code. The 1510  
other data, information, or reports may be maintained in the 1511  
education management information system but are not required to 1512  
be compiled as part of the profile formats required under 1513  
division (G) of this section or the annual statewide report 1514  
required under division (H) of this section. 1515

(F) The board of education of each school district shall 1516  
annually collect and report to the department, in accordance 1517  
with the guidelines established by the department, the data 1518  
required pursuant to this section. A school district may collect 1519  
and report these data notwithstanding section 2151.357 or 1520  
3319.321 of the Revised Code. 1521

(G) The department shall, in accordance with the 1522  
procedures it adopts, annually compile the data reported by each 1523  
school district pursuant to division (D) of this section. The 1524  
department shall design formats for profiling each school 1525  
district as a whole and each school building within each 1526  
district and shall compile the data in accordance with these 1527  
formats. These profile formats shall: 1528

(1) Include all of the data gathered under this section in 1529  
a manner that facilitates comparison among school districts and 1530  
among school buildings within each school district; 1531

(2) Present the data on academic achievement levels as 1532  
assessed by the testing of student achievement maintained 1533  
pursuant to division (B)(1)(d) of this section. 1534

(H)(1) The department shall, in accordance with the 1535  
procedures it adopts, annually prepare a statewide report for 1536  
all school districts and the general public that includes the 1537

profile of each of the school districts developed pursuant to 1538  
division (G) of this section. Copies of the report shall be sent 1539  
to each school district. 1540

(2) The department shall, in accordance with the 1541  
procedures it adopts, annually prepare an individual report for 1542  
each school district and the general public that includes the 1543  
profiles of each of the school buildings in that school district 1544  
developed pursuant to division (G) of this section. Copies of 1545  
the report shall be sent to the superintendent of the district 1546  
and to each member of the district board of education. 1547

(3) Copies of the reports prescribed in divisions (H) (1) 1548  
and (2) of this section shall be made available to the general 1549  
public at each school district's offices. Each district board of 1550  
education shall make copies of each report available to any 1551  
person upon request and payment of a reasonable fee for the cost 1552  
of reproducing the report. The board shall annually publish in a 1553  
newspaper of general circulation in the school district, at 1554  
least twice during the two weeks prior to the week in which the 1555  
reports will first be available, a notice containing the address 1556  
where the reports are available and the date on which the 1557  
reports will be available. 1558

(I) Any data that is collected or maintained pursuant to 1559  
this section and that identifies an individual pupil is not a 1560  
public record for the purposes of section 149.43 of the Revised 1561  
Code. 1562

(J) As used in this section: 1563

(1) "School district" means any city, local, exempted 1564  
village, or joint vocational school district and, in accordance 1565  
with section 3314.17 of the Revised Code, any community school. 1566

As used in division (L) of this section, "school district" also 1567  
includes any educational service center or other educational 1568  
entity required to submit data using the system established 1569  
under this section. 1570

(2) "Cost" means any expenditure for operating expenses 1571  
made by a school district excluding any expenditures for debt 1572  
retirement except for payments made to any commercial lending 1573  
institution for any loan approved pursuant to section 3313.483 1574  
of the Revised Code. 1575

(K) Any person who removes data from the information 1576  
system established under this section for the purpose of 1577  
releasing it to any person not entitled under law to have access 1578  
to such information is subject to section 2913.42 of the Revised 1579  
Code prohibiting tampering with data. 1580

(L) (1) In accordance with division (L) (2) of this section 1581  
and the rules adopted under division (L) (10) of this section, 1582  
the department may sanction any school district that reports 1583  
incomplete or inaccurate data, reports data that does not 1584  
conform to data requirements and descriptions published by the 1585  
department, fails to report data in a timely manner, or 1586  
otherwise does not make a good faith effort to report data as 1587  
required by this section. 1588

(2) If the department decides to sanction a school 1589  
district under this division, the department shall take the 1590  
following sequential actions: 1591

(a) Notify the district in writing that the department has 1592  
determined that data has not been reported as required under 1593  
this section and require the district to review its data 1594  
submission and submit corrected data by a deadline established 1595

by the department. The department also may require the district 1596  
to develop a corrective action plan, which shall include 1597  
provisions for the district to provide mandatory staff training 1598  
on data reporting procedures. 1599

(b) Withhold up to ten per cent of the total amount of 1600  
state funds due to the district for the current fiscal year and, 1601  
if not previously required under division (L) (2) (a) of this 1602  
section, require the district to develop a corrective action 1603  
plan in accordance with that division; 1604

(c) Withhold an additional amount of up to twenty per cent 1605  
of the total amount of state funds due to the district for the 1606  
current fiscal year; 1607

(d) Direct department staff or an outside entity to 1608  
investigate the district's data reporting practices and make 1609  
recommendations for subsequent actions. The recommendations may 1610  
include one or more of the following actions: 1611

(i) Arrange for an audit of the district's data reporting 1612  
practices by department staff or an outside entity; 1613

(ii) Conduct a site visit and evaluation of the district; 1614

(iii) Withhold an additional amount of up to thirty per 1615  
cent of the total amount of state funds due to the district for 1616  
the current fiscal year; 1617

(iv) Continue monitoring the district's data reporting; 1618

(v) Assign department staff to supervise the district's 1619  
data management system; 1620

(vi) Conduct an investigation to determine whether to 1621  
suspend or revoke the license of any district employee in 1622  
accordance with division (N) of this section; 1623

(vii) If the district is issued a report card under 1624  
section 3302.03 of the Revised Code, indicate on the report card 1625  
that the district has been sanctioned for failing to report data 1626  
as required by this section; 1627

(viii) If the district is issued a report card under 1628  
section 3302.03 of the Revised Code and incomplete or inaccurate 1629  
data submitted by the district likely caused the district to 1630  
receive a higher performance rating than it deserved under that 1631  
section, issue a revised report card for the district; 1632

(ix) Any other action designed to correct the district's 1633  
data reporting problems. 1634

(3) Any time the department takes an action against a 1635  
school district under division (L) (2) of this section, the 1636  
department shall make a report of the circumstances that 1637  
prompted the action. The department shall send a copy of the 1638  
report to the district superintendent or chief administrator and 1639  
maintain a copy of the report in its files. 1640

(4) If any action taken under division (L) (2) of this 1641  
section resolves a school district's data reporting problems to 1642  
the department's satisfaction, the department shall not take any 1643  
further actions described by that division. If the department 1644  
withheld funds from the district under that division, the 1645  
department may release those funds to the district, except that 1646  
if the department withheld funding under division (L) (2) (c) of 1647  
this section, the department shall not release the funds 1648  
withheld under division (L) (2) (b) of this section and, if the 1649  
department withheld funding under division (L) (2) (d) of this 1650  
section, the department shall not release the funds withheld 1651  
under division (L) (2) (b) or (c) of this section. 1652

(5) Notwithstanding anything in this section to the contrary, the department may use its own staff or an outside entity to conduct an audit of a school district's data reporting practices any time the department has reason to believe the district has not made a good faith effort to report data as required by this section. If any audit conducted by an outside entity under division (L) (2) (d) (i) or (5) of this section confirms that a district has not made a good faith effort to report data as required by this section, the district shall reimburse the department for the full cost of the audit. The department may withhold state funds due to the district for this purpose.

(6) Prior to issuing a revised report card for a school district under division (L) (2) (d) (viii) of this section, the department may hold a hearing to provide the district with an opportunity to demonstrate that it made a good faith effort to report data as required by this section. The hearing shall be conducted by a referee appointed by the department. Based on the information provided in the hearing, the referee shall recommend whether the department should issue a revised report card for the district. If the referee affirms the department's contention that the district did not make a good faith effort to report data as required by this section, the district shall bear the full cost of conducting the hearing and of issuing any revised report card.

(7) If the department determines that any inaccurate data reported under this section caused a school district to receive excess state funds in any fiscal year, the district shall reimburse the department an amount equal to the excess funds, in accordance with a payment schedule determined by the department. The department may withhold state funds due to the district for

this purpose. 1684

(8) Any school district that has funds withheld under 1685  
division (L) (2) of this section may appeal the withholding in 1686  
accordance with Chapter 119. of the Revised Code. 1687

(9) In all cases of a disagreement between the department 1688  
and a school district regarding the appropriateness of an action 1689  
taken under division (L) (2) of this section, the burden of proof 1690  
shall be on the district to demonstrate that it made a good 1691  
faith effort to report data as required by this section. 1692

(10) The director of education and workforce shall adopt 1693  
rules under Chapter 119. of the Revised Code to implement 1694  
division (L) of this section. 1695

(M) No information technology center or school district 1696  
shall acquire, change, or update its student administration 1697  
software package to manage and report data required to be 1698  
reported to the department unless it converts to a student 1699  
software package that is certified by the department. 1700

(N) The state board of education, in accordance with 1701  
sections 3319.31 and 3319.311 of the Revised Code, may suspend 1702  
or revoke a license as defined under division (A) of section 1703  
3319.31 of the Revised Code that has been issued to any school 1704  
district employee found to have willfully reported erroneous, 1705  
inaccurate, or incomplete data to the education management 1706  
information system. 1707

(O) No person shall release or maintain any information 1708  
about any student in violation of this section. Whoever violates 1709  
this division is guilty of a misdemeanor of the fourth degree. 1710

(P) The department shall disaggregate the data collected 1711  
under division (B) (1) (n) of this section according to the race 1712

and socioeconomic status of the students assessed. 1713

(Q) If the department cannot compile any of the 1714  
information required by division (I) of section 3302.03 of the 1715  
Revised Code based upon the data collected under this section, 1716  
the department shall develop a plan and a reasonable timeline 1717  
for the collection of any data necessary to comply with that 1718  
division. 1719

**Sec. 3314.03.** A copy of every contract entered into under 1720  
this section shall be filed with the director of education and 1721  
workforce. The department of education and workforce shall make 1722  
available on its web site a copy of every approved, executed 1723  
contract filed with the director under this section. 1724

(A) Each contract entered into between a sponsor and the 1725  
governing authority of a community school shall specify the 1726  
following: 1727

(1) That the school shall be established as either of the 1728  
following: 1729

(a) A nonprofit corporation established under Chapter 1730  
1702. of the Revised Code, if established prior to April 8, 1731  
2003; 1732

(b) A public benefit corporation established under Chapter 1733  
1702. of the Revised Code, if established after April 8, 2003. 1734

(2) The education program of the school, including the 1735  
school's mission, the characteristics of the students the school 1736  
is expected to attract, the ages and grades of students, and the 1737  
focus of the curriculum; 1738

(3) The academic goals to be achieved and the method of 1739  
measurement that will be used to determine progress toward those 1740

goals, which shall include the statewide achievement 1741  
assessments; 1742

(4) Performance standards, including but not limited to 1743  
all applicable report card measures set forth in section 3302.03 1744  
or 3314.017 of the Revised Code, by which the success of the 1745  
school will be evaluated by the sponsor; 1746

(5) The admission standards of section 3314.06 of the 1747  
Revised Code and, if applicable, section 3314.061 of the Revised 1748  
Code; 1749

(6) (a) Dismissal procedures; 1750

(b) A requirement that the governing authority adopt an 1751  
attendance policy that includes a procedure for automatically 1752  
withdrawing a student from the school if the student without a 1753  
legitimate excuse fails to participate in seventy-two 1754  
consecutive hours of the learning opportunities offered to the 1755  
student. 1756

(7) The ways by which the school will achieve racial and 1757  
ethnic balance reflective of the community it serves; 1758

(8) Requirements for financial audits by the auditor of 1759  
state. The contract shall require financial records of the 1760  
school to be maintained in the same manner as are financial 1761  
records of school districts, pursuant to rules of the auditor of 1762  
state. Audits shall be conducted in accordance with section 1763  
117.10 of the Revised Code. 1764

(9) An addendum to the contract outlining the facilities 1765  
to be used that contains at least the following information: 1766

(a) A detailed description of each facility used for 1767  
instructional purposes; 1768

(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	1769 1770
(c) The annual mortgage principal and interest payments that are paid by the school;	1771 1772
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	1773 1774 1775
(10) Qualifications of employees, including both of the following:	1776 1777
(a) A requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours or forty hours per week pursuant to section 3319.301 of the Revised Code;	1778 1779 1780 1781 1782
(b) A prohibition against the school employing an individual described in section 3314.104 of the Revised Code in any position.	1783 1784 1785
(11) That the school will comply with the following requirements:	1786 1787
(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred twenty hours per school year.	1788 1789 1790
(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school.	1791 1792 1793
(c) The school will be nonsectarian in its programs, admission policies, employment practices, and all other operations, and will not be operated by a sectarian school or	1794 1795 1796

religious institution. 1797

(d) The school will comply with sections 9.90, 9.91, 1798  
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 1799  
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 1800  
3302.131, 3302.132, 3313.472, 3313.50, 3313.539, 3313.5310, 1801  
3313.5318, 3313.5319, 3313.608, 3313.609, 3313.6012, 3313.6013, 1802  
3313.6014, 3313.6015, 3313.6020, 3313.6024, 3313.6025, 1803  
3313.6026, 3313.6028, 3313.6029, 3313.6030, 3313.643, 3313.648, 1804  
3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 1805  
3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 1806  
3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 1807  
3313.719, 3313.7112, 3313.7117, 3313.721, 3313.80, 3313.814, 1808  
3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 1809  
3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.238, 1810  
3319.318, 3319.321, 3319.324, 3319.39, 3319.391, 3319.393, 1811  
3319.41, 3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 1812  
3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 1813  
3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 1814  
5502.703, and 5705.391 and Chapters 117., 1347., 2744., 3365., 1815  
3742., 4112., 4123., 4141., and 4167. of the Revised Code as if 1816  
it were a school district and will comply with section 3301.0714 1817  
of the Revised Code in the manner specified in section 3314.17 1818  
of the Revised Code. 1819

(e) The school shall comply with Chapter 102. and section 1820  
2921.42 of the Revised Code. 1821

(f) The school will comply with sections 3313.61, 1822  
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 1823  
Revised Code, except that for students who enter ninth grade for 1824  
the first time before July 1, 2010, the requirement in sections 1825  
3313.61 and 3313.611 of the Revised Code that a person must 1826

successfully complete the curriculum in any high school prior to 1827  
receiving a high school diploma may be met by completing the 1828  
curriculum adopted by the governing authority of the community 1829  
school rather than the curriculum specified in Title XXXIII of 1830  
the Revised Code or any rules of the department. Beginning with 1831  
students who enter ninth grade for the first time on or after 1832  
July 1, 2010, the requirement in sections 3313.61 and 3313.611 1833  
of the Revised Code that a person must successfully complete the 1834  
curriculum of a high school prior to receiving a high school 1835  
diploma shall be met by completing the requirements prescribed 1836  
in section 3313.6027 and division (C) of section 3313.603 of the 1837  
Revised Code, unless the person qualifies under division (D) or 1838  
(F) of that section. Each school shall comply with the plan for 1839  
awarding high school credit based on demonstration of subject 1840  
area competency, and beginning with the 2017-2018 school year, 1841  
with the updated plan that permits students enrolled in seventh 1842  
and eighth grade to meet curriculum requirements based on 1843  
subject area competency adopted by the department under 1844  
divisions (J) (1) and (2) of section 3313.603 of the Revised 1845  
Code. Beginning with the 2018-2019 school year, the school shall 1846  
comply with the framework for granting units of high school 1847  
credit to students who demonstrate subject area competency 1848  
through work-based learning experiences, internships, or 1849  
cooperative education developed by the department under division 1850  
(J) (3) of section 3313.603 of the Revised Code. 1851

(g) The school governing authority will submit within four 1852  
months after the end of each school year a report of its 1853  
activities and progress in meeting the goals and standards of 1854  
divisions (A) (3) and (4) of this section and its financial 1855  
status to the sponsor and the parents of all students enrolled 1856  
in the school. 1857

(h) The school, unless it is an internet- or computer- 1858  
based community school, will comply with section 3313.801 of the 1859  
Revised Code as if it were a school district. 1860

(i) If the school is the recipient of moneys from a grant 1861  
awarded under the federal race to the top program, Division (A), 1862  
Title XIV, Sections 14005 and 14006 of the "American Recovery 1863  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 1864  
the school will pay teachers based upon performance in 1865  
accordance with section 3317.141 and will comply with section 1866  
3319.111 of the Revised Code as if it were a school district. 1867

(j) If the school operates a preschool program that is 1868  
licensed by the department under sections 3301.52 to 3301.59 of 1869  
the Revised Code, the school shall comply with sections 3301.50 1870  
to 3301.59 of the Revised Code and the minimum standards for 1871  
preschool programs prescribed in rules adopted by the department 1872  
of children and youth under section 3301.53 of the Revised Code. 1873

(k) The school will comply with sections 3313.6021 and 1874  
3313.6023 of the Revised Code as if it were a school district 1875  
unless it is either of the following: 1876

(i) An internet- or computer-based community school; 1877

(ii) A community school in which a majority of the 1878  
enrolled students are children with disabilities as described in 1879  
division (A) (4) (b) of section 3314.35 of the Revised Code. 1880

(l) The school will comply with section 3321.191 of the 1881  
Revised Code, unless it is an internet- or computer-based 1882  
community school that is subject to section 3314.261 of the 1883  
Revised Code. 1884

(12) Arrangements for providing health and other benefits 1885  
to employees; 1886

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

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

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

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

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

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

(19) A provision requiring the governing authority to adopt a policy regarding the admission of students who reside

outside the district in which the school is located. That policy 1916  
shall comply with the admissions procedures specified in 1917  
sections 3314.06 and 3314.061 of the Revised Code and, at the 1918  
sole discretion of the authority, shall do one of the following: 1919

(a) Prohibit the enrollment of students who reside outside 1920  
the district in which the school is located; 1921

(b) Permit the enrollment of students who reside in 1922  
districts adjacent to the district in which the school is 1923  
located; 1924

(c) Permit the enrollment of students who reside in any 1925  
other district in the state. 1926

(20) A provision recognizing the authority of the 1927  
department to take over the sponsorship of the school in 1928  
accordance with the provisions of division (C) of section 1929  
3314.015 of the Revised Code; 1930

(21) A provision recognizing the sponsor's authority to 1931  
assume the operation of a school under the conditions specified 1932  
in division (B) of section 3314.073 of the Revised Code; 1933

(22) A provision recognizing both of the following: 1934

(a) The authority of public health and safety officials to 1935  
inspect the facilities of the school and to order the facilities 1936  
closed if those officials find that the facilities are not in 1937  
compliance with health and safety laws and regulations; 1938

(b) The authority of the department as the community 1939  
school oversight body to suspend the operation of the school 1940  
under section 3314.072 of the Revised Code if the department has 1941  
evidence of conditions or violations of law at the school that 1942  
pose an imminent danger to the health and safety of the school's 1943

students and employees and the sponsor refuses to take such 1944  
action. 1945

(23) A description of the learning opportunities that will 1946  
be offered to students including both classroom-based and non- 1947  
classroom-based learning opportunities that is in compliance 1948  
with criteria for student participation established by the 1949  
department under division (H) (2) of section 3314.08 of the 1950  
Revised Code; 1951

(24) The school will comply with sections 3302.04 and 1952  
3302.041 of the Revised Code, except that any action required to 1953  
be taken by a school district pursuant to those sections shall 1954  
be taken by the sponsor of the school. 1955

(25) Beginning in the 2006-2007 school year, the school 1956  
will open for operation not later than the thirtieth day of 1957  
September each school year, unless the mission of the school as 1958  
specified under division (A) (2) of this section is solely to 1959  
serve dropouts. In its initial year of operation, if the school 1960  
fails to open by the thirtieth day of September, or within one 1961  
year after the adoption of the contract pursuant to division (D) 1962  
of section 3314.02 of the Revised Code if the mission of the 1963  
school is solely to serve dropouts, the contract shall be void. 1964

(26) Whether the school's governing authority is planning 1965  
to seek designation for the school as a STEM school equivalent 1966  
under section 3326.032 of the Revised Code; 1967

(27) That the school's attendance and participation 1968  
policies will be available for public inspection; 1969

(28) That the school's attendance and participation 1970  
records shall be made available to the department, auditor of 1971  
state, and school's sponsor to the extent permitted under and in 1972

accordance with the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any regulations promulgated under that act, and section 3319.321 of the Revised Code;

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

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

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

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

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

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

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

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

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

(31) A provision requiring that, if the governing

authority contracts with an attorney, accountant, or entity 2000  
specializing in audits, the attorney, accountant, or entity 2001  
shall be independent from the operator with which the school has 2002  
contracted. 2003

(32) A provision requiring the governing authority to 2004  
adopt an enrollment and attendance policy that requires a 2005  
student's parent to notify the community school in which the 2006  
student is enrolled when there is a change in the location of 2007  
the parent's or student's primary residence. 2008

(33) A provision requiring the governing authority to 2009  
adopt a student residence and address verification policy for 2010  
students enrolling in or attending the school. 2011

(B) The community school shall also submit to the sponsor 2012  
a comprehensive plan for the school. The plan shall specify the 2013  
following: 2014

(1) The process by which the governing authority of the 2015  
school will be selected in the future; 2016

(2) The management and administration of the school; 2017

(3) If the community school is a currently existing public 2018  
school or educational service center building, alternative 2019  
arrangements for current public school students who choose not 2020  
to attend the converted school and for teachers who choose not 2021  
to teach in the school or building after conversion; 2022

(4) The instructional program and educational philosophy 2023  
of the school; 2024

(5) Internal financial controls. 2025

When submitting the plan under this division, the school 2026  
shall also submit copies of all policies and procedures 2027

regarding internal financial controls adopted by the governing authority of the school. 2028  
2029

(C) A contract entered into under section 3314.02 of the Revised Code between a sponsor and the governing authority of a community school may provide for the community school governing authority to make payments to the sponsor, which is hereby authorized to receive such payments as set forth in the contract between the governing authority and the sponsor. The total amount of such payments for monitoring, oversight, and technical assistance of the school shall not exceed three per cent of the total amount of payments for operating expenses that the school receives from the state. 2030  
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(D) The contract shall specify the duties of the sponsor which shall be in accordance with the written agreement entered into with the department under division (B) of section 3314.015 of the Revised Code and shall include the following: 2040  
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2042  
2043

(1) Monitor the community school's compliance with all laws applicable to the school and with the terms of the contract; 2044  
2045  
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(2) Monitor and evaluate the academic and fiscal performance and the organization and operation of the community school on at least an annual basis; 2047  
2048  
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(3) Report on an annual basis the results of the evaluation conducted under division (D) (2) of this section to the department and to the parents of students enrolled in the community school; 2050  
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2052  
2053

(4) Provide technical assistance to the community school in complying with laws applicable to the school and terms of the contract; 2054  
2055  
2056

(5) Take steps to intervene in the school's operation to 2057  
correct problems in the school's overall performance, declare 2058  
the school to be on probationary status pursuant to section 2059  
3314.073 of the Revised Code, suspend the operation of the 2060  
school pursuant to section 3314.072 of the Revised Code, or 2061  
terminate the contract of the school pursuant to section 3314.07 2062  
of the Revised Code as determined necessary by the sponsor; 2063

(6) Have in place a plan of action to be undertaken in the 2064  
event the community school experiences financial difficulties or 2065  
closes prior to the end of a school year. 2066

(E) Upon the expiration of a contract entered into under 2067  
this section, the sponsor of a community school may, with the 2068  
approval of the governing authority of the school, renew that 2069  
contract for a period of time determined by the sponsor, but not 2070  
ending earlier than the end of any school year, if the sponsor 2071  
finds that the school's compliance with applicable laws and 2072  
terms of the contract and the school's progress in meeting the 2073  
academic goals prescribed in the contract have been 2074  
satisfactory. Any contract that is renewed under this division 2075  
remains subject to the provisions of sections 3314.07, 3314.072, 2076  
and 3314.073 of the Revised Code. 2077

(F) If a community school fails to open for operation 2078  
within one year after the contract entered into under this 2079  
section is adopted pursuant to division (D) of section 3314.02 2080  
of the Revised Code or permanently closes prior to the 2081  
expiration of the contract, the contract shall be void and the 2082  
school shall not enter into a contract with any other sponsor. A 2083  
school shall not be considered permanently closed because the 2084  
operations of the school have been suspended pursuant to section 2085  
3314.072 of the Revised Code. 2086

**Section 4.** That the existing versions of sections 2087  
3301.0714 and 3314.03 of the Revised Code that are scheduled to 2088  
take effect January 1, 2025, are hereby repealed. 2089

**Section 5.** Sections 3 and 4 of this act take effect 2090  
January 1, 2025. 2091