

Amendment No.
1548
1594-1
1633-5
1721-2
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2193
2734
2741-1
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Amendment No.
3046-1
3145
3170-1
3191-1
3198

6 The motion was _____ agreed to

Sub. S.B. 3
As Passed by the Senate

Topic: Grades offered by STEM schools and STEM school equivalents

_____ moved to amend as follows:

In line 3 of the title, after "3319.26," insert "3326.03,
3326.032," 1
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In line 12 of the title, after the semicolon insert "to
expand the grade levels for STEM schools and equivalents;" 3
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In line 21, after "3319.26," insert "3326.03, 3326.032," 5

Between lines 2441 and 2442, insert: 6

"**Sec. 3326.03.** (A) The STEM committee shall authorize the
establishment of and award grants to science, technology,
engineering, and mathematics schools based on proposals submitted
to the committee. 7
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The committee shall determine the criteria for proposals,
establish procedures for the submission of proposals, accept and
evaluate proposals, and choose which proposals to approve to
become a STEM school. In approving proposals for STEM schools, the
committee shall consider locating the schools in diverse
geographic regions of the state so that all students have access
to a STEM school. 11
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The committee shall seek technical assistance from the Ohio
STEM learning network, or its successor, throughout the process of 18
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accepting and evaluating proposals and choosing which proposals to
approve. In approving proposals for STEM schools, the committee
shall consider the recommendations of the Ohio STEM learning
network, or its successor.

The committee may authorize the establishment of a group of
multiple STEM schools to operate from multiple facilities located
in one or more school districts under the direction of a single
governing body in the manner prescribed by section 3326.031 of the
Revised Code. The committee shall consider the merits of each of
the proposed STEM schools within a group and shall authorize each
school separately. Anytime after authorizing a group of STEM
schools to be under the direction of a single governing body, upon
a proposal from the governing body, the committee may authorize
one or more additional schools to operate as part of that group.

The STEM committee may approve one or more STEM schools to
serve only students identified as gifted under Chapter 3324. of
the Revised Code.

(B) Proposals may be submitted only by a partnership of
public and private entities consisting of at least all of the
following:

- (1) A city, exempted village, local, or joint vocational
school district or an educational service center;
- (2) Higher education entities;
- (3) Business organizations.

A community school established under Chapter 3314. of the
Revised Code, a chartered nonpublic school, or both may be part of
the partnership.

(C) Each proposal shall include at least the following:

(1) Assurances that the STEM school or group of STEM schools will be under the oversight of a governing body and a description of the members of that governing body and how they will be selected; 48-51

(2) Assurances that each STEM school will operate in compliance with this chapter and the provisions of the proposal as accepted by the committee; 52-54

(3) Evidence that each school will offer a rigorous, diverse, integrated, and project-based curriculum to students in any of grades ~~six~~ kindergarten through twelve, with the goal to prepare those students for college, the workforce, and citizenship, and that does all of the following: 55-59

- (a) Emphasizes the role of science, technology, engineering, and mathematics in promoting innovation and economic progress; 60-61
- (b) Incorporates scientific inquiry and technological design; 62
- (c) Includes the arts and humanities; 63
- (d) Emphasizes personalized learning and teamwork skills. 64

(4) Evidence that each school will attract school leaders who support the curriculum principles of division (C)(3) of this section; 65-67

(5) A description of how each school's curriculum will be developed and approved in accordance with section 3326.09 of the Revised Code; 68-70

(6) Evidence that each school will utilize an established capacity to capture and share knowledge for best practices and innovative professional development with the Ohio STEM learning network, or its successor; 71-74

(7) Evidence that each school will operate in collaboration 75

with a partnership that includes institutions of higher education 76
 and businesses; 77

(8) Assurances that each school has received commitments of 78
 sustained and verifiable fiscal and in-kind support from regional 79
 education and business entities; 80

(9) A description of how each school's assets will be 81
 distributed if the school closes for any reason. 82

Sec. 3326.032. (A) The STEM committee may grant a designation 83
 of STEM school equivalent to a community school established under 84
 Chapter 3314. of the Revised Code or to a chartered nonpublic 85
 school. In order to be eligible for this designation, a community 86
 school or chartered nonpublic school shall submit a proposal that 87
 satisfies the requirements of this section. 88

The committee shall determine the criteria for proposals, 90
 establish procedures for the submission of proposals, accept and 91
 evaluate proposals, and choose which proposals warrant a community 92
 school or chartered nonpublic school to be designated as a STEM 93
 school equivalent. 94

(B) A proposal for designation as a STEM school equivalent 95
 shall include at least the following: 96

(1) Assurances that the community school or chartered 97
 nonpublic school submitting the proposal has a working partnership 98
 with both public and private entities, including higher education 99
 entities and business organizations; 100

(2) Assurances that the school submitting the proposal will 101
 operate in compliance with this section and the provisions of the 102
 proposal as accepted by the committee; 103

(3) Evidence that the school submitting the proposal will	104
offer a rigorous, diverse, integrated, and project-based	105
curriculum to students in any of grades six <u>kindergarten</u> through	106
twelve, with the goal to prepare those students for college, the	107
workforce, and citizenship, and that does all of the following:	108
(a) Emphasizes the role of science, technology, engineering,	109
and mathematics in promoting innovation and economic progress;	110
(b) Incorporates scientific inquiry and technological design;	111
(c) Includes the arts and humanities;	112
(d) Emphasizes personalized learning and teamwork skills.	113
(4) Evidence that the school submitting the proposal will	114
attract school leaders who support the curriculum principles of	115
division (B)(3) of this section;	116
(5) A description of how each school's curriculum will be	117
developed and approved in accordance with section 3326.09 of the	118
Revised Code;	119
(6) Evidence that the school submitting the proposal will	120
utilize an established capacity to capture and share knowledge for	121
best practices and innovative professional development;	122
(7) Assurances that the school submitting the proposal has	123
received commitments of sustained and verifiable fiscal and	124
in-kind support from regional education and business entities.	125
(C)(1) A community school or chartered nonpublic school that	126
is designated as a STEM school equivalent under this section shall	127
not be subject to the requirements of Chapter 3326. of the Revised	128
Code, except that the school shall be subject to the requirements	129
of this section and to the curriculum requirements of section	130
3326.09 of the Revised Code.	131

Nothing in this section, however, shall relieve a community school of the applicable requirements of Chapter 3314. of the Revised Code. Nor shall anything in this section relieve a chartered nonpublic school of any provisions of law outside of this chapter that are applicable to chartered nonpublic schools.

(2) A community school or chartered nonpublic school that is designated as a STEM school equivalent under this section shall not be eligible for operating funding under sections 3326.31 to 3326.37, 3326.39 to 3326.40, and 3326.51 of the Revised Code.

(3) A community school or chartered nonpublic school that is designated as a STEM school equivalent under this section may apply for any of the grants and additional funds described in section 3326.38 of the Revised Code for which the school is eligible.

(D) If a community school or chartered nonpublic school that is designated as a STEM school equivalent under this section intends to close or intends to no longer be designated as a STEM school equivalent, it shall notify the STEM committee of that fact."

In line 2470, after "3319.26," insert "3326.03, 3326.032,"

The motion was _____ agreed to.

Sub. S.B. 3
As Passed by the Senate

Topic: Admission to community schools

_____ moved to amend as follows:

In line 3 of the title, after "3314.03," insert "3314.06," 1

In line 20, after "3314.03," insert "3314.06," 2

Between lines 2064 and 2065, insert: 3

"**Sec. 3314.06.** The governing authority of each community 4
school established under this chapter shall adopt admission 5
procedures that specify the following: 6

(A) That, except as otherwise provided in this section, 7
admission to the school shall be open to any individual age five 8
to twenty-two entitled to attend school pursuant to section 9
3313.64 or 3313.65 of the Revised Code in a school district in the 10
state. 11

Additionally, except as otherwise provided in this section, 12
admission to the school may be open on a tuition basis to any 13
individual age five to twenty-two who is not a resident of this 14
state. The school shall not receive state funds under section 15
3314.08 of the Revised Code for any student who is not a resident 16
of this state. 17

An individual younger than five years of age may be admitted 18
to the school in accordance with division (A)(2) of section 19

3321.01 of the Revised Code. The school shall receive funds for an individual admitted under that division in the manner provided under section 3314.08 of the Revised Code.

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

If the school operates a preschool program that is licensed by the department of education under sections 3301.52 to 3301.59 of the Revised Code, admission to the school may be open to individuals who are younger than five years of age, but the school shall not receive funds under this chapter for those individuals.

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

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

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

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

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

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

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

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

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

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

section. 79

(F) That the community school will admit the number of 80
students that does not exceed the capacity of the school's 81
programs, classes, grade levels, or facilities. 82

(G) That the purpose of single-gender schools that are 83
established shall be to take advantage of the academic benefits 84
some students realize from single-gender instruction and 85
facilities and to offer students and parents residing in the 86
district the option of a single-gender education. 87

(H) That, except as otherwise provided under division (B) of 88
this section or section 3314.061 of the Revised Code, if the 89
number of applicants exceeds the capacity restrictions of division 90
(F) of this section, students shall be admitted by lot from all 91
those submitting applications, except preference shall be given to 92
students attending the school the previous year and to students 93
who reside in the district in which the school is located. 94
Preference may be given to siblings of students attending the 95
school the previous year. Preference also may be given to students 96
who are the children of full-time staff members employed by the 97
school, provided the total number of students receiving this 98
preference is less than five per cent of the school's total 99
enrollment. 100

Notwithstanding divisions (A) to (H) of this section, in the 101
event the racial composition of the enrollment of the community 102
school is violative of a federal desegregation order, the 103
community school shall take any and all corrective measures to 104
comply with the desegregation order." 105

In line 2470, after "3314.03," insert "3314.06," 106

The motion was _____ agreed to.

Sub. S.B. 3
As Passed by the Senate

Topic: Third-grade Reading Guarantee diagnostic assessments

_____ moved to amend as follows:

In line 2 of the title, after "3313.46," insert "3313.608," 1

In line 20, after "3313.46," insert "3313.608," 2

Between lines 1790 and 1791, insert: 3

"**Sec. 3313.608.** (A)(1) Beginning with students who enter 4
third grade in the school year that starts July 1, 2009, and until 5
June 30, 2013, unless the student is excused under division (C) of 6
section 3301.0711 of the Revised Code from taking the assessment 7
described in this section, for any student who does not attain at 8
least the equivalent level of achievement designated under 9
division (A)(3) of section 3301.0710 of the Revised Code on the 10
assessment prescribed under that section to measure skill in 11
English language arts expected at the end of third grade, each 12
school district, in accordance with the policy adopted under 13
section 3313.609 of the Revised Code, shall do one of the 14
following: 15

(a) Promote the student to fourth grade if the student's 16
principal and reading teacher agree that other evaluations of the 17
student's skill in reading demonstrate that the student is 18
academically prepared to be promoted to fourth grade; 19

(b) Promote the student to fourth grade but provide the student with intensive intervention services in fourth grade;

(c) Retain the student in third grade.

(2) Beginning with students who enter third grade in the 2013-2014 school year, unless the student is excused under division (C) of section 3301.0711 of the Revised Code from taking the assessment described in this section, no school district shall promote to fourth grade any student who does not attain at least the equivalent level of achievement designated under division (A)(3) of section 3301.0710 of the Revised Code on the assessment prescribed under that section to measure skill in English language arts expected at the end of third grade, unless one of the following applies:

(a) The student is a limited English proficient student who has been enrolled in United States schools for less than three full school years and has had less than three years of instruction in an English as a second language program.

(b) The student is a child with a disability entitled to special education and related services under Chapter 3323. of the Revised Code and the student's individualized education program exempts the student from retention under this division.

(c) The student demonstrates an acceptable level of performance on an alternative standardized reading assessment as determined by the department of education.

(d) All of the following apply:

(i) The student is a child with a disability entitled to special education and related services under Chapter 3323. of the Revised Code.

(ii) The student has taken the third grade English language

arts achievement assessment prescribed under section 3301.0710 of 49
the Revised Code. 50

(iii) The student's individualized education program or plan 51
under section 504 of the "Rehabilitation Act of 1973," 87 Stat. 52
355, 29 U.S.C. 794, as amended, shows that the student has 53
received intensive remediation in reading for two school years but 54
still demonstrates a deficiency in reading. 55

(iv) The student previously was retained in any of grades 56
kindergarten to three. 57

(e)(i) The student received intensive remediation for reading 58
for two school years but still demonstrates a deficiency in 59
reading and was previously retained in any of grades kindergarten 60
to three. 61

(ii) A student who is promoted under division (A)(2)(e)(i) of 62
this section shall continue to receive intensive reading 63
instruction in grade four. The instruction shall include an 64
altered instructional day that includes specialized diagnostic 65
information and specific research-based reading strategies for the 66
student that have been successful in improving reading among 67
low-performing readers. 68

(B)(1) Beginning in the 2012-2013 school year, to assist 69
students in meeting the third grade guarantee established by this 70
section, each school district board of education shall adopt 71
policies and procedures with which it annually shall assess the 72
reading skills of each student, except those students with 73
significant cognitive disabilities or other disabilities as 74
authorized by the department on a case-by-case basis, enrolled in 75
kindergarten to third grade and shall identify students who are 76
reading below their grade level. The reading skills assessment 77
shall be completed by the thirtieth day of September for students 78

in grades one to three, and by the first day of November for 79
students in kindergarten. Each district shall use the diagnostic 80
assessment to measure reading ability for the appropriate grade 81
level adopted under section 3301.079 of the Revised Code, or a 82
comparable tool approved by the department of education, to 83
identify such students. The policies and procedures shall require 84
the students' classroom teachers to be involved in the assessment 85
and the identification of students reading below grade level. ~~The 86
assessment may be administered electronically using live, two-way 87
video and audio connections whereby the teacher administering the 88
assessment may be in a separate location from the student.~~ 89

(2) For each student identified by the diagnostic assessment 90
prescribed under this section as having reading skills below grade 91
level, the district shall do both of the following: 92

(a) Provide to the student's parent or guardian, in writing, 93
all of the following: 94

(i) Notification that the student has been identified as 95
having a substantial deficiency in reading; 96

(ii) A description of the current services that are provided 97
to the student; 98

(iii) A description of the proposed supplemental 99
instructional services and supports that will be provided to the 100
student that are designed to remediate the identified areas of 101
reading deficiency; 102

(iv) Notification that if the student attains a score in the 103
range designated under division (A)(3) of section 3301.0710 of the 104
Revised Code on the assessment prescribed under that section to 105
measure skill in English language arts expected at the end of 106
third grade, the student shall be retained unless the student is 107

exempt under division (A) of this section. The notification shall
specify that the assessment under section 3301.0710 of the Revised
Code is not the sole determinant of promotion and that additional
evaluations and assessments are available to the student to assist
parents and the district in knowing when a student is reading at
or above grade level and ready for promotion.

(b) Provide intensive reading instruction services and
regular diagnostic assessments to the student immediately
following identification of a reading deficiency until the
development of the reading improvement and monitoring plan
required by division (C) of this section. These intervention
services shall include research-based reading strategies that have
been shown to be successful in improving reading among
low-performing readers and instruction targeted at the student's
identified reading deficiencies.

(3) For each student retained under division (A) of this
section, the district shall do all of the following:

(a) Provide intense remediation services until the student is
able to read at grade level. The remediation services shall
include intensive interventions in reading that address the areas
of deficiencies identified under this section including, but not
limited to, not less than ninety minutes of reading instruction
per day, and may include any of the following:

(i) Small group instruction;

(ii) Reduced teacher-student ratios;

(iii) More frequent progress monitoring;

(iv) Tutoring or mentoring;

(v) Transition classes containing third and fourth grade
students;

(vi) Extended school day, week, or year;	137
(vii) Summer reading camps.	138
(b) Establish a policy for the mid-year promotion of a student retained under division (A) of this section who demonstrates that the student is reading at or above grade level;	139 140 141
(c) Provide each student with a teacher who satisfies one or more of the criteria set forth in division (H) of this section.	142 143
The district shall offer the option for students to receive applicable services from one or more providers other than the district. Providers shall be screened and approved by the district or the department of education. If the student participates in the remediation services and demonstrates reading proficiency in accordance with standards adopted by the department prior to the start of fourth grade, the district shall promote the student to that grade.	144 145 146 147 148 149 150 151
(4) For each student retained under division (A) of this section who has demonstrated proficiency in a specific academic ability field, each district shall provide instruction commensurate with student achievement levels in that specific academic ability field.	152 153 154 155 156
As used in this division, "specific academic ability field" has the same meaning as in section 3324.01 of the Revised Code.	157 158
(C) For each student required to be provided intervention services under this section, the district shall develop a reading improvement and monitoring plan within sixty days after receiving the student's results on the diagnostic assessment or comparable tool administered under division (B)(1) of this section. The district shall involve the student's parent or guardian and classroom teacher in developing the plan. The plan shall include	159 160 161 162 163 164 165

all of the following:	166
(1) Identification of the student's specific reading deficiencies;	167 168
(2) A description of the additional instructional services and support that will be provided to the student to remediate the identified reading deficiencies;	169 170 171
(3) Opportunities for the student's parent or guardian to be involved in the instructional services and support described in division (C)(2) of this section;	172 173 174
(4) A process for monitoring the extent to which the student receives the instructional services and support described in division (C)(2) of this section;	175 176 177
(5) A reading curriculum during regular school hours that does all of the following:	178 179
(a) Assists students to read at grade level;	180
(b) Provides scientifically based and reliable assessment;	181
(c) Provides initial and ongoing analysis of each student's reading progress.	182 183
(6) A statement that if the student does not attain at least the equivalent level of achievement designated under division (A)(3) of section 3301.0710 of the Revised Code on the assessment prescribed under that section to measure skill in English language arts expected by the end of third grade, the student may be retained in third grade.	184 185 186 187 188 189
Each student with a reading improvement and monitoring plan under this division who enters third grade after July 1, 2013, shall be assigned to a teacher who satisfies one or more of the criteria set forth in division (H) of this section.	190 191 192 193

The district shall report any information requested by the department about the reading improvement monitoring plans developed under this division in the manner required by the department.

(D) Each school district shall report annually to the department on its implementation and compliance with this section using guidelines prescribed by the superintendent of public instruction. The superintendent of public instruction annually shall report to the governor and general assembly the number and percentage of students in grades kindergarten through four reading below grade level based on the diagnostic assessments administered under division (B) of this section and the achievement assessments administered under divisions (A)(1)(a) and (b) of section 3301.0710 of the Revised Code in English language arts, aggregated by school district and building; the types of intervention services provided to students; and, if available, an evaluation of the efficacy of the intervention services provided.

(E) Any summer remediation services funded in whole or in part by the state and offered by school districts to students under this section shall meet the following conditions:

(1) The remediation methods are based on reliable educational research.

(2) The school districts conduct assessment before and after students participate in the program to facilitate monitoring results of the remediation services.

(3) The parents of participating students are involved in programming decisions.

(F) Any intervention or remediation services required by this section shall include intensive, explicit, and systematic

instruction.	223
(G) This section does not create a new cause of action or a substantive legal right for any person.	224 225
(H)(1) Except as provided under divisions (H)(2), (3), and (4) of this section, each student described in division (B)(3) or (C) of this section who enters third grade for the first time on or after July 1, 2013, shall be assigned a teacher who has at least one year of teaching experience and who satisfies one or more of the following criteria:	226 227 228 229 230 231
(a) The teacher holds a reading endorsement on the teacher's license and has attained a passing score on the corresponding assessment for that endorsement, as applicable.	232 233 234
(b) The teacher has completed a master's degree program with a major in reading.	235 236
(c) The teacher was rated "most effective" for reading instruction consecutively for the most recent two years based on assessments of student growth measures developed by a vendor and that is on the list of student assessments approved by the state board under division (B)(2) of section 3319.112 of the Revised Code.	237 238 239 240 241 242
(d) The teacher was rated "above expected value added," in reading instruction, as determined by criteria established by the department, for the most recent, consecutive two years.	243 244 245
(e) The teacher has earned a passing score on a rigorous test of principles of scientifically research-based reading instruction as approved by the state board.	246 247 248
(f) The teacher holds an educator license for teaching grades pre-kindergarten through three or four through nine issued on or after July 1, 2017.	249 250 251

(2) Notwithstanding division (H)(1) of this section, a student described in division (B)(3) or (C) of this section who enters third grade for the first time on or after July 1, 2013, may be assigned to a teacher with less than one year of teaching experience provided that the teacher meets one or more of the criteria described in divisions (H)(1)(a) to (f) of this section and that teacher is assigned a teacher mentor who meets the qualifications of division (H)(1) of this section.

(3) Notwithstanding division (H)(1) of this section, a student described in division (B)(3) or (C) of this section who enters third grade for the first time on or after July 1, 2013, but prior to July 1, 2016, may be assigned to a teacher who holds an alternative credential approved by the department or who has successfully completed training that is based on principles of scientifically research-based reading instruction that has been approved by the department. Beginning on July 1, 2014, the alternative credentials and training described in division (H)(3) of this section shall be aligned with the reading competencies adopted by the state board of education under section 3301.077 of the Revised Code.

(4) Notwithstanding division (H)(1) of this section, a student described in division (B)(3) or (C) of this section who enters third grade for the first time on or after July 1, 2013, may receive reading intervention or remediation services under this section from an individual employed as a speech-language pathologist who holds a license issued by the board of speech-language pathology and audiology under Chapter 4753. of the Revised Code and a professional pupil services license as a school speech-language pathologist issued by the state board of education.

(5) A teacher, other than a student's teacher of record, may provide any services required under this section, so long as that other teacher meets the requirements of division (H) of this section and the teacher of record and the school principal agree to the assignment. Any such assignment shall be documented in the student's reading improvement and monitoring plan.

As used in this division, "teacher of record" means the classroom teacher to whom a student is assigned.

(I) Notwithstanding division (H) of this section, a teacher may teach reading to any student who is an English language learner, and has been in the United States for three years or less, or to a student who has an individualized education program developed under Chapter 3323. of the Revised Code if that teacher holds an alternative credential approved by the department or has successfully completed training that is based on principles of scientifically research-based reading instruction that has been approved by the department. Beginning on July 1, 2014, the alternative credentials and training described in this division shall be aligned with the reading competencies adopted by the state board of education under section 3301.077 of the Revised Code.

(J) If, on or after June 4, 2013, a school district or community school cannot furnish the number of teachers needed who satisfy one or more of the criteria set forth in division (H) of this section for the 2013-2014 school year, the school district or community school shall develop and submit a staffing plan by June 30, 2013. The staffing plan shall include criteria that will be used to assign a student described in division (B)(3) or (C) of this section to a teacher, credentials or training held by teachers currently teaching at the school, and how the school

district or community school will meet the requirements of this 312
 section. The school district or community school shall post the 313
 staffing plan on its web site for the applicable school year. 314

Not later than March 1, 2014, and on the first day of March 315
 in each year thereafter, a school district or community school 316
 that has submitted a plan under this division shall submit to the 317
 department a detailed report of the progress the district or 318
 school has made in meeting the requirements under this section. 319

A school district or community school may request an 320
 extension of a staffing plan beyond the 2013-2014 school year. 321
 Extension requests must be submitted to the department not later 322
 than the thirtieth day of April prior to the start of the 323
 applicable school year. The department may grant extensions valid 324
 through the 2015-2016 school year. 325

Until June 30, 2015, the department annually shall review all 326
 staffing plans and report to the state board not later than the 327
 thirtieth day of June of each year the progress of school 328
 districts and community schools in meeting the requirements of 329
 this section. 330

(K) The department of education shall designate one or more 331
 staff members to provide guidance and assistance to school 332
 districts and community schools in implementing the third grade 333
 guarantee established by this section, including any standards or 334
 requirements adopted to implement the guarantee and to provide 335
 information and support for reading instruction and achievement." 336

In line 2469, after "3313.46," insert "3313.608," 337

The motion was _____ agreed to.

Sub. S.B. 3
As Passed by the Senate

Topic: Updated plan for awarding credit based on subject area competency

_____ moved to amend as follows:

Delete lines 1791 through 2064 and insert: 1

"**Sec. 3314.03.** A copy of every contract entered into under 2
this section shall be filed with the superintendent of public 3
instruction. The department of education shall make available on 4
its web site a copy of every approved, executed contract filed 5
with the superintendent under this section. 6

(A) Each contract entered into between a sponsor and the 7
governing authority of a community school shall specify the 8
following: 9

(1) That the school shall be established as either of the 10
following: 11

(a) A nonprofit corporation established under Chapter 1702. 12
of the Revised Code, if established prior to April 8, 2003; 13

(b) A public benefit corporation established under Chapter 14
1702. of the Revised Code, if established after April 8, 2003. 15

(2) The education program of the school, including the 16
school's mission, the characteristics of the students the school 17
is expected to attract, the ages and grades of students, and the 18
focus of the curriculum; 19

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

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

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

(6)(a) Dismissal procedures;

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

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

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

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

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

(b) The annual costs associated with leasing each facility 48
that are paid by or on behalf of the school; 49

(c) The annual mortgage principal and interest payments that 50
are paid by the school; 51

(d) The name of the lender or landlord, identified as such, 52
and the lender's or landlord's relationship to the operator, if 53
any. 54

(10) Qualifications of teachers, including a requirement that 55
the school's classroom teachers be licensed in accordance with 56
sections 3319.22 to 3319.31 of the Revised Code, except that a 57
community school may engage noncertificated persons to teach up to 58
twelve hours per week pursuant to section 3319.301 of the Revised 59
Code. 60

(11) That the school will comply with the following 61
requirements: 62

(a) The school will provide learning opportunities to a 63
minimum of twenty-five students for a minimum of nine hundred 64
twenty hours per school year. 65

(b) The governing authority will purchase liability 66
insurance, or otherwise provide for the potential liability of the 67
school. 68

(c) The school will be nonsectarian in its programs, 69
admission policies, employment practices, and all other 70
operations, and will not be operated by a sectarian school or 71
religious institution. 72

(d) The school will comply with sections 9.90, 9.91, 109.65, 73
121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 74
3301.0712, 3301.0715, 3301.0728, 3301.948, 3313.472, 3313.50, 75
3313.536, 3313.539, 3313.608, 3313.609, 3313.6012, 3313.6013, 76

3313.6014, 3313.6015, 3313.6020, 3313.643, 3313.648, 3313.6411, 77
 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.67, 78
 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 79
 3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 3313.814, 80
 3313.816, 3313.817, 3313.86, 3313.89, 3313.96, 3319.073, 3319.321, 81
 3319.39, 3319.391, 3319.41, 3319.46, 3321.01, 3321.041, 3321.13, 82
 3321.14, 3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 83
 4113.52, and 5705.391 and Chapters 117., 1347., 2744., 3365., 84
 3742., 4112., 4123., 4141., and 4167. of the Revised Code as if it 85
 were a school district and will comply with section 3301.0714 of 86
 the Revised Code in the manner specified in section 3314.17 of the 87
 Revised Code. 88

(e) The school shall comply with Chapter 102. and section 89
 2921.42 of the Revised Code. 90

(f) The school will comply with sections 3313.61, 3313.611, 91
 and 3313.614 of the Revised Code, except that for students who 92
 enter ninth grade for the first time before July 1, 2010, the 93
 requirement in sections 3313.61 and 3313.611 of the Revised Code 94
 that a person must successfully complete the curriculum in any 95
 high school prior to receiving a high school diploma may be met by 96
 completing the curriculum adopted by the governing authority of 97
 the community school rather than the curriculum specified in Title 98
 XXXIII of the Revised Code or any rules of the state board of 99
 education. Beginning with students who enter ninth grade for the 100
 first time on or after July 1, 2010, the requirement in sections 101
 3313.61 and 3313.611 of the Revised Code that a person must 102
 successfully complete the curriculum of a high school prior to 103
 receiving a high school diploma shall be met by completing the 104
 requirements prescribed in division (C) of section 3313.603 of the 105
 Revised Code, unless the person qualifies under division (D) or 106
 (F) of that section. Each school shall comply with the plan for 107

awarding high school credit based on demonstration of subject area 108
 competency, and beginning with the ~~2016-2017~~ 2017-2018 school 109
 year, with the updated plan that permits students enrolled in 110
 seventh and eighth grade to meet curriculum requirements based on 111
 subject area competency adopted by the state board of education 112
 under divisions (J)(1) and (2) of section 3313.603 of the Revised 113
 Code. 114

(g) The school governing authority will submit within four 115
 months after the end of each school year a report of its 116
 activities and progress in meeting the goals and standards of 117
 divisions (A)(3) and (4) of this section and its financial status 118
 to the sponsor and the parents of all students enrolled in the 119
 school. 120

(h) The school, unless it is an internet- or computer-based 121
 community school, will comply with section 3313.801 of the Revised 122
 Code as if it were a school district. 123

(i) If the school is the recipient of moneys from a grant 124
 awarded under the federal race to the top program, Division (A), 125
 Title XIV, Sections 14005 and 14006 of the "American Recovery and 126
 Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, the 127
 school will pay teachers based upon performance in accordance with 128
 section 3317.141 and will comply with section 3319.111 of the 129
 Revised Code as if it were a school district. 130

(j) If the school operates a preschool program that is 131
 licensed by the department of education under sections 3301.52 to 132
 3301.59 of the Revised Code, the school shall comply with sections 133
 3301.50 to 3301.59 of the Revised Code and the minimum standards 134
 for preschool programs prescribed in rules adopted by the state 135
 board under section 3301.53 of the Revised Code. 136

(12) Arrangements for providing health and other benefits to 137

employees; 138

(13) The length of the contract, which shall begin at the 139
beginning of an academic year. No contract shall exceed five years 140
unless such contract has been renewed pursuant to division (E) of 141
this section. 142

(14) The governing authority of the school, which shall be 143
responsible for carrying out the provisions of the contract; 144

(15) A financial plan detailing an estimated school budget 145
for each year of the period of the contract and specifying the 146
total estimated per pupil expenditure amount for each such year. 147

(16) Requirements and procedures regarding the disposition of 148
employees of the school in the event the contract is terminated or 149
not renewed pursuant to section 3314.07 of the Revised Code; 150

(17) Whether the school is to be created by converting all or 151
part of an existing public school or educational service center 152
building or is to be a new start-up school, and if it is a 153
converted public school or service center building, specification 154
of any duties or responsibilities of an employer that the board of 155
education or service center governing board that operated the 156
school or building before conversion is delegating to the 157
governing authority of the community school with respect to all or 158
any specified group of employees provided the delegation is not 159
prohibited by a collective bargaining agreement applicable to such 160
employees; 161

(18) Provisions establishing procedures for resolving 162
disputes or differences of opinion between the sponsor and the 163
governing authority of the community school; 164

(19) A provision requiring the governing authority to adopt a 165
policy regarding the admission of students who reside outside the 166

district in which the school is located. That policy shall comply 167
 with the admissions procedures specified in sections 3314.06 and 168
 3314.061 of the Revised Code and, at the sole discretion of the 169
 authority, shall do one of the following: 170

(a) Prohibit the enrollment of students who reside outside 171
 the district in which the school is located; 172

(b) Permit the enrollment of students who reside in districts 173
 adjacent to the district in which the school is located; 174

(c) Permit the enrollment of students who reside in any other 175
 district in the state. 176

(20) A provision recognizing the authority of the department 177
 of education to take over the sponsorship of the school in 178
 accordance with the provisions of division (C) of section 3314.015 179
 of the Revised Code; 180

(21) A provision recognizing the sponsor's authority to 181
 assume the operation of a school under the conditions specified in 182
 division (B) of section 3314.073 of the Revised Code; 183

(22) A provision recognizing both of the following: 184

(a) The authority of public health and safety officials to 185
 inspect the facilities of the school and to order the facilities 186
 closed if those officials find that the facilities are not in 187
 compliance with health and safety laws and regulations; 188

(b) The authority of the department of education as the 189
 community school oversight body to suspend the operation of the 190
 school under section 3314.072 of the Revised Code if the 191
 department has evidence of conditions or violations of law at the 192
 school that pose an imminent danger to the health and safety of 193
 the school's students and employees and the sponsor refuses to 194
 take such action. 195

(23) A description of the learning opportunities that will be 196
 offered to students including both classroom-based and 197
 non-classroom-based learning opportunities that is in compliance 198
 with criteria for student participation established by the 199
 department under division (H)(2) of section 3314.08 of the Revised 200
 Code; 201

(24) The school will comply with sections 3302.04 and 202
 3302.041 of the Revised Code, except that any action required to 203
 be taken by a school district pursuant to those sections shall be 204
 taken by the sponsor of the school. However, the sponsor shall not 205
 be required to take any action described in division (F) of 206
 section 3302.04 of the Revised Code. 207

(25) Beginning in the 2006-2007 school year, the school will 208
 open for operation not later than the thirtieth day of September 209
 each school year, unless the mission of the school as specified 210
 under division (A)(2) of this section is solely to serve dropouts. 211
 In its initial year of operation, if the school fails to open by 212
 the thirtieth day of September, or within one year after the 213
 adoption of the contract pursuant to division (D) of section 214
 3314.02 of the Revised Code if the mission of the school is solely 215
 to serve dropouts, the contract shall be void. 216

(26) Whether the school's governing authority is planning to 217
 seek designation for the school as a STEM school equivalent under 218
 section 3326.032 of the Revised Code; 219

(27) That the school's attendance and participation policies 220
 will be available for public inspection; 221

(28) That the school's attendance and participation records 222
 shall be made available to the department of education, auditor of 223
 state, and school's sponsor to the extent permitted under and in 224
 accordance with the "Family Educational Rights and Privacy Act of 225

1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 226
 regulations promulgated under that act, and section 3319.321 of 227
 the Revised Code; 228

(29) If a school operates using the blended learning model, 229
 as defined in section 3301.079 of the Revised Code, all of the 230
 following information: 231

(a) An indication of what blended learning model or models 232
 will be used; 233

(b) A description of how student instructional needs will be 234
 determined and documented; 235

(c) The method to be used for determining competency, 236
 granting credit, and promoting students to a higher grade level; 237

(d) The school's attendance requirements, including how the 238
 school will document participation in learning opportunities; 239

(e) A statement describing how student progress will be 240
 monitored; 241

(f) A statement describing how private student data will be 242
 protected; 243

(g) A description of the professional development activities 244
 that will be offered to teachers. 245

(30) A provision requiring that all moneys the school's 246
 operator loans to the school, including facilities loans or cash 247
 flow assistance, must be accounted for, documented, and bear 248
 interest at a fair market rate; 249

(31) A provision requiring that, if the governing authority 250
 contracts with an attorney, accountant, or entity specializing in 251
 audits, the attorney, accountant, or entity shall be independent 252
 from the operator with which the school has contracted. 253

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

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

(2) The management and administration of the school;

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

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

(5) Internal financial controls.

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

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

(D) The contract shall specify the duties of the sponsor

which shall be in accordance with the written agreement entered 283
into with the department of education under division (B) of 284
section 3314.015 of the Revised Code and shall include the 285
following: 286

(1) Monitor the community school's compliance with all laws 287
applicable to the school and with the terms of the contract; 288

(2) Monitor and evaluate the academic and fiscal performance 289
and the organization and operation of the community school on at 290
least an annual basis; 291

(3) Report on an annual basis the results of the evaluation 292
conducted under division (D)(2) of this section to the department 293
of education and to the parents of students enrolled in the 294
community school; 295

(4) Provide technical assistance to the community school in 296
complying with laws applicable to the school and terms of the 297
contract; 298

(5) Take steps to intervene in the school's operation to 299
correct problems in the school's overall performance, declare the 300
school to be on probationary status pursuant to section 3314.073 301
of the Revised Code, suspend the operation of the school pursuant 302
to section 3314.072 of the Revised Code, or terminate the contract 303
of the school pursuant to section 3314.07 of the Revised Code as 304
determined necessary by the sponsor; 305

(6) Have in place a plan of action to be undertaken in the 306
event the community school experiences financial difficulties or 307
closes prior to the end of a school year. 308

(E) Upon the expiration of a contract entered into under this 309
section, the sponsor of a community school may, with the approval 310
of the governing authority of the school, renew that contract for 311

a period of time determined by the sponsor, but not ending earlier 312
 than the end of any school year, if the sponsor finds that the 313
 school's compliance with applicable laws and terms of the contract 314
 and the school's progress in meeting the academic goals prescribed 315
 in the contract have been satisfactory. Any contract that is 316
 renewed under this division remains subject to the provisions of 317
 sections 3314.07, 3314.072, and 3314.073 of the Revised Code. 318

(F) If a community school fails to open for operation within 319
 one year after the contract entered into under this section is 320
 adopted pursuant to division (D) of section 3314.02 of the Revised 321
 Code or permanently closes prior to the expiration of the 322
 contract, the contract shall be void and the school shall not 323
 enter into a contract with any other sponsor. A school shall not 324
 be considered permanently closed because the operations of the 325
 school have been suspended pursuant to section 3314.072 of the 326
 Revised Code." 327

Between lines 2503 and 2504, insert: 328

"Section 3314.03 of the Revised Code as amended by both Am. 329
 Sub. H.B. 2 and Am. Sub. H.B. 64 of the 131st General Assembly." 330

The motion was _____ agreed to.

Topic: Adjustment of tax certifications for foundation funding

_____ moved to amend as follows:

1 In line 12 of the title, after the semicolon insert "to
2 require the adjustment of specified tax certifications that are
3 used for school foundation funding;"

4 In line 2496, after the period insert "(A) Notwithstanding
5 section 3317.021 of the Revised Code, within sixty days after
6 the effective date of this section, the county auditor in any
7 county in which the countywide taxable valuations certified to
8 the Tax Commissioner for tax years 2012, 2013, and 2014 on the
9 abstracts of real property or real and public utility property
10 vary from the countywide aggregate amount of valuation on the
11 tax duplicates in any of those years by an amount greater than
12 thirty million dollars shall certify corrected valuations for
13 the county, by taxing district, to the Tax Commissioner.

14 (B) Within thirty days after receipt of any corrected
15 valuations under division (A) of this section, the Tax
16 Commissioner shall certify those valuations, aggregated by
17 school district, to the Department of Education.

18 (C) Upon receipt of any corrected valuations under division
19 (B) of this section, the Department shall use those valuations
20 for purposes of provisions of Chapter 3317. of the Revised Code,
21 for fiscal year 2016, and for each fiscal year thereafter, in
22 which those valuations are used to calculate foundation funding.
23 Additionally, the Department shall make any adjustments to
24 calculations of each school district's payments under Chapter
25 3317. of the Revised Code that are necessary to reflect the
26 corrected valuations.

27 **Section 7."**

28 The motion was _____ agreed to.

Sub. S.B. 3
As Passed by the Senate

Topic: Mathematics credit for career-technical education students

_____ moved to amend as follows:

In line 2 of the title, after "3313.46," insert "3313.603," 1

In line 20, after "3313.46," insert "3313.603," 2

Between lines 1790 and 1791, insert: 3

"Sec. 3313.603. (A) As used in this section: 4

(1) "One unit" means a minimum of one hundred twenty hours of 5
course instruction, except that for a laboratory course, "one 6
unit" means a minimum of one hundred fifty hours of course 7
instruction. 8

(2) "One-half unit" means a minimum of sixty hours of course 9
instruction, except that for physical education courses, "one-half 10
unit" means a minimum of one hundred twenty hours of course 11
instruction. 12

(B) Beginning September 15, 2001, except as required in 13
division (C) of this section and division (C) of section 3313.614 14
of the Revised Code, the requirements for graduation from every 15
high school shall include twenty units earned in grades nine 16
through twelve and shall be distributed as follows: 17

(1) English language arts, four units; 18

(2) Health, one-half unit;	19
(3) Mathematics, three units;	20
(4) Physical education, one-half unit;	21
(5) Science, two units until September 15, 2003, and three	22
units thereafter, which at all times shall include both of the	23
following:	24
(a) Biological sciences, one unit;	25
(b) Physical sciences, one unit.	26
(6) History and government, one unit, which shall comply with	27
division (M) of this section and shall include both of the	28
following:	29
(a) American history, one-half unit;	30
(b) American government, one-half unit.	31
(7) Social studies, two units.	32
Beginning with students who enter ninth grade for the first	33
time on or after July 1, 2017, the two units of instruction	34
prescribed by division (B)(7) of this section shall include at	35
least one-half unit of instruction in the study of world history	36
and civilizations.	37
(8) Elective units, seven units until September 15, 2003, and	38
six units thereafter.	39
Each student's electives shall include at least one unit, or	40
two half units, chosen from among the areas of	41
business/technology, fine arts, and/or foreign language.	42
(C) Beginning with students who enter ninth grade for the	43
first time on or after July 1, 2010, except as provided in	44
divisions (D) to (F) of this section, the requirements for	45

graduation from every public and chartered nonpublic high school shall include twenty units that are designed to prepare students for the workforce and college. The units shall be distributed as follows:

(1) English language arts, four units;

(2) Health, one-half unit, which shall include instruction in nutrition and the benefits of nutritious foods and physical activity for overall health;

(3) Mathematics, four units, which shall include one unit of algebra II or the equivalent of algebra II. However, students who enter ninth grade for the first time on or after July 1, 2015, and who are pursuing a career-technical instructional track shall not be required to take algebra II, and instead may complete a career-based pathway mathematics course approved by the department of education as an alternative.

(4) Physical education, one-half unit;

(5) Science, three units with inquiry-based laboratory experience that engages students in asking valid scientific questions and gathering and analyzing information, which shall include the following, or their equivalent:

(a) Physical sciences, one unit;

(b) Life sciences, one unit;

(c) Advanced study in one or more of the following sciences, one unit:

(i) Chemistry, physics, or other physical science;

(ii) Advanced biology or other life science;

(iii) Astronomy, physical geology, or other earth or space science.

(6) History and government, one unit, which shall comply with 74
 division (M) of this section and shall include both of the 75
 following: 76

(a) American history, one-half unit; 77

(b) American government, one-half unit. 78

(7) Social studies, two units. 79

Each school shall integrate the study of economics and 80
 financial literacy, as expressed in the social studies academic 81
 content standards adopted by the state board of education under 82
 division (A)(1) of section 3301.079 of the Revised Code and the 83
 academic content standards for financial literacy and 84
 entrepreneurship adopted under division (A)(2) of that section, 85
 into one or more existing social studies credits required under 86
 division (C)(7) of this section, or into the content of another 87
 class, so that every high school student receives instruction in 88
 those concepts. In developing the curriculum required by this 89
 paragraph, schools shall use available public-private partnerships 90
 and resources and materials that exist in business, industry, and 91
 through the centers for economics education at institutions of 92
 higher education in the state. 93

Beginning with students who enter ninth grade for the first 94
 time on or after July 1, 2017, the two units of instruction 95
 prescribed by division (C)(7) of this section shall include at 96
 least one-half unit of instruction in the study of world history 97
 and civilizations. 98

(8) Five units consisting of one or any combination of 99
 foreign language, fine arts, business, career-technical education, 100
 family and consumer sciences, technology, agricultural education, 101
 a junior reserve officer training corps (JROTC) program approved 102

by the congress of the United States under title 10 of the United States Code, or English language arts, mathematics, science, or social studies courses not otherwise required under division (C) of this section.

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

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

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

Stronger coordination between high schools and institutions 133
of higher education is necessary to prepare students for more 134
challenging academic endeavors and to lessen the need for academic 135
remediation in college, thereby reducing the costs of higher 136
education for Ohio's students, families, and the state. The state 137
board and the chancellor of higher education shall develop 138
policies to ensure that only in rare instances will students who 139
complete the requirements for graduation prescribed in division 140
(C) of this section require academic remediation after high 141
school. 142

School districts, community schools, and chartered nonpublic 143
schools shall integrate technology into learning experiences 144
across the curriculum in order to maximize efficiency, enhance 145
learning, and prepare students for success in the 146
technology-driven twenty-first century. Districts and schools 147
shall use distance and web-based course delivery as a method of 148
providing or augmenting all instruction required under this 149
division, including laboratory experience in science. Districts 150
and schools shall utilize technology access and electronic 151
learning opportunities provided by the broadcast educational media 152
commission, chancellor, the Ohio learning network, education 153
technology centers, public television stations, and other public 154
and private providers. 155

(D) Except as provided in division (E) of this section, a 156
student who enters ninth grade on or after July 1, 2010, and 157
before July 1, 2016, may qualify for graduation from a public or 158
chartered nonpublic high school even though the student has not 159
completed the requirements for graduation prescribed in division 160
(C) of this section if all of the following conditions are 161
satisfied: 162

(1) During the student's third year of attending high school, 163
 as determined by the school, the student and the student's parent, 164
 guardian, or custodian sign and file with the school a written 165
 statement asserting the parent's, guardian's, or custodian's 166
 consent to the student's graduating without completing the 167
 requirements for graduation prescribed in division (C) of this 168
 section and acknowledging that one consequence of not completing 169
 those requirements is ineligibility to enroll in most state 170
 universities in Ohio without further coursework. 171

(2) The student and parent, guardian, or custodian fulfill 172
 any procedural requirements the school stipulates to ensure the 173
 student's and parent's, guardian's, or custodian's informed 174
 consent and to facilitate orderly filing of statements under 175
 division (D)(1) of this section. Annually, each district or school 176
 shall notify the department ~~of education~~ of the number of students 177
 who choose to qualify for graduation under division (D) of this 178
 section and the number of students who complete the student's 179
 success plan and graduate from high school. 180

(3) The student and the student's parent, guardian, or 181
 custodian and a representative of the student's high school 182
 jointly develop a student success plan for the student in the 183
 manner described in division (C)(1) of section 3313.6020 of the 184
 Revised Code that specifies the student matriculating to a 185
 two-year degree program, acquiring a business and 186
 industry-recognized credential, or entering an apprenticeship. 187

(4) The student's high school provides counseling and support 188
 for the student related to the plan developed under division 189
 (D)(3) of this section during the remainder of the student's high 190
 school experience. 191

(5)(a) Except as provided in division (D)(5)(b) of this 192

section, the student successfully completes, at a minimum, the	193
curriculum prescribed in division (B) of this section.	194
(b) Beginning with students who enter ninth grade for the	195
first time on or after July 1, 2014, a student shall be required	196
to complete successfully, at the minimum, the curriculum	197
prescribed in division (B) of this section, except as follows:	198
(i) Mathematics, four units, one unit which shall be one of	199
the following:	200
(I) Probability and statistics;	201
(II) Computer programming;	202
(III) Applied mathematics or quantitative reasoning;	203
(IV) Any other course approved by the department using	204
standards established by the superintendent not later than October	205
1, 2014.	206
(ii) Elective units, five units;	207
(iii) Science, three units as prescribed by division (B) of	208
this section which shall include inquiry-based laboratory	209
experience that engages students in asking valid scientific	210
questions and gathering and analyzing information.	211
The department, in collaboration with the chancellor, shall	212
analyze student performance data to determine if there are	213
mitigating factors that warrant extending the exception permitted	214
by division (D) of this section to high school classes beyond	215
those entering ninth grade before July 1, 2016. The department	216
shall submit its findings and any recommendations not later than	217
December 1, 2015, to the speaker and minority leader of the house	218
of representatives, the president and minority leader of the	219
senate, the chairpersons and ranking minority members of the	220

standing committees of the house of representatives and the senate 221
 that consider education legislation, the state board of education, 222
 and the superintendent of public instruction. 223

(E) Each school district and chartered nonpublic school 224
 retains the authority to require an even more challenging minimum 225
 curriculum for high school graduation than specified in division 226
 (B) or (C) of this section. A school district board of education, 227
 through the adoption of a resolution, or the governing authority 228
 of a chartered nonpublic school may stipulate any of the 229
 following: 230

(1) A minimum high school curriculum that requires more than 231
 twenty units of academic credit to graduate; 232

(2) An exception to the district's or school's minimum high 233
 school curriculum that is comparable to the exception provided in 234
 division (D) of this section but with additional requirements, 235
 which may include a requirement that the student successfully 236
 complete more than the minimum curriculum prescribed in division 237
 (B) of this section; 238

(3) That no exception comparable to that provided in division 239
 (D) of this section is available. 240

(F) A student enrolled in a dropout prevention and recovery 241
 program, which program has received a waiver from the department, 242
 may qualify for graduation from high school by successfully 243
 completing a competency-based instructional program administered 244
 by the dropout prevention and recovery program in lieu of 245
 completing the requirements for graduation prescribed in division 246
 (C) of this section. The department shall grant a waiver to a 247
 dropout prevention and recovery program, within sixty days after 248
 the program applies for the waiver, if the program meets all of 249
 the following conditions: 250

- (1) The program serves only students not younger than sixteen years of age and not older than twenty-one years of age. 251
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- (2) The program enrolls students who, at the time of their initial enrollment, either, or both, are at least one grade level behind their cohort age groups or experience crises that significantly interfere with their academic progress such that they are prevented from continuing their traditional programs. 253
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- (3) The program requires students to attain at least the applicable score designated for each of the assessments prescribed under division (B)(1) of section 3301.0710 of the Revised Code or, to the extent prescribed by rule of the state board under division (D)(5) of section 3301.0712 of the Revised Code, division (B)(2) of that section. 258
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- (4) The program develops a student success plan for the student in the manner described in division (C)(1) of section 3313.6020 of the Revised Code that specifies the student's matriculating to a two-year degree program, acquiring a business and industry-recognized credential, or entering an apprenticeship. 264
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- (5) The program provides counseling and support for the student related to the plan developed under division (F)(4) of this section during the remainder of the student's high school experience. 269
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- (6) The program requires the student and the student's parent, guardian, or custodian to sign and file, in accordance with procedural requirements stipulated by the program, a written statement asserting the parent's, guardian's, or custodian's consent to the student's graduating without completing the requirements for graduation prescribed in division (C) of this section and acknowledging that one consequence of not completing those requirements is ineligibility to enroll in most state 273
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universities in Ohio without further coursework.	281
(7) Prior to receiving the waiver, the program has submitted	282
to the department an instructional plan that demonstrates how the	283
academic content standards adopted by the state board under	284
section 3301.079 of the Revised Code will be taught and assessed.	285
(8) Prior to receiving the waiver, the program has submitted	286
to the department a policy on career advising that satisfies the	287
requirements of section 3313.6020 of the Revised Code, with an	288
emphasis on how every student will receive career advising.	289
(9) Prior to receiving the waiver, the program has submitted	290
to the department a written agreement outlining the future	291
cooperation between the program and any combination of local job	292
training, postsecondary education, nonprofit, and health and	293
social service organizations to provide services for students in	294
the program and their families.	295
Divisions (F)(8) and (9) of this section apply only to	296
waivers granted on or after July 1, 2015.	297
If the department does not act either to grant the waiver or	298
to reject the program application for the waiver within sixty days	299
as required under this section, the waiver shall be considered to	300
be granted.	301
(G) Every high school may permit students below the ninth	302
grade to take advanced work. If a high school so permits, it shall	303
award high school credit for successful completion of the advanced	304
work and shall count such advanced work toward the graduation	305
requirements of division (B) or (C) of this section if the	306
advanced work was both:	307
(1) Taught by a person who possesses a license or certificate	308
issued under section 3301.071, 3319.22, or 3319.222 of the Revised	309

Code that is valid for teaching high school; 310

(2) Designated by the board of education of the city, local, 311
or exempted village school district, the board of the cooperative 312
education school district, or the governing authority of the 313
chartered nonpublic school as meeting the high school curriculum 314
requirements. 315

Each high school shall record on the student's high school 316
transcript all high school credit awarded under division (G) of 317
this section. In addition, if the student completed a seventh- or 318
eighth-grade fine arts course described in division (K) of this 319
section and the course qualified for high school credit under that 320
division, the high school shall record that course on the 321
student's high school transcript. 322

(H) The department shall make its individual academic career 323
plan available through its Ohio career information system web site 324
for districts and schools to use as a tool for communicating with 325
and providing guidance to students and families in selecting high 326
school courses. 327

(I) Units earned in English language arts, mathematics, 328
science, and social studies that are delivered through integrated 329
academic and career-technical instruction are eligible to meet the 330
graduation requirements of division (B) or (C) of this section. 331

(J)(1) The state board, in consultation with the chancellor, 332
shall adopt a statewide plan implementing methods for students to 333
earn units of high school credit based on a demonstration of 334
subject area competency, instead of or in combination with 335
completing hours of classroom instruction. The state board shall 336
adopt the plan not later than March 31, 2009, and commence phasing 337
in the plan during the 2009-2010 school year. The plan shall 338
include a standard method for recording demonstrated proficiency 339

on high school transcripts. Each school district and community
school shall comply with the state board's plan adopted under this
division and award units of high school credit in accordance with
the plan. The state board may adopt existing methods for earning
high school credit based on a demonstration of subject area
competency as necessary prior to the 2009-2010 school year.

(2) Not later than December 31, 2015, the state board shall
update the statewide plan adopted pursuant to division (J)(1) of
this section to also include methods for students enrolled in
seventh and eighth grade to meet curriculum requirements based on
a demonstration of subject area competency, instead of or in
combination with completing hours of classroom instruction.
Beginning with the 2017-2018 school year, each school district and
community school also shall comply with the updated plan adopted
pursuant to this division and permit students enrolled in seventh
and eighth grade to meet curriculum requirements based on subject
area competency in accordance with the plan.

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

Beginning with students who enter ninth grade for the first
time on or after July 1, 2010, each student enrolled in a public
or chartered nonpublic high school shall complete two semesters or
the equivalent of fine arts to graduate from high school. The
coursework may be completed in any of grades seven to twelve. Each
student who completes a fine arts course in grade seven or eight

may elect to count that course toward the five units of electives 370
 required for graduation under division (C)(8) of this section, if 371
 the course satisfied the requirements of division (G) of this 372
 section. In that case, the high school shall award the student 373
 high school credit for the course and count the course toward the 374
 five units required under division (C)(8) of this section. If the 375
 course in grade seven or eight did not satisfy the requirements of 376
 division (G) of this section, the high school shall not award the 377
 student high school credit for the course but shall count the 378
 course toward the two semesters or the equivalent of fine arts 379
 required by this division. 380

(L) Notwithstanding anything to the contrary in this section, 381
 the board of education of each school district and the governing 382
 authority of each chartered nonpublic school may adopt a policy to 383
 excuse from the high school physical education requirement each 384
 student who, during high school, has participated in 385
 interscholastic athletics, marching band, or cheerleading for at 386
 least two full seasons or in the junior reserve officer training 387
 corps for at least two full school years. If the board or 388
 authority adopts such a policy, the board or authority shall not 389
 require the student to complete any physical education course as a 390
 condition to graduate. However, the student shall be required to 391
 complete one-half unit, consisting of at least sixty hours of 392
 instruction, in another course of study. In the case of a student 393
 who has participated in the junior reserve officer training corps 394
 for at least two full school years, credit received for that 395
 participation may be used to satisfy the requirement to complete 396
 one-half unit in another course of study. 397

(M) It is important that high school students learn and 398
 understand United States history and the governments of both the 399
 United States and the state of Ohio. Therefore, beginning with 400

students who enter ninth grade for the first time on or after July 401
 1, 2012, the study of American history and American government 402
 required by divisions (B)(6) and (C)(6) of this section shall 403
 include the study of all of the following documents: 404

(1) The Declaration of Independence; 405

(2) The Northwest Ordinance; 406

(3) The Constitution of the United States with emphasis on 407
 the Bill of Rights; 408

(4) The Ohio Constitution. 409

The study of each of the documents prescribed in divisions 410
 (M)(1) to (4) of this section shall include study of that document 411
 in its original context. 412

The study of American history and government required by 413
 divisions (B)(6) and (C)(6) of this section shall include the 414
 historical evidence of the role of documents such as the 415
 Federalist Papers and the Anti-Federalist Papers to firmly 416
 establish the historical background leading to the establishment 417
 of the provisions of the Constitution and Bill of Rights." 418

In line 2469, after "3313.46," insert "3313.603," 419

The motion was _____ agreed to.

Sub. S.B. 3
As Passed by the Senate

Topic: Scoring levels for Advanced Placement and International Baccalaureate examinations

_____ moved to amend as follows:

In line 1 of the title, after "3301.0711," insert 1
"3301.0712," 2

In line 19, after "3301.0711," insert "3301.0712," 3

Between lines 812 and 813, insert: 4

"**Sec. 3301.0712.** (A) The state board of education, the 5
superintendent of public instruction, and the chancellor of higher 6
education shall develop a system of college and work ready 7
assessments as described in division (B) of this section to assess 8
whether each student upon graduating from high school is ready to 9
enter college or the workforce. Beginning with students who enter 10
the ninth grade for the first time on or after July 1, 2014, the 11
system shall replace the Ohio graduation tests prescribed in 12
division (B)(1) of section 3301.0710 of the Revised Code as a 13
measure of student academic performance and one determinant of 14
eligibility for a high school diploma in the manner prescribed by 15
rule of the state board adopted under division (D) of this 16
section. 17

(B) The college and work ready assessment system shall 18

consist of the following:

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(1) Nationally standardized assessments that measure college and career readiness and are used for college admission. The assessments shall be selected jointly by the state superintendent and the chancellor, and one of which shall be selected by each school district or school to administer to its students. The assessments prescribed under division (B)(1) of this section shall be administered to all eleventh-grade students in the spring of the school year.

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(2) Seven end-of-course examinations, one in each of the areas of English language arts I, English language arts II, science, Algebra I, geometry, American history, and American government. The end-of-course examinations shall be selected jointly by the state superintendent and the chancellor in consultation with faculty in the appropriate subject areas at institutions of higher education of the university system of Ohio. Advanced placement examinations and international baccalaureate examinations, as prescribed under section 3313.6013 of the Revised Code, in the areas of science, American history, and American government may be used as end-of-course examinations in accordance with division (B)(4)(a)(i) of this section. Final course grades for courses taken under any other advanced standing program, as prescribed under section 3313.6013 of the Revised Code, in the areas of science, American history, and American government may be used in lieu of end-of-course examinations in accordance with division (B)(4)(a)(ii) of this section.

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(3)(a) Not later than July 1, 2013, each school district board of education shall adopt interim end-of-course examinations that comply with the requirements of divisions (B)(3)(b)(i) and (ii) of this section to assess mastery of American history and

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American government standards adopted under division (A)(1)(b) of section 3301.079 of the Revised Code and the topics required under division (M) of section 3313.603 of the Revised Code. Each high school of the district shall use the interim examinations until the state superintendent and chancellor select end-of-course examinations in American history and American government under division (B)(2) of this section.

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

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

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

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

(i) If a student is enrolled in an appropriate advanced placement or international baccalaureate course, that student shall take the advanced placement or international baccalaureate examination in lieu of the science, American history, or American government end-of-course examinations prescribed under division (B)(2) of this section. The state board shall specify the score levels for each advanced placement examination and international

baccalaureate examination for purposes of calculating the minimum
cumulative performance score that demonstrates the level of
academic achievement necessary to earn a high school diploma.

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

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

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

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

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

(a) Determine and designate at least five ranges of scores on	108
each of the end-of-course examinations prescribed under division	109
(B)(2) of this section, and substitute examinations prescribed	110
under division (B)(4) of this section. Each range of scores shall	111
be considered to demonstrate a level of achievement so that any	112
student attaining a score within such range has achieved one of	113
the following:	114
(i) An advanced level of skill;	115
(ii) An accelerated level of skill;	116
(iii) A proficient level of skill;	117
(iv) A basic level of skill;	118
(v) A limited level of skill.	119
(b) Determine a method by which to calculate a cumulative	120
performance score based on the results of a student's	121
end-of-course examinations or substitute examinations;	122
(c) Determine the minimum cumulative performance score that	123
demonstrates the level of academic achievement necessary to earn a	124
high school diploma;	125
(d) Develop a table of corresponding score equivalents for	126
the end-of-course examinations and substitute examinations in	127
order to calculate student performance consistently across the	128
different examinations.	129
<u>A score of two on an advanced placement examination or a</u>	130
<u>score of two or three on an international baccalaureate</u>	131
<u>examination shall be considered equivalent to a proficient level</u>	132
<u>of skill as specified under division (B)(5)(a)(iii) of this</u>	133
<u>section.</u>	134
(6)(a) A student who meets both of the following conditions	135

shall not be required to take an end-of-course examination:	136
(i) The student received high school credit prior to July 1, 2015, for a course for which the end-of-course examination is prescribed.	137 138 139
(ii) The examination was not available for administration prior to July 1, 2015.	140 141
Receipt of credit for the course described in division (B)(6)(a)(i) of this section shall satisfy the requirement to take the end-of-course examination. A student exempted under division (B)(6)(a) of this section may take the applicable end-of-course examination at a later date.	142 143 144 145 146
(b) For purposes of determining whether a student who is exempt from taking an end-of-course examination under division (B)(6)(a) of this section has attained the cumulative score prescribed by division (B)(5)(c) of this section, such student shall select either of the following:	147 148 149 150 151
(i) The student is considered to have attained a proficient score on the end-of-course examination from which the student is exempt;	152 153 154
(ii) The student's final course grade shall be used in lieu of a score on the end-of-course examination from which the student is exempt.	155 156 157
The state superintendent, in consultation with the chancellor, shall adopt guidelines for purposes of calculating the corresponding final course grades and the minimum cumulative performance score that demonstrates the level of academic achievement necessary to earn a high school diploma.	158 159 160 161 162
(7)(a) Notwithstanding anything to the contrary in this section, the state board may replace the algebra I end-of-course	163 164

examination prescribed under division (B)(2) of this section with 165
an algebra II end-of-course examination, beginning with the 166
2016-2017 school year for students who enter ninth grade on or 167
after July 1, 2016. 168

(b) If the state board replaces the algebra I end-of-course 169
examination with an algebra II end-of-course examination as 170
authorized under division (B)(7)(a) of this section, both of the 171
following shall apply: 172

(i) A student who is enrolled in an advanced placement or 173
international baccalaureate course in algebra II shall take the 174
advanced placement or international baccalaureate examination in 175
lieu of the algebra II end-of-course examination. 176

(ii) A student who is enrolled in an algebra II course under 177
any other advanced standing program, as described in section 178
3313.6013 of the Revised Code, shall not be required to take the 179
algebra II end-of-course examination. Instead, that student's 180
final course grade shall be used in lieu of the examination. 181

(c) If a school district or school utilizes an integrated 182
approach to mathematics instruction, the district or school may do 183
either or both of the following: 184

(i) Administer an integrated mathematics I end-of-course 185
examination in lieu of the prescribed algebra I end-of-course 186
examination; 187

(ii) Administer an integrated mathematics II end-of-course 188
examination in lieu of the prescribed geometry end-of-course 189
examination. 190

(8)(a) For students entering the ninth grade for the first 191
time on or after July 1, 2014, but prior to July 1, 2015, the 192
assessment in the area of science shall be physical science or 193

biology. For students entering the ninth grade for the first time 194
 on or after July 1, 2015, the assessment in the area of science 195
 shall be biology. 196

(b) Until July 1, 2019, the department of education shall 197
 make available the end-of-course examination in physical science 198
 for students who entered the ninth grade for the first time on or 199
 after July 1, 2014, but prior to July 1, 2015, and who wish to 200
 retake the examination. 201

(c) Not later than July 1, 2016, the state board shall adopt 202
 rules prescribing the requirements for the end-of-course 203
 examination in science for students who entered the ninth grade 204
 for the first time on or after July 1, 2014, but prior to July 1, 205
 2015, and who have not met the requirement prescribed by section 206
 3313.618 of the Revised Code by July 1, 2019, due to a student's 207
 failure to satisfy division (A)(2) of section 3313.618 of the 208
 Revised Code. 209

(9) Neither the state board nor the department of education 210
 shall develop or administer an end-of-course examination in the 211
 area of world history. 212

(C) The state board shall convene a group of national 213
 experts, state experts, and local practitioners to provide advice, 214
 guidance, and recommendations for the alignment of standards and 215
 model curricula to the assessments and in the design of the 216
 end-of-course examinations prescribed by this section. 217

(D) Upon completion of the development of the assessment 218
 system, the state board shall adopt rules prescribing all of the 219
 following: 220

(1) A timeline and plan for implementation of the assessment 221
 system, including a phased implementation if the state board 222

determines such a phase-in is warranted;	223
(2) The date after which a person shall meet the requirements of the entire assessment system as a prerequisite for a diploma of adult education under section 3313.611 of the Revised Code;	224 225 226
(3) Whether and the extent to which a person may be excused from an American history end-of-course examination and an American government end-of-course examination under division (H) of section 3313.61 and division (B)(4) of section 3313.612 of the Revised Code;	227 228 229 230 231
(4) The date after which a person who has fulfilled the curriculum requirement for a diploma but has not passed one or more of the required assessments at the time the person fulfilled the curriculum requirement shall meet the requirements of the entire assessment system as a prerequisite for a high school diploma under division (B) of section 3313.614 of the Revised Code;	232 233 234 235 236 237 238
(5) The extent to which the assessment system applies to students enrolled in a dropout recovery and prevention program for purposes of division (F) of section 3313.603 and section 3314.36 of the Revised Code.	239 240 241 242
(E) Not later than forty-five days prior to the state board's adoption of a resolution directing the department to file the rules prescribed by division (D) of this section in final form under section 119.04 of the Revised Code, the superintendent of public instruction shall present the assessment system developed under this section to the respective committees of the house of representatives and senate that consider education legislation.	243 244 245 246 247 248 249
(F)(1) Any person enrolled in a nonchartered nonpublic school or any person who has been excused from attendance at school for	250 251

the purpose of home instruction under section 3321.04 of the Revised Code may choose to participate in the system of assessments administered under divisions (B)(1) and (2) of this section. However, no such person shall be required to participate in the system of assessments.

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

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

In line 2468, after "3301.0711," insert "3301.0712,"

The motion was _____ agreed to.

Sub. S.B. 3
As Passed by the Senate

_____ moved to amend as follows:

In line 2 of the title, after "3313.46," insert "3313.6013," 1

In line 20, after "3313.46," insert "3313.6013," 2

Between lines 1790 and 1791, insert: 3

"**Sec. 3313.6013.** (A) As used in this section, "advanced 4
standing program" means a program that enables a student to earn 5
credit toward a degree from an institution of higher education 6
while enrolled in high school or that enables a student to 7
complete coursework while enrolled in high school that may earn 8
credit toward a degree from an institution of higher education 9
upon the student's attainment of a specified score on an 10
examination covering the coursework. Advanced standing programs 11
may include any of the following: 12

(1) The college credit plus program established under Chapter 13
3365. of the Revised Code; 14

(2) Advanced placement courses; 15

(3) International baccalaureate diploma courses; 16

(4) Early college high school programs. 17

(B) Each city, local, exempted village, and joint vocational 18
school district and each chartered nonpublic high school shall 19

provide students enrolled in grades nine through twelve with the
 opportunity to participate in an advanced standing program. For
 this purpose, each school district and chartered nonpublic high
 school shall offer at least one advanced standing program in
 accordance with division (B)(1) or (2) of this section, as
 applicable.

(1) A city, local, or exempted village school district meets
 the requirements of this division through its mandatory
 participation in the college credit plus program established under
 Chapter 3365. of the Revised Code. However, a city, local, or
 exempted village school district may offer any other advanced
 standing program, in addition to the college credit plus program,
 and each joint vocational school district shall offer at least one
 other advanced standing program, to students in good standing, as
 defined by the partnership for continued learning under section
 3301.42 of the Revised Code as it existed prior to October 16,
 2009, or as subsequently defined by the department of education.

(2) A chartered nonpublic high school that elects to
 participate in the college credit plus program established under
 Chapter 3365. of the Revised Code meets the requirements of this
 division. Each chartered nonpublic high school that elects not to
 participate in the college credit plus program instead shall offer
 at least one other advanced standing program to students in good
 standing, as defined by the partnership for continued learning
 under section 3301.42 of the Revised Code as it existed prior to
 October 16, 2009, or as subsequently defined by the department of
 education.

(C) Each school district and each chartered nonpublic high
 school shall provide information about the advanced standing
 programs offered by the district or school to all students

enrolled in grades ~~eight~~ six through eleven. The district or school shall include information about all of the following:

(1) The process colleges and universities use in awarding credit for advanced placement and international baccalaureate courses and examinations, including minimum scores required by state institutions of higher education, as defined in section 3345.011 of the Revised Code, for a student to receive college credit;

(2) The availability of tuition and fee waivers for advanced placement and international baccalaureate courses and examinations;

(3) The availability of online advanced placement or international baccalaureate courses, including those that may be available at no cost;

(4) The benefits of earning postsecondary credit through advanced placement or international baccalaureate courses;

(5) The availability of advanced placement or international baccalaureate courses offered throughout the district.

The district or school may include additional information as determined appropriate by the district or school.

(D) Except as provided for in Chapter 3365. of the Revised Code, no city, local, exempted village, and joint vocational school district shall charge an enrolled student an additional fee or tuition for participation in any advanced standing program offered by the district. Students may be required to pay the costs associated with taking an advanced placement or international baccalaureate examination.

(E) Any agreement between a school district or school and an associated college governing the operation of an early college

high school program shall be subject to the requirements of the 79
college credit plus program, with the following exceptions: 80

(1) Any aspect of the agreement that does not relate to the 81
conferral of transcribed credit, as defined in section 3365.01 of 82
the Revised Code, shall not be subject to the requirements of the 83
college credit plus program. 84

(2) If the early college high school program began operating 85
prior to July 1, 2014, the agreement shall not be subject to the 86
requirements of the college credit plus program until the later of 87
the date on which the existing agreement expires or July 1, 2015. 88

(3) If the district, school, or associated college operating 89
the early college high school program was granted an award under 90
Section 263.325 of Am. Sub. H.B. 59 of the 130th general assembly 91
for the 2014-2015 school year, as the lead applicant on the grant 92
or as part of a consortium, for a project involving the 93
establishment or expansion of an early college high school, the 94
agreement shall not be subject to the requirements of the college 95
credit plus program during the period of time for which the 96
project is funded by the grant award under that section. 97

(4) If the district, school, or associated college obtains a 98
waiver for the agreement under section 3365.10 of the Revised 99
Code, the agreement shall not be subject to the requirements of 100
the college credit plus program as expressed in and excused by the 101
waiver. 102

The college credit plus program shall not govern any advanced 103
placement course or international baccalaureate diploma course as 104
described under this section. 105

(F) As used in this section: 106

(1) "Associated college" means a public or private college, 107

as defined in section 3365.01 of the Revised Code, which has 108
 entered into an agreement with a school district or school to 109
 establish an early college high school program, as described in 110
 division (F)(2) of this section, and awards transcribed credit, 111
 as defined in section 3365.01 of the Revised Code, to students 112
 through that program. 113

(2) "Early college high school program" means a program 114
 operated by a school district or school and an associated college 115
 that provides a personalized learning plan, which is based on 116
 accelerated curriculum and includes both high school and 117
 college-level coursework, and enables the following students to 118
 earn a high school diploma and an associate degree, or the 119
 equivalent number of transcribed credits, upon successful 120
 completion of the program: 121

(a) Students who are underrepresented in regard to completing 122
 post-secondary education; 123

(b) Students who are economically disadvantaged, as defined 124
 by the department of education; 125

(c) Students whose parents did not earn a college degree." 126

In line 2469, after "3313.46," insert "3313.6013," 127

The motion was _____ agreed to.

Sub. S.B. 3
As Passed by the Senate

Topic: Sheriff services for community schools, chartered nonpublic schools, and private institutions of higher education

_____ moved to amend as follows:

In line 1 of the title, after "sections" insert "311.29," 1

In line 12 of the title, after the semicolon insert "to 2
permit community schools to contract for county sheriffs for 3
security services;" 4

In line 19, after "sections" insert "311.29," 5

Between lines 23 and 24, insert: 6

"**Sec. 311.29.** (A) As used in this section, ~~"Chautauqua:~~ 7

(1) "Chartered nonpublic school" has the meaning defined in 8
section 3310.01 of the Revised Code. 9

(2) "Chautauqua assembly" has the same meaning as in section 10
4511.90 of the Revised Code. 11

(3) "Community preventative education program" has the 12
meaning defined in division (D) of section 2981.13 of the Revised 13
Code. 14

(4) "Community school" means a community school established 15
under Chapter 3314. of the Revised Code. 16

(B) The sheriff may, from time to time, enter into contracts 17

with any municipal corporation, township, township police
district, joint police district, metropolitan housing authority,
port authority, water or sewer district, school district,
community school governing authority, library district, health
district, park district created pursuant to section 511.18 or
1545.01 of the Revised Code, soil and water conservation district,
water conservancy district, or other taxing district or with the
board of county commissioners of any contiguous county with the
concurrence of the sheriff of the other county, and such
subdivisions, authorities, and counties may enter into agreements
with the sheriff pursuant to which the sheriff undertakes and is
authorized by the contracting subdivision, authority, or county to
perform any police function, exercise any police power, or render
any police service in behalf of the contracting subdivision,
authority, or county, or its legislative authority, that the
subdivision, authority, or county, or its legislative authority,
may perform, exercise, or render.

Upon the execution of an agreement under this division and
within the limitations prescribed by it, the sheriff may exercise
the same powers as the contracting subdivision, authority, or
county possesses with respect to such policing that by the
agreement the sheriff undertakes to perform or render, and all
powers necessary or incidental thereto, as amply as such powers
are possessed and exercised by the contracting subdivision,
authority, or county directly.

Any agreement authorized by division (A), (B), or (C) of this
section shall not suspend the possession by a contracting
subdivision, authority, or county of any police power performed or
exercised or police service rendered in pursuance to the agreement
nor limit the authority of the sheriff.

(C) The sheriff may enter into contracts with any Chautauqua assembly that has grounds located within the county, and the Chautauqua assembly may enter into agreements with the sheriff pursuant to which the sheriff undertakes to perform any police function, exercise any police power, or render any police service upon the grounds of the Chautauqua assembly that the sheriff is authorized by law to perform, exercise, or render in any other part of the county within the sheriff's territorial jurisdiction. Upon the execution of an agreement under this division, the sheriff may, within the limitations prescribed by the agreement, exercise such powers with respect to such policing upon the grounds of the Chautauqua assembly, provided that any limitation contained in the agreement shall not be construed to limit the authority of the sheriff.

(D) Contracts entered into under division (A), (B), ~~or (C)~~ or (F) of this section shall provide for the reimbursement of the county for the costs incurred by the sheriff for such policing including, but not limited to, the salaries of deputy sheriffs assigned to such policing, the current costs of funding retirement pensions and of providing workers' compensation, the cost of training, and the cost of equipment and supplies used in such policing, to the extent that such equipment and supplies are not directly furnished by the contracting subdivision, authority, county, or Chautauqua assembly. Each such contract shall provide for the ascertainment of such costs and shall be of any duration, not in excess of four years, and may contain any other terms that may be agreed upon. All payments pursuant to any such contract in reimbursement of the costs of such policing shall be made to the treasurer of the county to be credited to a special fund to be known as the "sheriff's policing revolving fund," hereby created. Any moneys coming into the fund shall be used for the purposes

provided in divisions (A) to (D) and (F) of this section and paid 79
 out on vouchers by the county commissioners as other funds coming 80
 into their possession. Any moneys credited to the fund and not 81
 obligated at the termination of the contract shall be credited to 82
 the county general fund. 83

The sheriff shall assign the number of deputies as may be 84
 provided for in any contract made pursuant to division (A), (B), 85
~~or (C)~~, or (F) of this section. The number of deputies regularly 86
 assigned to such policing shall be in addition to and an 87
 enlargement of the sheriff's regular number of deputies. Nothing 88
 in divisions (A) to (D) or (F) of this section shall preclude the 89
 sheriff from temporarily increasing or decreasing the deputies so 90
 assigned as emergencies indicate a need for shifting assignments 91
 to the extent provided by the contracts. 92

All such deputies shall have the same powers and duties, the 93
 same qualifications, and be appointed and paid and receive the 94
 same benefits and provisions and be governed by the same laws as 95
 all other deputy sheriffs. 96

Contracts under division (A), (B), ~~or (C)~~, or (F) of this 97
 section may be entered into jointly with the board of county 98
 commissioners, and sections 307.14 to 307.19 of the Revised Code 99
 apply to this section insofar as they may be applicable. 100

(E)(1) As used in division (E) of this section: 101

(a) "Ohio prisoner" has the same meaning as in section 102
 5120.64 of the Revised Code. 103

(b) "Out-of-state prisoner" and "private contractor" have the 104
 same meanings as in section 9.07 of the Revised Code. 105

(2) The sheriff may enter into a contract with a private 106
 person or entity for the return of Ohio prisoners who are the 107

responsibility of the sheriff from outside of this state to a 108
location in this state specified by the sheriff, if there are 109
adequate funds appropriated by the board of county commissioners 110
and there is a certification pursuant to division (D) of section 111
5705.41 of the Revised Code that the funds are available for this 112
purpose. A contract entered into under this division is within the 113
coverage of section 325.07 of the Revised Code. If a sheriff 114
enters into a contract as described in this division, subject to 115
division (E)(3) of this section, the private person or entity in 116
accordance with the contract may return Ohio prisoners from 117
outside of this state to locations in this state specified by the 118
sheriff. A contract entered into under this division shall include 119
all of the following: 120

(a) Specific provisions that assign the responsibility for 121
costs related to medical care of prisoners while they are being 122
returned that is not covered by insurance of the private person or 123
entity; 124

(b) Specific provisions that set forth the number of days, 125
not exceeding ten, within which the private person or entity, 126
after it receives the prisoner in the other state, must deliver 127
the prisoner to the location in this state specified by the 128
sheriff, subject to the exceptions adopted as described in 129
division (E)(2)(c) of this section; 130

(c) Any exceptions to the specified number of days for 131
delivery specified as described in division (E)(2)(b) of this 132
section; 133

(d) A requirement that the private person or entity 134
immediately report all escapes of prisoners who are being returned 135
to this state, and the apprehension of all prisoners who are being 136
returned and who have escaped, to the sheriff and to the local law 137

enforcement agency of this state or another state that has 138
jurisdiction over the place at which the escape occurs; 139

(e) A schedule of fines that the sheriff shall impose upon 140
the private person or entity if the private person or entity fails 141
to perform its contractual duties, and a requirement that, if the 142
private person or entity fails to perform its contractual duties, 143
the sheriff shall impose a fine on the private person or entity 144
from the schedule of fines and, in addition, may exercise any 145
other rights the sheriff has under the contract. 146

(f) If the contract is entered into on or after the effective 147
date of the rules adopted by the department of rehabilitation and 148
correction under section 5120.64 of the Revised Code, specific 149
provisions that comport with all applicable standards that are 150
contained in those rules. 151

(3) If the private person or entity that enters into the 152
contract fails to perform its contractual duties, the sheriff 153
shall impose upon the private person or entity a fine from the 154
schedule, the money paid in satisfaction of the fine shall be paid 155
into the county treasury, and the sheriff may exercise any other 156
rights the sheriff has under the contract. If a fine is imposed 157
under this division, the sheriff may reduce the payment owed to 158
the private person or entity pursuant to any invoice in the amount 159
of the fine. 160

(4) Upon the effective date of the rules adopted by the 161
department of rehabilitation and correction under section 5120.64 162
of the Revised Code, notwithstanding the existence of a contract 163
entered into under division (E)(2) of this section, in no case 164
shall the private person or entity that is a party to the contract 165
return Ohio prisoners from outside of this state into this state 166
for a sheriff unless the private person or entity complies with 167

all applicable standards that are contained in the rules. 168

(5) Divisions (E)(1) to (4) of this section do not apply 169
 regarding any out-of-state prisoner who is brought into this state 170
 to be housed pursuant to section 9.07 of the Revised Code in a 171
 correctional facility in this state that is managed and operated 172
 by a private contractor. 173

(F)(1) A sheriff may enter into contracts with a chartered 174
 nonpublic school, located in the sheriff's territorial 175
 jurisdiction, to provide community preventive education programs. 176

(2) A sheriff may enter into contracts with a private 177
 institution of higher education, located in the sheriff's 178
 territorial jurisdiction, to provide police services. 179

Under these contracts, the sheriff may undertake to perform 180
 any police function, exercise any police power, or render any 181
 police service upon the grounds of the chartered nonpublic school 182
 or private institution of higher education that the sheriff is 183
 authorized by law to perform, exercise, or render in any other 184
 part of the county within the sheriff's territorial jurisdiction. 185
 Upon the execution of a contract under this division, the sheriff 186
 may, within the limitations prescribed by the contract, exercise 187
 such powers with respect to such policing provided that any 188
 limitation contained in the contract shall not be construed to 189
 limit the authority of the sheriff." 190

In line 2468, after "sections" insert "311.29," 191

The motion was _____ agreed to.

Sub. S.B. 3
As Passed by the Senate

Topic: Alternative measures of career-technical skill attainment

_____ moved to amend as follows:

In line 5 of the title, delete "and" and insert a comma; 1
after "3302.16" insert ", and 3313.903" 2

In line 22, delete "and" and insert a comma; after "3302.16" 3
insert ", and 3313.903" 4

Between lines 1790 and 1791, insert: 5

"Sec. 3313.903. Except as otherwise required under federal 6
law, the department of education shall consider an 7
industry-recognized credential, as described under division 8
(B)(2)(d) of section 3302.03 of the Revised Code, or a license 9
issued by a state agency or board for practice in a vocation that 10
requires an examination for issuance of that license as an 11
acceptable measure of technical skill attainment and shall not 12
require a student with such credential or license to take 13
additional technical assessments. 14

Additionally, the department shall not require a student who 15
has participated in or will be participating in a credentialing 16
assessment aligned to the student's career-technical education 17
program or has participated in or will be participating in taking 18
an examination for issuance of such a license aligned to the 19

student's career-technical education program to take additional technical assessments. 20
21

However, if the student does not participate in the credentialing assessment or license examination, the student shall take the applicable technical assessments prescribed by the department. 22
23
24
25

The department shall develop, in consultation with the Ohio association for career and technical education, the Ohio association of career-technical superintendents, the Ohio association of city career-technical schools, and other stakeholders, procedures for identifying industry-recognized credentials and licenses aligned to a student's career-technical education program that can be used as an acceptable measure of technical skill, and for identifying students in the process of earning such credentials and licenses. 26
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As used in this section, "technical assessments" shall not include the nationally recognized job skills assessment prescribed under division (G) of section 3301.0712 of the Revised Code. 35
36
37

Nothing in this section shall exempt a student who wishes to qualify for a high school diploma under division (A)(3) of section 3313.618 of the Revised Code from the requirement to attain a specified score on that assessment in order to qualify for a high school diploma under that section. 38
39
40
41
42

The motion was _____ agreed to.

Topic: Educational Choice Scholarship Program

_____ moved to amend as follows:

1 In line 2496, after "6." insert "Notwithstanding anything
2 in the Revised Code to the contrary, for a school district or
3 building where students are eligible for the Educational Choice
4 Scholarship Program under section 3310.03 of the Revised Code on
5 the effective date of this section, the district or building
6 shall continue to be designated as a district or building where
7 students are eligible for the Educational Choice Scholarship
8 Program through the 2018-2019 school year, regardless of whether
9 or not the district or building meets any of the conditions
10 prescribed in division (I) of section 3310.03 of the Revised
11 Code.

12 **Section 7."**

13 The motion was _____ agreed to.

AM1775

Sub. S.B. 3
As Passed by the Senate

Topic: Teacher license exemption

_____ moved to amend as follows:

1 In line 1651, after "not" insert "apply to special
2 education teachers. Nor does this exemption"

3 The motion was _____ agreed to.

Sub. S.B. 3
As Passed by the Senate

Topic: High school diplomas for students receiving home instruction

_____ moved to amend as follows:

In line 2 of the title, after "3313.46," insert "3313.6110," 1

In line 20, after "3313.46," insert "3313.6110," 2

Between lines 1790 and 1791, insert: 3

"**Sec. 3313.6110.** (A) A person who has completed the final 4
year of instruction at home, as authorized under section 3321.04 5
of the Revised Code, and has successfully fulfilled the high 6
school curriculum applicable to that person may be granted a high 7
school diploma by the person's parent, guardian, or other person 8
having charge or care of a child, as defined in division (A)(1) of 9
section 3321.01 of the Revised Code. 10

(B) Beginning with diplomas issued on or after July 1, 2015, 11
each diploma granted under division (A) of this section shall 12
~~contain either of the following:~~ 13

~~(1) Certification signed by the superintendent of the school 14
district in which the student is entitled to attend school in a 15
school district under section 3313.64 or 3313.65 of the Revised 16
Code that the student and the student's parent have complied with 17
state law regarding home instruction. The statement of 18
certification shall read as follows:~~ 19

~~"I certify that the student named in this diploma and the student's parent have complied with division (A)(2) of section 3321.04 of the Ohio Revised Code regarding instruction at home and the related rules of the Ohio State Board of Education."~~

~~A superintendent presented with such diploma for signature shall sign the diploma if the student and the parent have complied with division (A)(2) of section 3321.04 of the Revised Code.~~

~~(2) The be accompanied by the official letter of excuse issued by the district superintendent for the student's final year of home education.~~

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

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

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

In line 2469, after "3313.46," insert "3313.6110,"

The motion was _____ agreed to.

Sub. S.B. 3
As Passed by the Senate

Topic: Bright New Leaders for Ohio

_____ moved to amend as follows:

In line 3 of the title, after "3319.26," insert "3319.271," 1

In line 4 of the title, after "3328.24" insert ", to amend, 2
for the purpose of adopting a new section number as indicated in 3
parentheses, section 3319.271 (3319.272)," 4

In line 5 of the title, after "Code" insert "and to amend 5
Section 733.40 of Am. Sub. H.B. 59 of the 130th General Assembly, 6
as subsequently amended, and to amend Section 733.40 of Am. Sub. 7
H.B. 59 of the 130th General Assembly, as subsequently amended, to 8
codify it as section 3319.271 of the Revised Code" 9

In line 12 of the title, after the semicolon insert "to 10
revise the Bright New Leaders for Ohio program;" 11

In line 21, after "3319.26," insert "3319.271,"; after 12
"amended" insert ", section 3319.271 (3319.272) be amended for the 13
purpose of adopting a new section number as indicated in 14
parentheses," 15

Between lines 2441 and 2442, insert: 16

"**Sec. ~~3319.271~~ 3319.272.** (A) As used in this section, the 17
"bright new leaders for Ohio schools program" means the program 18
created and implemented by the nonprofit corporation incorporated 19

pursuant to ~~Section 733.40 of Am. Sub. H.B. 59 of the 130th~~ 20
~~general assembly section 3319.271 of the Revised Code~~ to provide 21
 an alternative path for individuals to receive training and 22
 development in the administration of primary and secondary 23
 education and leadership, enable those individuals to earn degrees 24
 and obtain licenses in public school administration, and promote 25
 the placement of those individuals in public schools that have a 26
 poverty percentage greater than fifty per cent. 27

(B) The state board of education shall issue an alternative 28
 principal license or an administrator license, as applicable, to 29
 an individual who successfully completes the bright new leaders 30
 for Ohio schools program and satisfies the requirements in rules 31
 adopted by the state board under division (C) of this section. 32

(C) The state board, in consultation with the board of 33
 directors of the bright new leaders for Ohio schools program, 34
 shall adopt rules that prescribe the requirements for obtaining an 35
 alternative principal license or an administrator license under 36
 this section. The state board shall use the rules adopted under 37
 section 3319.27 of the Revised Code as guidance in developing the 38
 rules adopted under this division." 39

In line 2470, after "3319.26," insert "3319.271," 40

In line 2472, after "3." insert "That Section 733.40 of Am. 41
 Sub. H.B. 59 of the 130th General Assembly, as amended by Am. Sub. 42
 H.B. 64 of the 131st General Assembly, be amended and that Section 43
 733.40 of Am. Sub. H.B. 59 of the 130th General Assembly, as 44
 amended by Am. Sub. H.B. 64 of the 131st General Assembly, be 45
 amended to codify it as section 3319.271 of the Revised Code to 46
 read as follows: 47

Sec. ~~733.40~~ 3319.271. (A) The ~~Superintendent~~ superintendent 48

of ~~Public Instruction~~ public instruction shall appoint three 49
 incorporators who are knowledgeable about the administration of 50
 public schools and about the operation of nonprofit corporations 51
 in Ohio. 52

(B) The incorporators shall do whatever is necessary and 53
 proper to set up a nonprofit corporation under Chapter 1702. of 54
 the Revised Code. The articles of incorporation, in addition to 55
 meeting the requirements of section 1702.04 of the Revised Code, 56
 shall set forth the following provisions: 57

(1) That the nonprofit corporation is to create and implement 58
 a pilot program that provides an alternative path for individuals 59
 to receive training and development in the administration of 60
 primary and secondary education and leadership, that will enable 61
 these individuals to earn a degree in public school 62
 administration, that will enable these individuals to obtain 63
 licenses in public school administration, and that promotes the 64
 placement of these individuals in public schools that have a 65
 poverty percentage greater than fifty per cent-; 66

(2) That the ~~Board~~ board of ~~Directors~~ directors are to 67
 establish criteria for program costs, participant selection, and 68
 continued participation, and metrics to document and measure pilot 69
 program activities-; 70

(3) That the name of the nonprofit corporation is "~~New~~ 71
~~Leaders~~ bright new leaders for Ohio ~~Schools-~~ schools;" 72

(4) That the ~~Board~~ board of ~~Directors~~ directors is to consist 73
 of the following ~~nine~~ eleven directors: 74

(a) The ~~Governor~~ governor or the ~~Governor's~~ governor's 75
 designee; 76

(b) The ~~Superintendent~~ superintendent of ~~Public Instruction~~ 77

public instruction, or the ~~Superintendent's~~ superintendent's 78
designee; 79

(c) The ~~Chancellor~~ chancellor of the ~~Ohio Board of Regents~~ 80
higher education, or the ~~Chancellor's~~ chancellor's designee; 81

(d) ~~Two~~ Four individuals to represent major business 82
enterprises in Ohio; 83

(e) Two individuals appointed by the ~~Speaker~~ speaker of the 84
~~House~~ house of ~~Representatives~~ representatives, one of whom shall 85
be an active duty or retired military officer; 86

(f) Two individuals appointed by the ~~President~~ president of 87
the ~~Senate~~ senate, one of whom shall be a current or retired 88
teacher or principal. 89

The ~~Dean~~ dean of ~~The~~ the ~~Ohio State University Fisher College~~ 90
state university fisher college of ~~Business~~ business and the ~~Dean~~ 91
dean of ~~The~~ the ~~Ohio State University College~~ state university 92
college of ~~Education~~ education and ~~Human Ecology~~ human ecology are 93
to serve as ex-officio nonvoting members of the ~~Board~~ board. 94

The individuals on the ~~Board~~ board who represent major 95
business enterprises in Ohio are to be appointed by a statewide 96
organization selected by the ~~Governor~~ governor. The organization 97
is to be nonpartisan and consist of chief executive officers of 98
major corporations organized in Ohio. 99

(5) That the ~~Board~~ board is to elect a chairperson from among 100
its members, and is to appoint a ~~President~~ president of the 101
corporation-; 102

(6) That the ~~President~~ president of the ~~Corporation~~ 103
corporation, subject to the approval of the ~~Board~~ board, is to 104
enter into a contract with ~~The~~ the ~~Ohio State University Fisher~~ 105
College state university fisher college of ~~Business~~ business. 106

Under the contract, the ~~College~~ college is to provide oversight to 107
the corporation and is to provide the corporation with office 108
space, and with office furniture and equipment, as is necessary 109
for the corporation successfully to fulfill its duties. 110

(7) That the overhead expenses of the corporation are not to 111
exceed fifteen per cent of the annual budget of the corporation-;i 112

(8) That the ~~President~~ president is to apply for, and is to 113
receive and accept, grants, gifts, bequests, and contributions 114
from private sources-;i 115

(9) That the corporation is to submit an annual report to the 116
~~General Assembly~~ general assembly and ~~Governor~~ governor beginning 117
December 31, 2013-;i 118

(10) That state financial support for the corporation shall 119
cease on ~~the date that is five years after~~ June 30, ~~2013~~ 2018. 120

Section 4. That existing Section 733.40 of Am. Sub. H.B. 59 121
of the 130th General Assembly, as amended by Am. Sub. H.B. 64 of 122
the 131st General Assembly, is hereby repealed. 123

Section 5." 124

In line 2474, delete "4" and insert "6" 125

In line 2481, delete "5" and insert "7" 126

In line 2496, delete "6" and insert "8" 127

The motion was _____ agreed to.

Sub. S.B. 3
As Passed by the Senate

Topic: Membership of community school governing authorities

_____ moved to amend as follows:

In line 2 of the title, after "3313.46," insert "3314.02," 1

In line 12 of the title, after the semicolon insert "to 2
revise the membership requirements for serving on a community 3
school governing authority;" 4

In line 20, after "3313.46," insert "3314.02," 5

Between lines 1790 and 1791, insert: 6

"**Sec. 3314.02.** (A) As used in this chapter: 7

(1) "Sponsor" means the board of education of a school 8
district or the governing board of an educational service center 9
that agrees to the conversion of all or part of a school or 10
building under division (B) of this section, or an entity listed 11
in division (C)(1) of this section, which has been approved by the 12
department of education to sponsor community schools or is 13
exempted by section 3314.021 or 3314.027 of the Revised Code from 14
obtaining approval, and with which the governing authority of a 15
community school enters into a contract under section 3314.03 of 16
the Revised Code. 17

(2) "Pilot project area" means the school districts included 18
in the territory of the former community school pilot project 19

established by former Section 50.52 of Am. Sub. H.B. No. 215 of the 122nd general assembly. 20
21

(3) "Challenged school district" means any of the following: 22

(a) A school district that is part of the pilot project area; 23

(b) A school district that meets one of the following conditions: 24
25

(i) On March 22, 2013, the district was in a state of academic emergency or in a state of academic watch under section 3302.03 of the Revised Code, as that section existed prior to March 22, 2013; 26
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29

(ii) For two of the 2012-2013, 2013-2014, 2014-2015, and 2015-2016 school years, the district received a grade of "D" or "F" for the performance index score and a grade of "F" for the value-added progress dimension under section 3302.03 of the Revised Code; 30
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(iii) For the 2016-2017 school year and for any school year thereafter, the district has received an overall grade of "D" or "F" under division (C)(3) of section 3302.03 of the Revised Code, or, for at least two of the three most recent school years, the district received a grade of "F" for the value-added progress dimension under division (C)(1)(e) of that section. 35
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(c) A big eight school district; 41

(d) A school district ranked in the lowest five per cent of school districts according to performance index score under section 3302.21 of the Revised Code. 42
43
44

(4) "Big eight school district" means a school district that for fiscal year 1997 had both of the following: 45
46

(a) A percentage of children residing in the district and 47

participating in the predecessor of Ohio works first greater than 48
 thirty per cent, as reported pursuant to section 3317.10 of the 49
 Revised Code; 50

(b) An average daily membership greater than twelve thousand, 51
 as reported pursuant to former division (A) of section 3317.03 of 52
 the Revised Code. 53

(5) "New start-up school" means a community school other than 54
 one created by converting all or part of an existing public school 55
 or educational service center building, as designated in the 56
 school's contract pursuant to division (A)(17) of section 3314.03 57
 of the Revised Code. 58

(6) "Urban school district" means one of the state's 59
 twenty-one urban school districts as defined in division (O) of 60
 section 3317.02 of the Revised Code as that section existed prior 61
 to July 1, 1998. 62

(7) "Internet- or computer-based community school" means a 63
 community school established under this chapter in which the 64
 enrolled students work primarily from their residences on 65
 assignments in nonclassroom-based learning opportunities provided 66
 via an internet- or other computer-based instructional method that 67
 does not rely on regular classroom instruction or via 68
 comprehensive instructional methods that include internet-based, 69
 other computer-based, and noncomputer-based learning opportunities 70
 unless a student receives career-technical education under section 71
 3314.086 of the Revised Code. 72

A community school that operates mainly as an internet- or 73
 computer-based community school and provides career-technical 74
 education under section 3314.086 of the Revised Code shall be 75
 considered an internet- or computer-based community school, even 76
 if it provides some classroom-based instruction, so long as it 77

provides instruction via the methods described in this division. 78

(8) "Operator" means either of the following: 79

(a) An individual or organization that manages the daily operations of a community school pursuant to a contract between the operator and the school's governing authority; 80
81
82

(b) A nonprofit organization that provides programmatic oversight and support to a community school under a contract with the school's governing authority and that retains the right to terminate its affiliation with the school if the school fails to meet the organization's quality standards. 83
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(9) "Alliance municipal school district" has the same meaning as in section 3311.86 of the Revised Code. 88
89

(B)(1) Any person or group of individuals may initially propose under this division the conversion of all or a portion of a public school to a community school. The proposal shall be made to the board of education of the city, local, exempted village, or joint vocational school district in which the public school is proposed to be converted. 90
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(2) Any person or group of individuals may initially propose under this division the conversion of all or a portion of a building operated by an educational service center to a community school. The proposal shall be made to the governing board of the service center. 96
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On or after July 1, 2017, except as provided in section 3314.027 of the Revised Code, any educational service center that sponsors a community school shall be approved by and enter into a written agreement with the department as described in section 3314.015 of the Revised Code. 101
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(3) Upon receipt of a proposal, and after an agreement has 106

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been entered into pursuant to section 3314.015 of the Revised Code, a board may enter into a preliminary agreement with the person or group proposing the conversion of the public school or service center building, indicating the intention of the board to support the conversion to a community school. A proposing person or group that has a preliminary agreement under this division may proceed to finalize plans for the school, establish a governing authority for the school, and negotiate a contract with the board. Provided the proposing person or group adheres to the preliminary agreement and all provisions of this chapter, the board shall negotiate in good faith to enter into a contract in accordance with section 3314.03 of the Revised Code and division (C) of this section.

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

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Division (B)(4) of this section does not apply to a sponsor that, on or before September 29, 2015, was exempted under section 3314.021 or 3314.027 of the Revised Code from the requirement to be approved for sponsorship under divisions (A)(2) and (B)(1) of section 3314.015 of the Revised Code.

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

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

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(b) The board of education of any joint vocational school

district with territory in the county in which is located the	137
majority of the territory of the district in which the school is	138
proposed to be located;	139
(c) The board of education of any other city, local, or	140
exempted village school district having territory in the same	141
county where the district in which the school is proposed to be	142
located has the major portion of its territory;	143
(d) The governing board of any educational service center,	144
regardless of the location of the proposed school, may sponsor a	145
new start-up school in any challenged school district in the state	146
if all of the following are satisfied:	147
(i) If applicable, it satisfies the requirements of division	148
(E) of section 3311.86 of the Revised Code;	149
(ii) It is approved to do so by the department;	150
(iii) It enters into an agreement with the department under	151
section 3314.015 of the Revised Code.	152
(e) A sponsoring authority designated by the board of	153
trustees of any of the thirteen state universities listed in	154
section 3345.011 of the Revised Code or the board of trustees	155
itself as long as a mission of the proposed school to be specified	156
in the contract under division (A)(2) of section 3314.03 of the	157
Revised Code and as approved by the department under division	158
(B)(3) of section 3314.015 of the Revised Code will be the	159
practical demonstration of teaching methods, educational	160
technology, or other teaching practices that are included in the	161
curriculum of the university's teacher preparation program	162
approved by the state board of education;	163
(f) Any qualified tax-exempt entity under section 501(c)(3)	164
of the Internal Revenue Code as long as all of the following	165

conditions are satisfied:

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

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

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(iii) The department has determined that the entity is an education-oriented entity under division (B)~~(3)~~(4) of section 3314.015 of the Revised Code and the entity has a demonstrated record of successful implementation of educational programs.

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(iv) The entity is not a community school.

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

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Any entity described in division (C)(1) of this section may 196
 enter into a preliminary agreement pursuant to division (C)(2) of 197
 this section with the proposing person or group, provided that 198
 entity has been approved by and entered into a written agreement 199
 with the department pursuant to section 3314.015 of the Revised 200
 Code. 201

(2) A preliminary agreement indicates the intention of an 202
 entity described in division (C)(1) of this section to sponsor the 203
 community school. A proposing person or group that has such a 204
 preliminary agreement may proceed to finalize plans for the 205
 school, establish a governing authority as described in division 206
 (E) of this section for the school, and negotiate a contract with 207
 the entity. Provided the proposing person or group adheres to the 208
 preliminary agreement and all provisions of this chapter, the 209
 entity shall negotiate in good faith to enter into a contract in 210
 accordance with section 3314.03 of the Revised Code. 211

(3) A new start-up school that is established in a school 212
 district described in either division (A)(3)(b) or (d) of this 213
 section may continue in existence once the school district no 214
 longer meets the conditions described in either division, provided 215
 there is a valid contract between the school and a sponsor. 216

(4) A copy of every preliminary agreement entered into under 217
 this division shall be filed with the superintendent of public 218
 instruction. 219

(D) A majority vote of the board of a sponsoring entity and a 220
 majority vote of the members of the governing authority of a 221
 community school shall be required to adopt a contract and convert 222
 the public school or educational service center building to a 223
 community school or establish the new start-up school. Beginning 224
 September 29, 2005, adoption of the contract shall occur not later 225

than the fifteenth day of March, and signing of the contract shall 226
 occur not later than the fifteenth day of May, prior to the school 227
 year in which the school will open. The governing authority shall 228
 notify the department of education when the contract has been 229
 signed. Subject to sections 3314.013 and 3314.016 of the Revised 230
 Code, an unlimited number of community schools may be established 231
 in any school district provided that a contract is entered into 232
 for each community school pursuant to this chapter. 233

(E)(1) As used in this division, "immediate relatives" are 234
 limited to spouses, children, parents, grandparents, and siblings, 235
~~and~~ as well as in-laws residing in the same household as the 236
person serving on the governing authority. 237

Each new start-up community school established under this 238
 chapter shall be under the direction of a governing authority 239
 which shall consist of a board of not less than five individuals. 240

(2)(a) No person shall serve on the governing authority or 241
 operate the community school under contract with the governing 242
 authority under any of the following circumstances: 243

(i) The person owes the state any money or is in a dispute 244
 over whether the person owes the state any money concerning the 245
 operation of a community school that has closed. 246

(ii) The person would otherwise be subject to division (B) of 247
 section 3319.31 of the Revised Code with respect to refusal, 248
 limitation, or revocation of a license to teach, if the person 249
 were a licensed educator. 250

(iii) The person has pleaded guilty to or been convicted of 251
 theft in office under section 2921.41 of the Revised Code, or has 252
 pleaded guilty to or been convicted of a substantially similar 253
 offense in another state. 254

(b) No person shall serve on the governing authority or 255
engage in the financial day-to-day management of the community 256
school under contract with the governing authority unless and 257
until that person has submitted to a criminal records check in the 258
manner prescribed by section 3319.39 of the Revised Code. 259

(c) Each sponsor of a community school shall annually verify 260
that a finding for recovery has not been issued by the auditor of 261
state against any individual or individuals who propose to create 262
a community school or any member of the governing authority, the 263
operator, or any employee of each community school. 264

(3) No person shall serve on the governing authorities of 265
more than five start-up community schools at the same time. 266

(4) ~~No (a) For a community school established under this~~ 267
~~chapter that is not sponsored by a school district or an~~ 268
~~educational service center, no present or former member, or~~ 269
immediate relative of a present or former member, of the governing 270
authority ~~of any community school established under this chapter~~ 271
shall be an owner, employee, or consultant of ~~any~~ the community 272
school's sponsor or operator ~~of a community school~~, unless at 273
least one year has elapsed since the conclusion of the person's 274
membership on the governing authority. 275

(b) For a community school established under this chapter 276
that is sponsored by a school district or an educational service 277
center, no present or former member, or immediate relative of a 278
present or former member, of the governing authority shall: 279

(i) Be an officer of the district board or service center 280
governing board that serves as the community school's sponsor, 281
unless at least one year has elapsed since the conclusion of the 282
person's membership on the governing authority; 283

(ii) Serve as an employee of, or a consultant for, the 284
department, division, or section of the sponsoring district or 285
service center that is directly responsible for sponsoring 286
community schools, or have supervisory authority over such a 287
department, division, or section, unless at least one year has 288
elapsed since the conclusion of the person's membership on the 289
governing authority. 290

(5) The governing authority of a start-up or conversion 291
community school may provide by resolution for the compensation of 292
its members. However, no individual who serves on the governing 293
authority of a start-up or conversion community school shall be 294
compensated more than one hundred twenty-five dollars per meeting 295
of that governing authority and no such individual shall be 296
compensated more than a total amount of five thousand dollars per 297
year for all governing authorities upon which the individual 298
serves. Each member of the governing authority may be paid 299
compensation for attendance at an approved training program, 300
provided that such compensation shall not exceed sixty dollars a 301
day for attendance at a training program three hours or less in 302
length and one hundred twenty-five dollars a day for attendance at 303
a training program longer than three hours in length. 304

(6) No person who is the employee of a school district or 305
educational service center shall serve on the governing authority 306
of any community school sponsored by that school district or 307
service center. 308

(7) Each member of the governing authority of a community 309
school shall annually file a disclosure statement setting forth 310
the names of any immediate relatives or business associates 311
employed by any of the following within the previous three years: 312

(a) The sponsor or operator of that community school; 313

(b) A school district or educational service center that has 314
 contracted with that community school; 315

(c) A vendor that is or has engaged in business with that 316
 community school. 317

(8) No person who is a member of a school district board of 318
 education shall serve on the governing authority of any community 319
 school. 320

(F)(1) A new start-up school that is established prior to 321
 August 15, 2003, in an urban school district that is not also a 322
 big-eight school district may continue to operate after that date 323
 and the contract between the school's governing authority and the 324
 school's sponsor may be renewed, as provided under this chapter, 325
 after that date, but no additional new start-up schools may be 326
 established in such a district unless the district is a challenged 327
 school district as defined in this section as it exists on and 328
 after that date. 329

(2) A community school that was established prior to June 29, 330
 1999, and is located in a county contiguous to the pilot project 331
 area and in a school district that is not a challenged school 332
 district may continue to operate after that date, provided the 333
 school complies with all provisions of this chapter. The contract 334
 between the school's governing authority and the school's sponsor 335
 may be renewed, but no additional start-up community school may be 336
 established in that district unless the district is a challenged 337
 school district. 338

(3) Any educational service center that, on June 30, 2007, 339
 sponsors a community school that is not located in a county within 340
 the territory of the service center or in a county contiguous to 341
 such county may continue to sponsor that community school on and 342
 after June 30, 2007, and may renew its contract with the school. 343

However, the educational service center shall not enter into a 344
contract with any additional community school, unless the 345
governing board of the service center has entered into an 346
agreement with the department authorizing the service center to 347
sponsor a community school in any challenged school district in 348
the state." 349

In line 2469, after "3313.46," insert "3314.02," 350

The motion was _____ agreed to.

Sub. S.B. 3
As Passed by the Senate

Topic: Performance audits and operational study of educational service centers

_____ moved to amend as follows:

In line 5 of the title, delete "and" and insert a comma; 1
after "3302.16" insert ", and 3311.051" 2

In line 12 of the title, after the semicolon insert "to 3
authorize the Auditor of State to conduct a performance audit of 4
an educational service center; to require a comprehensive 5
operational study of all educational service centers;" 6

In line 22, delete "and" and insert a comma; after "3302.16" 7
insert ", and 3311.051" 8

Between lines 1693 and 1694, insert: 9

"Sec. 3311.051. The auditor of state, on the auditor of 10
state's initiative, may conduct a performance audit of an 11
educational service center." 12

In line 2496, after "6." insert "Not later than three years 13
after the effective date of this section, the Auditor of State 14
shall conduct a comprehensive operational study of all educational 15
service centers in the state. The cost of the comprehensive 16
operational study shall be paid to the Auditor of State by the 17
educational service centers in a manner agreed upon by the Auditor 18

of State and the state association representing educational 19
 service centers. The amount paid for the study by all of the 20
 educational service centers combined shall not exceed \$375,000. 21
 The Auditor of State shall pay for any costs of the study that 22
 exceed that amount. 23

The Auditor of State shall submit a report of the operational 24
 study to the Department of Education, the State Board of 25
 Education, the Superintendent of Public Instruction, the Governor, 26
 the educational service centers, the Speaker and Minority Leader 27
 of the House of Representatives, and the President and Minority 28
 Leader of the Senate. The report shall contain standards and 29
 benchmarks unique to educational service centers for further study 30
 and that may inform future performance audits of educational 31
 service centers conducted under section 3311.051 of the Revised 32
 Code. 33

The State Board of Education may consider the Auditor of 34
 State's report of the operational study in its formulation of 35
 performance standards for educational service centers, if any, and 36
 in its determination of high-performing educational service 37
 centers under Section 263.390 of Am. Sub. H.B. 64 of the 131st 38
 General Assembly. 39

Section 7. " 40

The motion was _____ agreed to.

Sub. S.B. 3
As Passed by the Senate

Topic: Teacher residency program; teacher readiness

_____ moved to amend as follows:

In line 3 of the title, after "3319.02," insert "3319.111," 1

In line 12 of the title, after the semicolon insert "to make 2
changes to the teacher residency program requirements for 3
alternative resident educator license holders teaching 4
career-technical courses;" 5

In line 20, after "3319.02," insert "3319.111," 6

Between lines 2277 and 2278, insert: 7

"**Sec. 3319.111.** Notwithstanding section 3319.09 of the 8
Revised Code, this section applies to any person who is employed 9
under a teacher license issued under this chapter, or under a 10
professional or permanent teacher's certificate issued under 11
former section 3319.222 of the Revised Code, and who spends at 12
least fifty per cent of the time employed providing student 13
instruction. However, this section does not apply to any person 14
who is employed as a substitute teacher or as an instructor of 15
adult education. 16

(A) Not later than July 1, 2013, the board of education of 17
each school district, in consultation with teachers employed by 18
the board, shall adopt a standards-based teacher evaluation policy 19

that conforms with the framework for evaluation of teachers 20
developed under section 3319.112 of the Revised Code. The policy 21
shall become operative at the expiration of any collective 22
bargaining agreement covering teachers employed by the board that 23
is in effect on September 29, 2011, and shall be included in any 24
renewal or extension of such an agreement. 25

(B) When using measures of student academic growth as a 26
component of a teacher's evaluation, those measures shall include 27
the value-added progress dimension prescribed by section 3302.021 28
of the Revised Code or an alternative student academic progress 29
measure if adopted under division (C)(1)(e) of section 3302.03 of 30
the Revised Code. For teachers of grade levels and subjects for 31
which the value-added progress dimension or alternative student 32
academic progress measure is not applicable, the board shall 33
administer assessments on the list developed under division (B)(2) 34
of section 3319.112 of the Revised Code. 35

(C)(1) The board shall conduct an evaluation of each teacher 36
employed by the board at least once each school year, except as 37
provided in division (C)(2) of this section. The evaluation shall 38
be completed by the first day of May and the teacher shall receive 39
a written report of the results of the evaluation by the tenth day 40
of May. 41

(2)(a) The board may evaluate each teacher who received a 42
rating of accomplished on the teacher's most recent evaluation 43
conducted under this section once every three school years, so 44
long as the teacher's student academic growth measure, for the 45
most recent school year for which data is available, is average or 46
higher, as determined by the department of education. 47

(b) The board may evaluate each teacher who received a rating 48
of skilled on the teacher's most recent evaluation conducted under 49

this section once every two years, so long as the teacher's 50
 student academic growth measure, for the most recent school year 51
 for which data is available, is average or higher, as determined 52
 by the department of education. 53

(c) For each teacher who is evaluated pursuant to division 54
 (C)(2) of this section, the evaluation shall be completed by the 55
 first day of May of the applicable school year, and the teacher 56
 shall receive a written report of the results of the evaluation by 57
 the tenth day of May of that school year. 58

(d) Beginning with the 2014-2015 school year, the board may 59
 elect not to conduct an evaluation of a teacher who meets one of 60
 the following requirements: 61

(i) The teacher was on leave from the school district for 62
 fifty per cent or more of the school year, as calculated by the 63
 board. 64

(ii) The teacher has submitted notice of retirement and that 65
 notice has been accepted by the board not later than the first day 66
 of December of the school year in which the evaluation is 67
 otherwise scheduled to be conducted. 68

(e) Beginning with the 2017-2018 school year, the board may 69
elect not to conduct an evaluation of a teacher who is 70
participating in the teacher residency program established under 71
section 3319.223 of the Revised Code for the year during which 72
that teacher takes, for the first time, at least half of the 73
performance-based assessment prescribed by the state board of 74
education for resident educators. 75

(3) In any year that a teacher is not formally evaluated 76
 pursuant to division (C) of this section as a result of receiving 77
 a rating of accomplished or skilled on the teacher's most recent 78

evaluation, an individual qualified to evaluate a teacher under 79
 division (D) of this section shall conduct at least one 80
 observation of the teacher and hold at least one conference with 81
 the teacher. 82

(D) Each evaluation conducted pursuant to this section shall 83
 be conducted by one or more of the following persons who hold a 84
 credential established by the department of education for being an 85
 evaluator: 86

(1) A person who is under contract with the board pursuant to 87
 section 3319.01 or 3319.02 of the Revised Code and holds a license 88
 designated for being a superintendent, assistant superintendent, 89
 or principal issued under section 3319.22 of the Revised Code; 90

(2) A person who is under contract with the board pursuant to 91
 section 3319.02 of the Revised Code and holds a license designated 92
 for being a vocational director, administrative specialist, or 93
 supervisor in any educational area issued under section 3319.22 of 94
 the Revised Code; 95

(3) A person designated to conduct evaluations under an 96
 agreement entered into by the board, including an agreement 97
 providing for peer review entered into by the board and 98
 representatives of teachers employed by the board; 99

(4) A person who is employed by an entity contracted by the 100
 board to conduct evaluations and who holds a license designated 101
 for being a superintendent, assistant superintendent, principal, 102
 vocational director, administrative specialist, or supervisor in 103
 any educational area issued under section 3319.22 of the Revised 104
 Code or is qualified to conduct evaluations. 105

(E) Notwithstanding division (A)(3) of section 3319.112 of 106
 the Revised Code: 107

(1) The board shall require at least three formal observations of each teacher who is under consideration for nonrenewal and with whom the board has entered into a limited contract or an extended limited contract under section 3319.11 of the Revised Code.

(2) The board may elect, by adoption of a resolution, to require only one formal observation of a teacher who received a rating of accomplished on the teacher's most recent evaluation conducted under this section, provided the teacher completes a project that has been approved by the board to demonstrate the teacher's continued growth and practice at the accomplished level.

(F) The board shall include in its evaluation policy procedures for using the evaluation results for retention and promotion decisions and for removal of poorly performing teachers. Seniority shall not be the basis for a decision to retain a teacher, except when making a decision between teachers who have comparable evaluations.

(G) For purposes of section 3333.0411 of the Revised Code, the board annually shall report to the department of education the number of teachers for whom an evaluation was conducted under this section and the number of teachers assigned each rating prescribed under division (B)(1) of section 3319.112 of the Revised Code, aggregated by the teacher preparation programs from which and the years in which the teachers graduated. The department shall establish guidelines for reporting the information required by this division. The guidelines shall not permit or require that the name of, or any other personally identifiable information about, any teacher be reported under this division.

(H) Notwithstanding any provision to the contrary in Chapter 4117. of the Revised Code, the requirements of this section

prevail over any conflicting provisions of a collective bargaining agreement entered into on or after September 24, 2012." 138
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Delete lines 2327 through 2361 and insert: 140

"**Sec. 3319.223.** (A) Not later than January 1, 2011, the 141
superintendent of public instruction and the chancellor of higher 142
education jointly shall establish the Ohio teacher residency 143
program, which shall be a four-year, entry-level program for 144
classroom teachers. ~~The~~ Except as provided in division (B) of this 145
section, the teacher residency program shall include at least the 146
following components: 147

(1) Mentoring by teachers for the first two years of the 148
program; 149

(2) Counseling, as determined necessary by the school 150
district or school, to ensure that program participants receive 151
needed professional development; 152

(3) Measures of appropriate progression through the program, 153
which shall include the performance-based assessment prescribed by 154
the state board of education for resident educators in the third 155
year of the program. 156

~~An~~ (B)(1) For an individual who is teaching career-technical 157
courses under an alternative resident educator license issued 158
under section 3319.26 of the Revised Code or rule of the state 159
board, the Ohio teacher residency program shall include the 160
following components: 161

(a) Conditions that, as of September 29, 2015, were necessary 162
for a participant in the third and fourth year of the program to 163
complete prior to applying for the professional educator license 164
under division (A)(2) of section 3319.22 of the Revised Code, 165

except as provided in division (B)(2)(b) of this section; 166

(b) Four years of successful teaching experience under the alternative resident educator license, as verified by the superintendent of the employing school district; 167
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(c) Successful completion of a career-technical workforce development teacher preparation program that consists of not less than twenty-four semester hours, or the equivalent, from a state university. The teacher preparation program shall include a performance-based assessment, to be verified by the institution. 170
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(2) No individual who is teaching career-technical courses under an alternative resident educator license issued under section 3319.26 of the Revised Code or rule of the state board shall not be required to complete do either of the following: 175
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(a) Complete the conditions of the Ohio teacher residency program that a participant, as of the effective date of this amendment September 29, 2015, would have been required to complete during the participant's first and second year of teaching under an alternative resident educator license. Such an individual shall complete all the conditions that, as of the effective date of this amendment, were necessary for a participant in the third and fourth year of the program prior to applying for a professional educator license under division (A)(2) of section 3319.22 of the Revised Code. 179
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(b) Take the performance-based assessment prescribed by the state board for resident educators. 189
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~~(B)~~(C) The teacher residency program shall be aligned with the standards for teachers adopted by the state board under section 3319.61 of the Revised Code and best practices identified by the superintendent of public instruction. 191
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~~(C)~~(D) Each person who holds a resident educator license 195
issued under section 3319.22 or 3319.227 of the Revised Code or an 196
alternative resident educator license issued under section 3319.26 197
of the Revised Code shall participate in the teacher residency 198
program. Successful completion of the program shall be required to 199
qualify any such person for a professional educator license issued 200
under section 3319.22 of the Revised Code." 201

In line 2470, after "3319.02," insert "3319.111," 202

In line 2496, after "6." insert "Not later than December 31, 203
2017, the Department of Education, in collaboration with the Ohio 204
Association for Career and Technical Education, Ohio Association 205
of Career-Technical Superintendents, and Ohio Association of City 206
Career-Technical Schools, shall establish a method for assessing 207
if career-technical teachers teaching under an alternative 208
resident educator license issued under section 3319.26 of the 209
Revised Code or rule of the State Board of Education are qualified 210
for a professional educator license issued under section 3319.22 211
of the Revised Code. The method shall be an alternative to 212
completion of the Ohio teacher residency program established under 213
section 3319.223 of the Revised Code for such teachers and shall 214
assess teacher preparedness and qualifications for a professional 215
educator license as part of the college coursework in which the 216
teachers participate as a condition of holding a resident educator 217
license. 218

Section 7." 219

The motion was _____ agreed to.

Sub. S.B. 3
As Passed by the Senate

Topic: State Seal of Biliteracy

_____ moved to amend as follows:

In line 2 of the title, after "3313.46," insert "3313.618,
3313.6110," 1 2

In line 5 of the title, delete "and" and insert a comma;
after "3302.16" insert ", and 3313.6111" 3 4

In line 12 of the title, after the semicolon insert "to
require the State Board of Education to establish the State Seal
of Biliteracy to be attached or affixed to the high school
transcripts or diplomas of qualifying students;" 5 6 7 8

In line 20, after "3313.46," insert "3313.618, 3313.6110," 9

In line 22, delete "and" and insert a comma; after "3302.16"
insert ", and 3313.6111" 10 11

Between lines 1790 and 1791, insert: 12

"Sec. 3313.618. (A) In addition to the applicable curriculum
requirements, each student entering ninth grade for the first time
on or after July 1, 2014, shall satisfy at least one of the
following conditions in order to qualify for a high school
diploma: 13 14 15 16 17

(1) Be remediation-free, in accordance with standards adopted
under division (F) of section 3345.061 of the Revised Code, on 18 19

each of the nationally standardized assessments in English, 20
 mathematics, and reading; 21

(2) Attain a score specified under division (B)(5)(c) of 22
 section 3301.0712 of the Revised Code on the end-of-course 23
 examinations prescribed under division (B) of section 3301.0712 of 24
 the Revised Code. 25

(3) Attain a score that demonstrates workforce readiness and 26
 employability on a nationally recognized job skills assessment 27
 selected by the state board of education under division (G) of 28
 section 3301.0712 of the Revised Code and obtain either an 29
 industry-recognized credential, as described under division 30
 (B)(2)(d) of section 3302.03 of the Revised Code, or a license 31
 issued by a state agency or board for practice in a vocation that 32
 requires an examination for issuance of that license. 33

The state board shall approve the industry-recognized 34
 credentials and licenses that may qualify a student for a high 35
 school diploma under division (A)(3) of this section. 36

A student may choose to qualify for a high school diploma by 37
 satisfying any of the separate requirements prescribed by 38
 divisions (A)(1) to (3) of this section. If the student's school 39
 district or school does not administer the examination prescribed 40
 by one of those divisions that the student chooses to take to 41
 satisfy the requirements of this section, the school district or 42
 school may require that student to arrange for the applicable 43
 scores to be sent directly to the district or school by the 44
 company or organization that administers the examination. 45

(B) The state board of education shall not create or require 46
 any additional assessment for the granting of any type of high 47
 school diploma other than as prescribed by this section. ~~The~~ 48
Except as provided in section 3313.6111 of the Revised Code, the 49

state board shall not create any endorsement or designation that 50
may be affiliated with a high school diploma. 51

Sec. 3313.6110. (A) A person who has completed the final year 52
of instruction at home, as authorized under section 3321.04 of the 53
Revised Code, and has successfully fulfilled the high school 54
curriculum applicable to that person may be granted a high school 55
diploma by the person's parent, guardian, or other person having 56
charge or care of a child, as defined in division (A)(1) of 57
section 3321.01 of the Revised Code. 58

(B) Beginning with diplomas issued on or after July 1, 2015, 59
each diploma granted under division (A) of this section shall 60
contain either of the following: 61

(1) Certification signed by the superintendent of the school 62
district in which the student is entitled to attend school in a 63
school district under section 3313.64 or 3313.65 of the Revised 64
Code that the student and the student's parent have complied with 65
state law regarding home instruction. The statement of 66
certification shall read as follows: 67

"I certify that the student named in this diploma and the 68
student's parent have complied with division (A)(2) of section 69
3321.04 of the Ohio Revised Code regarding instruction at home and 70
the related rules of the Ohio State Board of Education." 71

A superintendent presented with such diploma for signature 72
shall sign the diploma if the student and the parent have complied 73
with division (A)(2) of section 3321.04 of the Revised Code. 74

(2) The official letter of excuse issued by the district 75
superintendent for the student's final year of home education. 76

(C) A person who has graduated from a nonchartered nonpublic 77
school in Ohio and who has successfully fulfilled that school's 78

high school curriculum may be granted a high school diploma by the governing authority of that school.

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

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

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(F) A diploma granted under division (A) of this section may include a state seal of biliteracy that may be assigned to the student's diploma, by the parent, guardian, or other person having charge or care of the student, in the same manner as prescribed for transcripts issued by school districts and chartered nonpublic schools under section 3313.6111 of the Revised Code.

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Sec. 3313.6111. (A) The state board of education shall establish the state seal of biliteracy, which may be attached or affixed to the high school transcript of a student enrolled in a public or chartered nonpublic school. The state seal of biliteracy shall demonstrate the attainment of a high level of proficiency by a graduate of a public or chartered nonpublic high school in one or more languages in addition to English, sufficient for meaningful use in college and a career. The purpose of the state seal of biliteracy shall be to:

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(1) Encourage students to study languages;

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<u>(2) Certify the attainment of biliteracy;</u>	108
<u>(3) Provide employers with a method of identifying individuals with language and biliteracy skills;</u>	109 110
<u>(4) Provide institutions of higher education with an additional method to recognize applicants for admission;</u>	111 112
<u>(5) Prepare students with twenty-first century skills;</u>	113
<u>(6) Recognize the value of foreign language and native language instruction in public schools; and</u>	114 115
<u>(7) Strengthen inter-group relationships, affirm the value of diversity, and honor the multiple cultures and languages of a community.</u>	116 117 118
<u>(B)(1) A school district, community school established under Chapter 3314. of the Revised Code, STEM school established under Chapter 3326. of the Revised Code, college-preparatory boarding school established under Chapter 3328. of the Revised Code, or chartered nonpublic school may attach or affix the state seal of biliteracy to the transcript of a student enrolled in the school who meets the requirements prescribed under division (C)(1) of this section. A district or school shall not be required to attach or affix the state seal of biliteracy on the transcript of a student enrolled in the school.</u>	119 120 121 122 123 124 125 126 127 128
<u>(2) Each school district, community school, STEM school, college-preparatory boarding school, and chartered nonpublic school shall maintain appropriate records to identify students who have completed the requirements for earning a state seal of biliteracy as prescribed under division (C)(1) of this section, and if the district or school has a policy of attaching or affixing the state seal of biliteracy to student transcripts, the district or school shall make the appropriate designation on the</u>	129 130 131 132 133 134 135 136

<u>transcript of a student who completes the requirements.</u>	137
<u>(C) The state board of education shall do the following:</u>	138
<u>(1) Establish the requirements and criteria for earning a state seal of biliteracy, including assessments of foreign language and English proficiency.</u>	139
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<u>(2) Direct the department of education to prepare and deliver to participating school districts, community schools, STEM schools, college-preparatory boarding schools, and chartered nonpublic schools an appropriate mechanism for assigning a state seal of biliteracy on a student's transcript indicating that the student has been assigned the seal;</u>	142
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<u>(3) Direct the department to provide any other information the state board considers necessary for school districts, community schools, STEM schools, college-preparatory boarding schools, and chartered nonpublic schools to participate in the assigning of a state seal of biliteracy;</u>	148
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<u>(4) Adopt rules in accordance with Chapter 119. of the Revised Code to implement the provisions of this section.</u>	153
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<u>(D) A student shall not be charged a fee to be assigned a state seal of biliteracy on their transcript. A student may be required to pay a fee to demonstrate proficiency in a language, including the cost of a standardized test to determine proficiency in a language.</u>	155
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<u>(E) As used in this section, "foreign language" refers to any language other than English, including modern languages, Latin, American sign language, native American languages, and native languages."</u>	160
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In line 2469, after "3313.46," insert "3313.618, 3313.6110,"	164

The motion was _____ agreed to.

Sub. S.B. 3
As Passed by the Senate

Topic: Student participation in extracurricular activities

_____ moved to amend as follows:

- In line 2 of the title, after "3313.46," insert "3313.5311," 1
- In line 5 of the title, delete "and" and insert a comma; 2
after "3302.16" insert ", and 3313.5314" 3
- In line 12 of the title, after the semicolon insert "to 4
revise the requirements for student participation in 5
extracurricular activities and interscholastic athletics;" 6
- In line 20, after "3313.46," insert "3313.5311," 7
- In line 22, delete "and" and insert a comma; after "3302.16" 8
insert ", and 3313.5314" 9
- Between lines 1790 and 1791, insert: 10
- "**Sec. 3313.5311.** (A) As used in this section and in section 11
3313.5312 of the Revised Code, "extracurricular activity" has the 12
same meaning as in section 3313.537 of the Revised Code. 13
- (B) If the nonpublic school in which the student is enrolled 14
does not offer the extracurricular activity, a student enrolled in 15
a chartered or nonchartered nonpublic school shall be afforded, by 16
the superintendent of the school district in which the student is 17
entitled to attend school under section 3313.64 or 3313.65 of the 18
Revised Code, the opportunity to participate in that 19

extracurricular activity at the district school to which the student otherwise would be assigned during that school year. If more than one school operated by the school district serves the student's grade level, as determined by the district superintendent based on the student's age and academic performance, the student shall be afforded the opportunity to participate in that extracurricular activity at the school to which the student would be assigned by the superintendent under section 3319.01 of the Revised Code.

(C) The superintendent of any school district may afford any student enrolled in a nonpublic school, and who is not entitled to attend school in the district under section 3313.64 or 3313.65 of the Revised Code, the opportunity to participate in an extracurricular activity offered by a school of the district, if ~~both of the following apply:~~

~~(1) The the nonpublic school in which the student is enrolled does not offer the extracurricular activity;~~

~~(2) and either of the following apply:~~

(1) The extracurricular activity is not interscholastic athletics or interscholastic contests or competition in music, drama, or forensics.

(2) The extracurricular activity is in an interscholastic athletic or interscholastic contest or competition in music, drama, or forensics. In order to participate under division (C)(2) of this section, the student shall seek to participate at either the school district in which the student's nonpublic school is located or the school district in which the student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code, so long as the chosen district offers the extracurricular activity.

If the student seeks to participate under division (C)(2) of this section at the school district in which the student's nonpublic school is located, both of the following shall apply: 50
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(a) The superintendent of the school district in which the student is entitled to attend school shall certify that the student has not participated in any extracurricular activity that is in an interscholastic athletic or interscholastic contest or competition in music, drama, or forensics at that school district during that school year. If the student has participated in such an extracurricular activity at that school district during the school year, the student shall be ineligible to participate at the school district in which the student's nonpublic school is located for that school year. 53
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(b) The superintendent of the school district in which the student is entitled to attend school and the superintendent of the school district in which the student is seeking to participate shall mutually agree, in writing, to allow the student to participate in the extracurricular activity at the school district in which the student's nonpublic school is located. 63
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(D) In order to participate in an extracurricular activity under this section, the student shall be of the appropriate age and grade level, as determined by the superintendent of the district, for the school that offers the extracurricular activity, and shall fulfill the same academic, nonacademic, and financial requirements as any other participant. 69
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(E) No school district shall impose additional rules on a student to participate under this section that do not apply to other students participating in the same extracurricular activity. No district shall impose additional fees for a student to participate under this section that exceed any fees charged to 75
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other students participating in the same extracurricular activity.

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(F) No school district, interscholastic conference, or organization that regulates interscholastic conferences or events shall require a student who is eligible to participate in interscholastic extracurricular activities under this section to meet eligibility requirements that conflict with this section.

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

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

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

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In line 2469, after "3313.46," insert "3313.5311,"

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The motion was _____ agreed to.

Sub. S. B. No. 3
As Passed by the Senate

Topic: Property tax exemption for Convention Facilities Authority- 1
owned arena leased to private enterprise 2

_____ moved to amend as follows:

In line 4 of the title, delete the first "and"; after "3328.24" 3
insert ", and 5709.084" 4

In line 12 of the title, delete "and" 5

In line 18 of the title, after "security" insert "; and to exempt an 6
arena owned by a convention facilities authority from property taxation" 7

In line 21, delete the first "and"; after "3328.24" insert ", and 8
5709.084" 9

Between lines 2467 and 2468, insert: 10

"Sec. 5709.084. Real and personal property comprising a 11
convention center that is constructed or, in the case of 12
personal property, acquired, after January 1, 2010, are exempt 13
from taxation if the convention center is located in a county 14
having a population, when construction of the convention center 15
commences, of more than one million two hundred thousand 16



according to the most recent federal decennial census, and if 17
the convention center, or the land upon which the convention 18
center is situated, is owned or leased by the county. For the 19
purposes of this section, construction of the convention center 20
commences upon the earlier of issuance of debt to finance all or 21
a portion of the convention center, demolition of existing 22
structures on the site, or grading of the site in preparation 23
for construction. 24

Real and personal property comprising a convention center 25
owned by the largest city in a county having a population 26
greater than seven hundred thousand but less than nine hundred 27
thousand according to the most recent federal decennial census 28
is exempt from taxation, regardless of whether the property is 29
leased to or otherwise operated or managed by a person other 30
than the city. 31

Real and personal property comprising a convention center 32
or arena owned by a convention facilities authority in a county 33
having a population greater than one million according to the 34
most recent federal decennial census is exempt from taxation, 35
regardless of whether the property is leased to or otherwise 36
operated or managed by a person other than the convention 37
facilities authority, notwithstanding section 351.12 of the 38
Revised Code. 39

Real and personal property comprising a convention center 40
or arena owned by the largest city in a county having a 41
population greater than two hundred thirty-five thousand but 42
less than three hundred thousand according to the most recent 43
federal decennial census at the time of the construction of the 44
convention center or arena is exempt from taxation, regardless 45
of whether the property is leased to or otherwise operated or 46

managed by a person other than the city. 47

Real and personal property comprising a convention center 48
or arena owned by the city in which the convention center or 49
arena is located, and located in a county having a population 50
greater than five hundred thousand but less than six hundred 51
thousand according to the most recent federal decennial census 52
at the time of the construction of the convention center or 53
arena, is exempt from taxation, regardless of whether the 54
property is leased to or otherwise operated or managed by a 55
person other than the city. 56

As used in this section, "convention center" and "arena" 57
have the same meanings as in section 307.695 of the Revised 58
Code." 59

In line 2470, delete "and" 60

In line 2471, after "3328.24" insert ", and 5709.084" 61

In line 2474, after "4." insert "The amendment by this act of 62
section 5709.084 of the Revised Code applies to tax year 2016 and 63
thereafter. Notwithstanding section 5715.27 of the Revised Code, an 64
application for exemption of an arena owned by a convention facilities 65
authority for tax year 2016 may be filed at any time before the thirty- 66
first day following the effective date of this section. 67

Section 5." 68

In line 2481, delete "5" and insert "6" 69

In line 2496, delete "6" and insert "7" 70

The motion was _____ agreed to.

Sub. S.B. 3
As Passed by the Senate

Topic: Joint Vocational School District boards of education

_____ moved to amend as follows:

In line 2 of the title, after "3302.13," insert "3311.19, 1
3311.191," 2

In line 12 of the title, after the semicolon insert "to make 3
changes regarding membership of joint vocational school district 4
boards of education;" 5

In line 20, after "3302.13," insert "3311.19, 3311.191," 6

Between lines 1693 and 1694, insert: 7

"**Sec. 3311.19.** (A) The management and control of a joint 8
vocational school district shall be vested in the joint vocational 9
school district board of education which, beginning on September 10
29, 2013, shall be appointed under division (C) of this section. 11

All members of a joint vocational school district board 12
serving unexpired terms on September 29, 2013, may continue in 13
office until the expiration of their terms. If a member leaves 14
office for any reason prior to the expiration of that member's 15
term, the vacancy shall be filled only in the manner provided in 16
division (C) of this section. 17

(B) Except as provided in section 3311.191 of the Revised 18
Code, members of the joint vocational school district board 19

appointed on or after September 29, 2013, shall serve for
 three-year terms of office. ~~No member shall hold office for a
 period of longer than two consecutive terms. Terms shall be
 considered consecutive unless separated by three or more years.~~

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~~Members of the board shall be selected based on the diversity
 of the employers from the geographical region of the state in
 which the territory of the joint vocational school district is
 located represented by the members. Not less than three fifths of
 the members of the board shall reside in or be employed within the
 territory of the joint vocational school district board upon which
 the member serves.~~

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(C) The manner of appointment and the total number of members
 appointed to the joint vocational school district board shall be
 in accordance with the most recent plan for the joint vocational
 school district on file with the department of education. ~~An
 individual shall not be a member of an appointing board, unless
 the individual meets the criteria in division (C)(2) of this
 section.~~

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(1) Appointments under this section shall be made as the
 terms of members of each joint vocational school district board
 who are serving unexpired terms on September 29, 2013, expire or
 as those offices are otherwise vacated prior to the expiration
 date.

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(2) Members of the joint vocational board shall ~~have
 experience as chief financial officers, chief executive officers,
 human resources managers, or other business, industry, or career
 counseling professionals who are qualified to discuss the labor
 needs of the region with respect to the regional economy. The
 appointing board shall appoint individuals who represent employers
 in the region served by the joint vocational school district who~~

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~~are qualified to consider the state's workforce needs be appointed~~ 50
~~by the member school district boards of education. Members of a~~ 51
~~joint vocational school district board may either be a current~~ 52
~~elected board member of a school district board that is a member~~ 53
~~of the joint vocational school district or an individual who has~~ 54
~~experience or knowledge regarding the labor needs of the state and~~ 55
~~region~~ with an understanding of the skills, training, and 56
education needed for current and future employment opportunities 57
in the state. The appointing board may give preference to 58
individuals who have served as members on a joint vocational 59
school business advisory committee ~~who meet the qualifications in~~ 60
~~division (C)(2) of this section.~~ 61

(D) The vocational schools in the joint vocational school 62
district shall be available to all youth of school age within the 63
joint vocational school district subject to the rules adopted by 64
the joint vocational school district board of education in regard 65
to the standards requisite to admission. A joint vocational school 66
district board of education shall have the same powers, duties, 67
and authority for the management and operation of such joint 68
vocational school district as is granted by law, except by this 69
chapter and Chapters 124., 3317., 3323., and 3331. of the Revised 70
Code, to a board of education of a city school district, and shall 71
be subject to all the provisions of law that apply to a city 72
school district, except such provisions in this chapter and 73
Chapters 124., 3317., 3323., and 3331. of the Revised Code. 74

(E) The superintendent of schools of a joint vocational 75
school district shall exercise the duties and authority vested by 76
law in a superintendent of schools pertaining to the operation of 77
a school district and the employment and supervision of its 78
personnel. The joint vocational school district board of education 79
shall appoint a treasurer of the joint vocational school district 80

who shall be the fiscal officer for such district and who shall 81
 have all the powers, duties, and authority vested by law in a 82
 treasurer of a board of education. 83

(F) Each member of a joint vocational school district board 84
 of education may be paid such compensation as the board provides 85
 by resolution, but it shall not exceed one hundred twenty-five 86
 dollars per member for each meeting attended plus mileage, at the 87
 rate per mile provided by resolution of the board, to and from 88
 meetings of the board. 89

The board may provide by resolution for the deduction of 90
 amounts payable for benefits under section 3313.202 of the Revised 91
 Code. 92

Each member of a joint vocational school district board may 93
 be paid such compensation as the board provides by resolution for 94
 attendance at an approved training program, provided that such 95
 compensation shall not exceed sixty dollars per day for attendance 96
 at a training program three hours or fewer in length and one 97
 hundred twenty-five dollars a day for attendance at a training 98
 program longer than three hours in length. However, no board 99
 member shall be compensated for the same training program under 100
 this section and section 3313.12 of the Revised Code. 101

Sec. 3311.191. (A)(1) Subject to division (A)(2) of this 102
 section, if a joint vocational school district has an even number 103
 of member districts each appointing a member to the joint 104
 vocational school district board of education and the joint 105
 vocational school district's plan on file with the department of 106
 education provides for one additional board member to be appointed 107
 on a rotating basis by one of the appointing boards, the term of 108
 that additional member shall be for one year. The additional 109

member shall otherwise meet the requirements for joint vocational 110
 school board members prescribed by section 3311.19 of the Revised 111
 Code. 112

(2) If an additional member of a joint vocational school 113
 district board appointed on a rotating basis, as described in 114
 division (A)(1) of this section, was appointed on or after 115
 September 29, 2013, but prior to September 29, 2015, that member 116
 may continue in office until the expiration of the member's 117
 current term of office. If such member vacates that office for any 118
 reason prior to the expiration of that member's term, a new 119
 additional member shall be appointed according to the rotational 120
 basis prescribed by the district's plan, and that member shall 121
 serve for the remainder of the vacating member's term. Thereafter, 122
 the term of office of the additional member shall be as prescribed 123
 by division (A)(1) of this section. 124

(B) ~~If a~~ A joint vocational school district board of 125
 education ~~has more than thirty members, the board~~ may submit an 126
 application to the superintendent of public instruction for 127
 approval to revise its membership plan to stagger the members' 128
 terms of office. Each board ~~eligible to submit an application~~ 129
~~under this section,~~ may do so only one time. The application shall 130
 include the revisions proposed to be made to members' terms, the 131
 manner by which the terms shall be staggered, and any other 132
 information the state superintendent requires." 133

In line 2469, after "3302.13," insert "3311.19, 3311.191," 134

The motion was _____ agreed to.

Sub. S.B. 3
As Passed by the Senate

Topic: Exemption from college and career readiness assessment

_____ moved to amend as follows:

Delete lines 333 through 812 and insert: 1

"**Sec. 3301.0711.** (A) The department of education shall: 2

(1) Annually furnish to, grade, and score all assessments 3
required by divisions (A)(1) and (B)(1) of section 3301.0710 of 4
the Revised Code to be administered by city, local, exempted 5
village, and joint vocational school districts, except that each 6
district shall score any assessment administered pursuant to 7
division (B)(10) of this section. Each assessment so furnished 8
shall include the data verification code of the student to whom 9
the assessment will be administered, as assigned pursuant to 10
division (D)(2) of section 3301.0714 of the Revised Code. In 11
furnishing the practice versions of Ohio graduation tests 12
prescribed by division (D) of section 3301.0710 of the Revised 13
Code, the department shall make the tests available on its web 14
site for reproduction by districts. In awarding contracts for 15
grading assessments, the department shall give preference to 16
Ohio-based entities employing Ohio residents. 17

(2) Adopt rules for the ethical use of assessments and 18
prescribing the manner in which the assessments prescribed by 19
section 3301.0710 of the Revised Code shall be administered to 20

students. 21

(B) Except as provided in divisions (C) and (J) of this 22
section, the board of education of each city, local, and exempted 23
village school district shall, in accordance with rules adopted 24
under division (A) of this section: 25

(1) Administer the English language arts assessments 26
prescribed under division (A)(1)(a) of section 3301.0710 of the 27
Revised Code twice annually to all students in the third grade who 28
have not attained the score designated for that assessment under 29
division (A)(2)(c) of section 3301.0710 of the Revised Code. 30

(2) Administer the mathematics assessment prescribed under 31
division (A)(1)(a) of section 3301.0710 of the Revised Code at 32
least once annually to all students in the third grade. 33

(3) Administer the assessments prescribed under division 34
(A)(1)(b) of section 3301.0710 of the Revised Code at least once 35
annually to all students in the fourth grade. 36

(4) Administer the assessments prescribed under division 37
(A)(1)(c) of section 3301.0710 of the Revised Code at least once 38
annually to all students in the fifth grade. 39

(5) Administer the assessments prescribed under division 40
(A)(1)(d) of section 3301.0710 of the Revised Code at least once 41
annually to all students in the sixth grade. 42

(6) Administer the assessments prescribed under division 43
(A)(1)(e) of section 3301.0710 of the Revised Code at least once 44
annually to all students in the seventh grade. 45

(7) Administer the assessments prescribed under division 46
(A)(1)(f) of section 3301.0710 of the Revised Code at least once 47
annually to all students in the eighth grade. 48

(8) Except as provided in division (B)(9) of this section, 49
 administer any assessment prescribed under division (B)(1) of 50
 section 3301.0710 of the Revised Code as follows: 51

(a) At least once annually to all tenth grade students and at 52
 least twice annually to all students in eleventh or twelfth grade 53
 who have not yet attained the score on that assessment designated 54
 under that division; 55

(b) To any person who has successfully completed the 56
 curriculum in any high school or the individualized education 57
 program developed for the person by any high school pursuant to 58
 section 3323.08 of the Revised Code but has not received a high 59
 school diploma and who requests to take such assessment, at any 60
 time such assessment is administered in the district. 61

(9) In lieu of the board of education of any city, local, or 62
 exempted village school district in which the student is also 63
 enrolled, the board of a joint vocational school district shall 64
 administer any assessment prescribed under division (B)(1) of 65
 section 3301.0710 of the Revised Code at least twice annually to 66
 any student enrolled in the joint vocational school district who 67
 has not yet attained the score on that assessment designated under 68
 that division. A board of a joint vocational school district may 69
 also administer such an assessment to any student described in 70
 division (B)(8)(b) of this section. 71

(10) If the district has a three-year average graduation rate 72
 of not more than seventy-five per cent, administer each assessment 73
 prescribed by division (D) of section 3301.0710 of the Revised 74
 Code in September to all ninth grade students who entered ninth 75
 grade prior to July 1, 2014. 76

Except as provided in section 3313.614 of the Revised Code 77
 for administration of an assessment to a person who has fulfilled 78

the curriculum requirement for a high school diploma but has not passed one or more of the required assessments, the assessments prescribed under division (B)(1) of section 3301.0710 of the Revised Code shall not be administered after the date specified in the rules adopted by the state board of education under division (D)(1) of section 3301.0712 of the Revised Code.

(11) ~~Administer~~ (a) Except as provided in division (B)(1)(b) of this section, administer the assessments prescribed by division (B)(2) of section 3301.0710 and section 3301.0712 of the Revised Code in accordance with the timeline and plan for implementation of those assessments prescribed by rule of the state board adopted under division (D)(1) of section 3301.0712 of the Revised Code;

(b) A student who has presented evidence to the district or school of having satisfied the condition prescribed by division (A)(1) of section 3313.618 of the Revised Code to qualify for a high school diploma prior to the date of the administration of the assessment prescribed under division (B)(1) of section 3301.0712 of the Revised Code shall not be required to take that assessment. However, no board shall prohibit a student who is not required to take such assessment from taking the assessment.

(C)(1)(a) In the case of a student receiving special education services under Chapter 3323. of the Revised Code, the individualized education program developed for the student under that chapter shall specify the manner in which the student will participate in the assessments administered under this section, except that a student with significant cognitive disabilities to whom an alternate assessment is administered in accordance with division (C)(1) of this section and a student determined to have a disability that includes an intellectual disability as outlined in guidance issued by the department shall not be required to take

the assessment prescribed under division (B)(1) of section 3301.0712 of the Revised Code. The individualized education program may excuse the student from taking any particular assessment required to be administered under this section if it instead specifies an alternate assessment method approved by the department of education as conforming to requirements of federal law for receipt of federal funds for disadvantaged pupils. To the extent possible, the individualized education program shall not excuse the student from taking an assessment unless no reasonable accommodation can be made to enable the student to take the assessment. No board shall prohibit a student who is not required to take an assessment under division (C)(1) of this section from taking the assessment.

(b) Any alternate assessment approved by the department for a student under this division shall produce measurable results comparable to those produced by the assessment it replaces in order to allow for the student's results to be included in the data compiled for a school district or building under section 3302.03 of the Revised Code.

(c)(i) Any student enrolled in a chartered nonpublic school who has been identified, based on an evaluation conducted in accordance with section 3323.03 of the Revised Code or section 504 of the "Rehabilitation Act of 1973," 87 Stat. 355, 29 U.S.C.A. 794, as amended, as a child with a disability shall be excused from taking any particular assessment required to be administered under this section if a plan developed for the student pursuant to rules adopted by the state board excuses the student from taking that assessment. ~~In~~

(ii) A student with significant cognitive disabilities to whom an alternate assessment is administered in accordance with division (C)(1) of this section and a student determined to have a

disability that includes an intellectual disability as outlined in 140
guidance issued by the department shall not be required to take 141
the assessment prescribed under division (B)(1) of section 142
3301.0712 of the Revised Code. 143

(iii) In the case of any student so excused from taking an 144
assessment under division (C)(1)(c) of this section, the chartered 145
nonpublic school shall not prohibit the student from taking the 146
assessment. 147

(2) A district board may, for medical reasons or other good 148
cause, excuse a student from taking an assessment administered 149
under this section on the date scheduled, but that assessment 150
shall be administered to the excused student not later than nine 151
days following the scheduled date. The district board shall 152
annually report the number of students who have not taken one or 153
more of the assessments required by this section to the state 154
board not later than the thirtieth day of June. 155

(3) As used in this division, "limited English proficient 156
student" has the same meaning as in 20 U.S.C. 7801. 157

No school district board shall excuse any limited English 158
proficient student from taking any particular assessment required 159
to be administered under this section, except ~~that any~~ as follows: 160

(a) Any limited English proficient student who has been 161
enrolled in United States schools for less than two years and for 162
whom no appropriate accommodations are available based on guidance 163
issued by the department shall not be required to take the 164
assessment prescribed under division (B)(1) of section 3301.0712 165
of the Revised Code. 166

(b) Any limited English proficient student who has been 167
enrolled in United States schools for less than one full school 168

year shall not be required to take any reading, writing, or 169
English language arts assessment. ~~However~~ 170

However, no board shall prohibit a limited English proficient 171
student who is not required to take an assessment under ~~this~~ 172
division (C)(3) of this section from taking the assessment. A 173
board may permit any limited English proficient student to take an 174
assessment required to be administered under this section with 175
appropriate accommodations, as determined by the department. For 176
each limited English proficient student, each school district 177
shall annually assess that student's progress in learning English, 178
in accordance with procedures approved by the department. 179

(4)(a) The governing authority of a chartered nonpublic 180
school may excuse a limited English proficient student from taking 181
any assessment administered under this section. ~~However, no~~ 182

(b) No governing authority shall require a limited English 183
proficient student who has been enrolled in United States schools 184
for less than two years and for whom no appropriate accommodations 185
are available based on guidance issued by the department to take 186
the assessment prescribed under division (B)(1) of section 187
3301.0712 of the Revised Code. 188

(c) No governing authority shall prohibit a limited English 189
proficient student from taking the an assessment from which the 190
student was excused under division (C)(4) of this section. 191

(D)(1) In the school year next succeeding the school year in 192
which the assessments prescribed by division (A)(1) or (B)(1) of 193
section 3301.0710 of the Revised Code or former division (A)(1), 194
(A)(2), or (B) of section 3301.0710 of the Revised Code as it 195
existed prior to September 11, 2001, are administered to any 196
student, the board of education of any school district in which 197
the student is enrolled in that year shall provide to the student 198

intervention services commensurate with the student's performance, 199
including any intensive intervention required under section 200
3313.608 of the Revised Code, in any skill in which the student 201
failed to demonstrate at least a score at the proficient level on 202
the assessment. 203

(2) Following any administration of the assessments 204
prescribed by division (D) of section 3301.0710 of the Revised 205
Code to ninth grade students, each school district that has a 206
three-year average graduation rate of not more than seventy-five 207
per cent shall determine for each high school in the district 208
whether the school shall be required to provide intervention 209
services to any students who took the assessments. In determining 210
which high schools shall provide intervention services based on 211
the resources available, the district shall consider each school's 212
graduation rate and scores on the practice assessments. The 213
district also shall consider the scores received by ninth grade 214
students on the English language arts and mathematics assessments 215
prescribed under division (A)(1)(f) of section 3301.0710 of the 216
Revised Code in the eighth grade in determining which high schools 217
shall provide intervention services. 218

Each high school selected to provide intervention services 219
under this division shall provide intervention services to any 220
student whose results indicate that the student is failing to make 221
satisfactory progress toward being able to attain scores at the 222
proficient level on the Ohio graduation tests. Intervention 223
services shall be provided in any skill in which a student 224
demonstrates unsatisfactory progress and shall be commensurate 225
with the student's performance. Schools shall provide the 226
intervention services prior to the end of the school year, during 227
the summer following the ninth grade, in the next succeeding 228
school year, or at any combination of those times. 229

(E) Except as provided in section 3313.608 of the Revised Code and division (N) of this section, no school district board of education shall utilize any student's failure to attain a specified score on an assessment administered under this section as a factor in any decision to deny the student promotion to a higher grade level. However, a district board may choose not to promote to the next grade level any student who does not take an assessment administered under this section or make up an assessment as provided by division (C)(2) of this section and who is not exempt from the requirement to take the assessment under division (C)(3) of this section.

(F) No person shall be charged a fee for taking any assessment administered under this section.

(G)(1) Each school district board shall designate one location for the collection of assessments administered in the spring under division (B)(1) of this section and those administered under divisions (B)(2) to (7) of this section. Each district board shall submit the assessments to the entity with which the department contracts for the scoring of the assessments as follows:

(a) If the district's total enrollment in grades kindergarten through twelve during the first full school week of October was less than two thousand five hundred, not later than the Friday after all of the assessments have been administered;

(b) If the district's total enrollment in grades kindergarten through twelve during the first full school week of October was two thousand five hundred or more, but less than seven thousand, not later than the Monday after all of the assessments have been administered;

(c) If the district's total enrollment in grades kindergarten

through twelve during the first full school week of October was 260
 seven thousand or more, not later than the Tuesday after all of 261
 the assessments have been administered. 262

However, any assessment that a student takes during the 263
 make-up period described in division (C)(2) of this section shall 264
 be submitted not later than the Friday following the day the 265
 student takes the assessment. 266

(2) The department or an entity with which the department 267
 contracts for the scoring of the assessment shall send to each 268
 school district board a list of the individual scores of all 269
 persons taking a state achievement assessment as follows: 270

(a) Except as provided in division (G)(2)(b) or (c) of this 271
 section, within forty-five days after the administration of the 272
 assessments prescribed by sections 3301.0710 and 3301.0712 of the 273
 Revised Code, but in no case shall the scores be returned later 274
 than the thirtieth day of June following the administration; 275

(b) In the case of the third-grade English language arts 276
 assessment, within forty-five days after the administration of 277
 that assessment, but in no case shall the scores be returned later 278
 than the fifteenth day of June following the administration; 279

(c) In the case of the writing component of an assessment or 280
 end-of-course examination in the area of English language arts, 281
 except for the third-grade English language arts assessment, the 282
 results may be sent after forty-five days of the administration of 283
 the writing component, but in no case shall the scores be returned 284
 later than the thirtieth day of June following the administration. 285

(3) For assessments administered under this section by a 286
 joint vocational school district, the department or entity shall 287
 also send to each city, local, or exempted village school district 288

a list of the individual scores of any students of such city, 289
 local, or exempted village school district who are attending 290
 school in the joint vocational school district. 291

(H) Individual scores on any assessments administered under 292
 this section shall be released by a district board only in 293
 accordance with section 3319.321 of the Revised Code and the rules 294
 adopted under division (A) of this section. No district board or 295
 its employees shall utilize individual or aggregate results in any 296
 manner that conflicts with rules for the ethical use of 297
 assessments adopted pursuant to division (A) of this section. 298

(I) Except as provided in division (G) of this section, the 299
 department or an entity with which the department contracts for 300
 the scoring of the assessment shall not release any individual 301
 scores on any assessment administered under this section. The 302
 state board shall adopt rules to ensure the protection of student 303
 confidentiality at all times. The rules may require the use of the 304
 data verification codes assigned to students pursuant to division 305
 (D)(2) of section 3301.0714 of the Revised Code to protect the 306
 confidentiality of student scores. 307

(J) Notwithstanding division (D) of section 3311.52 of the 308
 Revised Code, this section does not apply to the board of 309
 education of any cooperative education school district except as 310
 provided under rules adopted pursuant to this division. 311

(1) In accordance with rules that the state board shall 312
 adopt, the board of education of any city, exempted village, or 313
 local school district with territory in a cooperative education 314
 school district established pursuant to divisions (A) to (C) of 315
 section 3311.52 of the Revised Code may enter into an agreement 316
 with the board of education of the cooperative education school 317
 district for administering any assessment prescribed under this 318

section to students of the city, exempted village, or local school district who are attending school in the cooperative education school district. 319
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(2) In accordance with rules that the state board shall adopt, the board of education of any city, exempted village, or local school district with territory in a cooperative education school district established pursuant to section 3311.521 of the Revised Code shall enter into an agreement with the cooperative district that provides for the administration of any assessment prescribed under this section to both of the following: 322
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(a) Students who are attending school in the cooperative district and who, if the cooperative district were not established, would be entitled to attend school in the city, local, or exempted village school district pursuant to section 3313.64 or 3313.65 of the Revised Code; 329
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(b) Persons described in division (B)(8)(b) of this section. 334

Any assessment of students pursuant to such an agreement shall be in lieu of any assessment of such students or persons pursuant to this section. 335
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(K)(1) Except as otherwise provided in division (K)(1) or (2) of this section, each chartered nonpublic school for which at least sixty-five per cent of its total enrollment is made up of students who are participating in state scholarship programs shall administer the elementary assessments prescribed by section 3301.0710 of the Revised Code. In accordance with procedures and deadlines prescribed by the department, the parent or guardian of a student enrolled in the school who is not participating in a state scholarship program may submit notice to the chief administrative officer of the school that the parent or guardian does not wish to have the student take the elementary assessments 338
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prescribed for the student's grade level under division (A) of 349
 section 3301.0710 of the Revised Code. If a parent or guardian 350
 submits an opt-out notice, the school shall not administer the 351
 assessments to that student. This option does not apply to any 352
 assessment required for a high school diploma under section 353
 3313.612 of the Revised Code. 354

(2) A chartered nonpublic school may submit to the 355
 superintendent of public instruction a request for a waiver from 356
 administering the elementary assessments prescribed by division 357
 (A) of section 3301.0710 of the Revised Code. The state 358
 superintendent shall approve or disapprove a request for a waiver 359
 submitted under division (K)(1)(c) of this section. No waiver 360
 shall be approved for any school year prior to the 2015-2016 361
 school year. 362

To be eligible to submit a request for a waiver, a chartered 363
 nonpublic school shall meet the following conditions: 364

(a) At least ninety-five per cent of the students enrolled in 365
 the school are children with disabilities, as defined under 366
 section 3323.01 of the Revised Code, or have received a diagnosis 367
 by a school district or from a physician, including a 368
 neuropsychiatrist or psychiatrist, or a psychologist who is 369
 authorized to practice in this or another state as having a 370
 condition that impairs academic performance, such as dyslexia, 371
 dyscalculia, attention deficit hyperactivity disorder, or 372
 Asperger's syndrome. 373

(b) The school has solely served a student population 374
 described in division (K)(1)(a) of this section for at least ten 375
 years. 376

(c) The school provides to the department at least five years 377
 of records of internal testing conducted by the school that 378

affords the department data required for accountability purposes, 379
including diagnostic assessments and nationally standardized 380
norm-referenced achievement assessments that measure reading and 381
math skills. 382

(3) Any chartered nonpublic school that is not subject to 383
division (K)(1) of this section may participate in the assessment 384
program by administering any of the assessments prescribed by 385
division (A) of section 3301.0710 of the Revised Code. The chief 386
administrator of the school shall specify which assessments the 387
school will administer. Such specification shall be made in 388
writing to the superintendent of public instruction prior to the 389
first day of August of any school year in which assessments are 390
administered and shall include a pledge that the nonpublic school 391
will administer the specified assessments in the same manner as 392
public schools are required to do under this section and rules 393
adopted by the department. 394

(4) The department of education shall furnish the assessments 395
prescribed by section 3301.0710 of the Revised Code to each 396
chartered nonpublic school that is subject to division (K)(1) of 397
this section or participates under division (K)(3) of this 398
section. 399

(L) If a chartered nonpublic school is educating students in 400
grades nine through twelve, the following shall apply: 401

(1) For a student who is enrolled in a chartered nonpublic 402
school that is accredited through the independent schools 403
association of the central states and who is attending the school 404
under a state scholarship program, the student shall either take 405
all of the assessments prescribed by division (B) of section 406
3301.0712 of the Revised Code or take an alternative assessment 407
approved by the department under section 3313.619 of the Revised 408

Code. However, a student who is excused from taking an assessment 409
under division (C) of this section or has presented evidence to 410
the chartered nonpublic school of having satisfied the condition 411
prescribed by division (A)(1) of section 3313.618 of the Revised 412
Code to qualify for a high school diploma prior to the date of the 413
administration of the assessment prescribed under division (B)(1) 414
of section 3301.0712 of the Revised Code shall not be required to 415
take that assessment. No governing authority of a chartered 416
nonpublic school shall prohibit a student who is not required to 417
take such assessment from taking the assessment. 418

(2) For a student who is enrolled in a chartered nonpublic 419
school that is accredited through the independent schools 420
association of the central states, and who is not attending the 421
school under a state scholarship program, the student shall not be 422
required to take any assessment prescribed under section 3301.0712 423
or 3313.619 of the Revised Code. 424

(3) ~~For~~ (a) Except as provided in division (L)(3)(b) of this 425
section, for a student who is enrolled in a chartered nonpublic 426
school that is not accredited through the independent schools 427
association of the central states, regardless of whether the 428
student is attending or is not attending the school under a state 429
scholarship program, the student shall do one of the following: 430

~~(a)(i)~~ Take all of the assessments prescribed by division (B) 431
of section 3301.0712 of the Revised Code; 432

~~(b)(ii)~~ Take only the assessment prescribed by division 433
(B)(1) of section 3301.0712 of the Revised Code, provided that the 434
student's school publishes the results of that assessment for each 435
graduating class. The published results of that assessment shall 436
include the overall composite scores, mean scores, twenty-fifth 437
percentile scores, and seventy-fifth percentile scores for each 438

subject area of the assessment. 439

~~(e)(iii)~~ Take an alternative assessment approved by the 440
department under section 3313.619 of the Revised Code. 441

(b) A student who is excused from taking an assessment under 442
division (C) of this section or has presented evidence to the 443
chartered nonpublic school of having satisfied the condition 444
prescribed by division (A)(1) of section 3313.618 of the Revised 445
Code to qualify for a high school diploma prior to the date of the 446
administration of the assessment prescribed under division (B)(1) 447
of section 3301.0712 of the Revised Code shall not be required to 448
take that assessment. No governing authority of a chartered 449
nonpublic school shall prohibit a student who is not required to 450
take such assessment from taking the assessment. 451

(M)(1) The superintendent of the state school for the blind 452
and the superintendent of the state school for the deaf shall 453
administer the assessments described by sections 3301.0710 and 454
3301.0712 of the Revised Code. Each superintendent shall 455
administer the assessments in the same manner as district boards 456
are required to do under this section and rules adopted by the 457
department of education and in conformity with division (C)(1)(a) 458
of this section. 459

(2) The department of education shall furnish the assessments 460
described by sections 3301.0710 and 3301.0712 of the Revised Code 461
to each superintendent. 462

(N) Notwithstanding division (E) of this section, a school 463
district may use a student's failure to attain a score in at least 464
the proficient range on the mathematics assessment described by 465
division (A)(1)(a) of section 3301.0710 of the Revised Code or on 466
an assessment described by division (A)(1)(b), (c), (d), (e), or 467
(f) of section 3301.0710 of the Revised Code as a factor in 468

retaining that student in the current grade level. 469

(O)(1) In the manner specified in divisions (O)(3), (4), and 470
(6) of this section, the assessments required by division (A)(1) 471
of section 3301.0710 of the Revised Code shall become public 472
records pursuant to section 149.43 of the Revised Code on the 473
thirty-first day of July following the school year that the 474
assessments were administered. 475

(2) The department may field test proposed questions with 476
samples of students to determine the validity, reliability, or 477
appropriateness of questions for possible inclusion in a future 478
year's assessment. The department also may use anchor questions on 479
assessments to ensure that different versions of the same 480
assessment are of comparable difficulty. 481

Field test questions and anchor questions shall not be 482
considered in computing scores for individual students. Field test 483
questions and anchor questions may be included as part of the 484
administration of any assessment required by division (A)(1) or 485
(B) of section 3301.0710 and division (B) of section 3301.0712 of 486
the Revised Code. 487

(3) Any field test question or anchor question administered 488
under division (O)(2) of this section shall not be a public 489
record. Such field test questions and anchor questions shall be 490
redacted from any assessments which are released as a public 491
record pursuant to division (O)(1) of this section. 492

(4) This division applies to the assessments prescribed by 493
division (A) of section 3301.0710 of the Revised Code. 494

(a) The first administration of each assessment, as specified 495
in former section 3301.0712 of the Revised Code, shall be a public 496
record. 497

(b) For subsequent administrations of each assessment prior to the 2011-2012 school year, not less than forty per cent of the questions on the assessment that are used to compute a student's score shall be a public record. The department shall determine which questions will be needed for reuse on a future assessment and those questions shall not be public records and shall be redacted from the assessment prior to its release as a public record. However, for each redacted question, the department shall inform each city, local, and exempted village school district of the statewide academic standard adopted by the state board under section 3301.079 of the Revised Code and the corresponding benchmark to which the question relates. The preceding sentence does not apply to field test questions that are redacted under division (O)(3) of this section.

(c) The administrations of each assessment in the 2011-2012, 2012-2013, and 2013-2014 school years shall not be a public record.

(5) Each assessment prescribed by division (B)(1) of section 3301.0710 of the Revised Code shall not be a public record.

(6) Beginning with the spring administration for the 2014-2015 school year, questions on the assessments prescribed under division (A) of section 3301.0710 and division (B)(2) of section 3301.0712 of the Revised Code and the corresponding preferred answers that are used to compute a student's score shall become a public record as follows:

(a) Forty per cent of the questions and preferred answers on the assessments on the thirty-first day of July following the administration of the assessment;

(b) Twenty per cent of the questions and preferred answers on the assessment on the thirty-first day of July one year after the

administration of the assessment; 528

(c) The remaining forty per cent of the questions and 529
preferred answers on the assessment on the thirty-first day of 530
July two years after the administration of the assessment. 531

The entire content of an assessment shall become a public 532
record within three years of its administration. 533

The department shall make the questions that become a public 534
record under this division readily accessible to the public on the 535
department's web site. Questions on the spring administration of 536
each assessment shall be released on an annual basis, in 537
accordance with this division. 538

(P) As used in this section: 539

(1) "Three-year average" means the average of the most recent 540
consecutive three school years of data. 541

(2) "Dropout" means a student who withdraws from school 542
before completing course requirements for graduation and who is 543
not enrolled in an education program approved by the state board 544
of education or an education program outside the state. "Dropout" 545
does not include a student who has departed the country. 546

(3) "Graduation rate" means the ratio of students receiving a 547
diploma to the number of students who entered ninth grade four 548
years earlier. Students who transfer into the district are added 549
to the calculation. Students who transfer out of the district for 550
reasons other than dropout are subtracted from the calculation. If 551
a student who was a dropout in any previous year returns to the 552
same school district, that student shall be entered into the 553
calculation as if the student had entered ninth grade four years 554
before the graduation year of the graduating class that the 555
student joins. 556

(4) "State scholarship programs" means the educational choice 557
scholarship pilot program established under sections 3310.01 to 558
3310.17 of the Revised Code, the autism scholarship program 559
established under section 3310.41 of the Revised Code, the Jon 560
Peterson special needs scholarship program established under 561
sections 3310.51 to 3310.64 of the Revised Code, and the pilot 562
project scholarship program established under sections 3313.974 to 563
3313.979 of the Revised Code." 564

The motion was _____ agreed to.

Topic: Date changes; alternative teacher evaluations; principal and assistant principal evaluations; fall administration of third grade English language arts assessment

_____ moved to amend as follows:

- 1 In line 2 of the title, delete "3302.02, 3302.03,"
- 2 In line 3 of the title, delete "3319.02, 3319.114,"
- 3 In line 20, delete "3302.02, 3302.03, "; delete "3319.02,"
- 4 In line 21, delete "3319.114,"
- 5 In line 157, delete "2015-2016" and insert "2017-2018"
- 6 In line 357, reinsert "Administer"; delete the balance of
- 7 the line
- 8 In line 358, delete "administer"
- 9 Delete lines 363 through 369
- 10 In line 890, delete "2015" and insert "2017"
- 11 In line 965, delete "2015-2016" and insert "2017-2018"
- 12 Delete lines 922 through 1547
- 13 Delete lines 2065 through 2326
- 14 In line 2469, delete "3302.02, 3302.03,"
- 15 In line 2470, delete "3319.02, 3319.114,"

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16 In line 2472, delete "Section 3319.02 of the Revised Code,
17 as amended"

18 Delete lines 2473 through 2480

19 In line 2481, delete "**Section 5.**"; delete "2015" and insert
20 "2017"

21 In line 2496, delete "**6.**" and insert "**4.**"

22 Delete lines 2504 through 2506

23 The motion was _____ agreed to.

Sub. S.B. 3
As Passed by the Senate

Topic: Workforce Grant Program

_____ moved to amend as follows:

In line 4 of the title, delete the first "and"; after 1
"3328.24" insert ", and 3333.93" 2

In line 5 of the title, after "Code" insert "and to amend 3
Section 369.473 of Am. Sub. H.B. 64 of the 131st General Assembly" 4

In line 12 of the title, after the semicolon insert "to 5
revise the Workforce Grant Program;" 6

In line 21, delete the first "and"; after "3328.24" insert ", 7
and 3333.93" 8

Between lines 2467 and 2468, insert: 9

"**Sec. 3333.93.** (A) As used in this section: 10

(1) "Eligible student" means a student who is enrolled in a 11
public or private institution and is pursuing a qualifying degree, 12
certification, or license. 13

(2) "In-demand job" means a job that is determined to be in 14
demand in this state and its regions under section 6301.11 of the 15
Revised Code. 16

(3) "Public or private institution" means any of the 17
following: 18

(a) A state institution of higher education, as defined in section 3345.011 of the Revised Code;

(b) A private, nonprofit institution in this state holding a certificate of authorization pursuant to Chapter 1713. of the Revised Code;

(c) An Ohio technical center that provides adult technical education services as recognized by the chancellor of higher education.

(4) "Qualifying degree, certification, or license" means a degree, certification, or license that is required to qualify an individual for an in-demand job.

(B) The workforce grant program is hereby established. Under the program, the chancellor of higher education shall distribute funding to public and private institutions, and those institutions shall award grants to eligible students.

(C)(1) A grant shall be awarded to an eligible student for the period of time the student takes to complete a qualifying degree, certification, or license. On an annual basis, the maximum amount of a grant that may be awarded to an eligible student shall be five thousand dollars. The grant shall not exceed seventy-five per cent of the cost of tuition during an academic year in which the student is receiving the grant. The greatest portion of the grant shall be distributed to the student as the student is completing the academic program and seeking an in-demand job.

(2) No public or private institution shall use grant moneys dispersed under the program to underwrite a tuition increase imposed on students attending the institution.

(D) The chancellor shall adopt rules regarding the operations of the grant program, including all of the following:

(1) Application procedures;	48
(2) The method for selecting grant recipients that shall include both of the following:	49 50
(a) An assessment of an applicant's need for financial aid, including sources of income and other financial aid the applicant has been awarded;	51 52 53
(b) An analysis of whether the degree, certification, or license that is being pursued by an applicant is a qualifying degree, certification, or license.	54 55 56
(3) Milestones that must be attained by a grant recipient in order to continue to receive a grant under this section, including spending thirty to ninety days in a workplace where the degree, certification, or license that is being pursued by the grant recipient is required for employment or participating in a cooperative or internship program in a workplace where the degree, certification, or license that is being pursued by the grant recipient is required for employment;	57 58 59 60 61 62 63 64
(4) Other requirements that must be completed by a grant recipient, including both of the following:	65 66
(a) The completion of curriculum that includes skills needed by employers;	67 68
(b) The completion of counseling regarding the proper management of student loans and how to minimize the amount of student loan debt.	69 70 71
(5) The method for determining the distribution of a grant to a grant recipient, including both of the following:	72 73
(a) The amount of each disbursement;	74
(b) The schedule for making disbursements to a grant	75

recipient. 76

(6) Establishing a procedure for a public or private 77
institution to take disciplinary action against a student who 78
fails to continue in an academic program leading to a qualifying 79
degree, certification, or license after receiving a grant, 80
including determining appropriate reimbursements. 81

(E) The department of higher education, in consultation with 82
the department of education, shall establish a procedure for 83
training and outreach for school counselors to allow them to 84
distribute information to high school students in this state 85
regarding the jobs that are determined to be in-demand jobs and 86
the educational requirements for employment in those jobs. 87

(F) The department of higher education shall solicit 88
proposals to coordinate and conduct the statewide promotion of the 89
workforce grant program through a request for proposals. The 90
department shall advertise its intent to request proposals in a 91
newspaper of general circulation in the state once a week for two 92
consecutive weeks before a date specified by the board as the date 93
on which it will begin accepting proposals. The notices shall 94
contain a general description of the subject of the proposed 95
agreement and the location where the request for proposals may be 96
obtained. The request for proposals shall include the following 97
information: 98

(1) Instructions concerning the submission of proposals; 99

(2) Information regarding communications, including how to 100
contact persons to whom questions concerning a proposal may be 101
directed; 102

(3) A description of the performance criteria that will be 103
used to evaluate a proposal; 104

(4) The relative importance of each evaluation criterion;	105
(5) Any terms or conditions of the proposed contract.	106
After the date specified for receiving proposals, the	107
department shall evaluate submitted proposals. The department may	108
discuss a respondent's proposal with that respondent to clarify or	109
revise a proposal or the terms of the agreement. After reviewing	110
the proposals, the department may enter into a written agreement	111
with one of the respondents to administer the statewide promotion	112
of the program.	113
(G) The chancellor, in consultation with the governor's	114
office of workforce transformation and the departments of job and	115
family services and taxation, shall do all of the following:	116
(1) Develop a methodology for collecting all of the following	117
information:	118
(a) The total number of grants awarded to eligible students;	119
(b) The total grant amount awarded to each grant recipient;	120
(c) The job field and occupation a grant recipient holds	121
twelve months following the completion of a program;	122
(d) The income level of each grant recipient.	123
(2) Perform a cost-benefit analysis comparing the costs of	124
the program against the earnings generated by grant recipients	125
based on the information collected in division (G)(1) of this	126
section.	127
(3) Submit a report to the governor and the general assembly	128
describing the results of the analysis required under division (G)	129
of this section not later than December 31, 2018."	130
In line 2470, delete "and"	131

In line 2471, after "3328.24" insert ", and 3333.93" 132

In line 2472, after "3." insert "That Section 369.473 of Am. 133
Sub. H.B. 64 of the 131st General Assembly be amended to read as 134
follows: 135

Sec. 369.473. WORKFORCE AND HIGHER EDUCATION PROGRAMS 136

Of the foregoing appropriation item 235616, Workforce and 137
Higher Education Programs, \$750,000 in fiscal year 2016 shall be 138
used to support the Ohio State University Agricultural Technical 139
Institute. The Institute shall use these funds to obtain and 140
upgrade the infrastructure and equipment necessary to offer 141
distance education courses in agricultural science through the 142
College Credit Plus Program as established in section 3365.02 of 143
the Revised Code. 144

Of the foregoing appropriation item 235616, Workforce and 145
Higher Education Programs, \$5,000,000 in fiscal year 2017 shall be 146
allocated to The Ohio State University to collaborate with Wright 147
Patterson Air Force Base, NASA Glenn Research Center, Ohio's 148
research universities, and the private sector to align the state's 149
research assets with emerging missions and job growth 150
opportunities emanating from the two federal installations, 151
strengthen related workforce development and technology 152
commercialization programs, and better position the state's 153
university system to directly impact new job creation in Ohio. A 154
portion of the foregoing appropriation item shall be used to 155
support the growth of small business federal contractors in the 156
state and expand the participation of Ohio businesses in the 157
federal Small Business Innovation Research Program and related 158
federal programs. 159

Of the foregoing appropriation item 235616, Workforce and 160

Higher Education Programs, \$750,000 in FY 2017 shall be used by
 Southern State Community College to foster meaningful small
 business development assistance, to provide various types of
 training in an effort to promote sustainable economic growth, and
 to create high-quality jobs through the Southern Gateway
 Innovation Center located in Circleville.

Of the foregoing appropriation item 235616, Workforce and
 Higher Education Programs, \$750,000 in fiscal year 2017 shall be
 used for grants for the STEM Public-Private Partnership Program
 established in Section ~~733.20~~ 733.13 of Am. Sub. H.B. 64 of the
 131st General Assembly.

Of the foregoing appropriation item 235616, Workforce and
 Higher Education Programs, \$5,000,000 in each fiscal year shall be
 used by the Chancellor of Higher Education to distribute grant
 awards under section 3333.70 of the Revised Code.

Of the foregoing appropriation item 235616, Workforce and
 Higher Education Programs, up to \$500,000 in each fiscal year
 shall be used by the Chancellor of Higher Education to coordinate
 a statewide effort to promote workforce grant programs. The
 remainder of appropriation item 235616, Workforce and Higher
 Education Programs, shall be used by the Chancellor to distribute
~~the grant awards~~ funding pursuant to section 3333.93 of the
Revised Code.

Section 4. That existing Section 369.473 of Am. Sub. H.B. 64
 of the 131st General Assembly is hereby repealed.

Section 5."

In line 2474, delete "4" and insert "6"

In line 2481, delete "5" and insert "7"

Between lines 2495 and 2496, insert: 189

"**Section 8.** The amendment of section 3333.93 of the Revised 190
Code by this act is not intended to supersede the repeal of that 191
section on December 31, 2019, as prescribed by Section 125.10 of 192
Sub. H.B. 340 of the 131st General Assembly." 193

In line 2496, delete "6" and insert "9" 194

The motion was _____ agreed to.

Sub. S.B. 3
As Passed by the Senate

Topic: Joint self-insurance pools - public universities

_____ moved to amend as follows:

- In line 1, after "sections" insert "149.431," 1
- In line 4, delete "and"; after "3328.24" insert ", and 2
3345.202" 3
- In line 5 delete "and" and insert a comma; after "3302.16" 4
insert ", and 3345.203" 5
- In line 12, delete "and" 6
- In line 18, after "security" insert "; and to enable state 7
colleges and universities to establish joint self-insurance pools" 8
- In line 19, after "sections" insert "149.431," 9
- In line 21, delete the first "and"; after "3328.24" insert ", 10
and 3345.202" 11
- In line 22, delete "and" and insert a comma; after "3302.16" 12
insert ", and 3345.203" 13
- Between lines 23 and 24, insert: 14
- "**Sec. 149.431.** (A) Except as provided in sections 9.833 ~~and~~, 15
2744.081, and 3345.203 of the Revised Code, any governmental 16
entity or agency and any nonprofit corporation or association, 17
except a corporation organized pursuant to Chapter 1719. of the 18

Revised Code prior to January 1, 1980 or organized pursuant to 19
 Chapter 3941. of the Revised Code, that enters into a contract or 20
 other agreement with the federal government, a unit of state 21
 government, or a political subdivision or taxing unit of this 22
 state for the provision of services shall keep accurate and 23
 complete financial records of any moneys expended in relation to 24
 the performance of the services pursuant to such contract or 25
 agreement according to generally accepted accounting principles. 26
 Such contract or agreement and such financial records shall be 27
 deemed to be public records as defined in division (A)(1) of 28
 section 149.43 of the Revised Code and are subject to the 29
 requirements of division (B) of that section, except that: 30

(1) Any information directly or indirectly identifying a 31
 present or former individual patient or client or such an 32
 individual patient's or client's diagnosis, prognosis, or medical 33
 treatment, treatment for a mental or emotional disorder, treatment 34
 for a developmental disability, treatment for drug abuse or 35
 alcoholism, or counseling for personal or social problems is not a 36
 public record; 37

(2) If disclosure of the contract or agreement or financial 38
 records is requested at a time when confidential professional 39
 services are being provided to a patient or client whose 40
 confidentiality might be violated if disclosure were made at that 41
 time, disclosure may be deferred if reasonable times are 42
 established when the contract or agreement or financial records 43
 will be disclosed. 44

(3) Any nonprofit corporation or association that receives 45
 both public and private funds in fulfillment of any such contract 46
 or other agreement is not required to keep as public records the 47
 financial records of any private funds expended in relation to the 48

performance of services pursuant to the contract or agreement. 49

(B) Any nonprofit corporation or association that receives 50
more than fifty per cent of its gross receipts excluding moneys 51
received pursuant to Title XVIII of the "Social Security Act," 49 52
Stat. 620 (1935), 42 U.S.C. 301, as amended, in a calendar year in 53
fulfillment of a contract or other agreement for services with a 54
governmental entity shall maintain information setting forth the 55
compensation of any individual serving the nonprofit corporation 56
or association in an executive or administrative capacity. Such 57
information shall be deemed to be public records as defined in 58
division (A)(1) of section 149.43 of the Revised Code and is 59
subject to the requirements of division (B) of that section. 60

Nothing in this section shall be construed to otherwise limit 61
the provisions of section 149.43 of the Revised Code." 62

Between lines 2467 and 2468, insert: 63

"**Sec. 3345.202.** (A) As used in this section, "state 64
university or college" has the same meaning as in division (A)(1) 65
of section 3345.12 of the Revised Code. 66

(B) The board of trustees of a state university or college 67
may provide insurance coverages, in any amount authorized by the 68
board, protecting the state university or college, the members of 69
the board, the officers and employees of the state university or 70
college, or other persons authorized by the board, or any one or 71
more of them, against loss or liability that arises or is claimed 72
to have arisen from acts or omissions while acting within the 73
scope of their employment or official responsibilities or while 74
engaged in activities at the request or direction, or for the 75
benefit, of the state university or college. 76

Such coverage may be provided in any one or more of the 77

following ways:	78
(1) The purchase of a policy or policies of liability insurance from an insurer or insurers licensed to do business in this state;	79 80 81
(2) Establishment or participation in a program of self-insurance, by trust or in any other manner the board considers prudent. Any self-insurance program shall file annually, with the superintendent of insurance, a report certified by a competent property and casualty actuary. The superintendent of insurance shall review such report. If such a self-insurance program has more than a single college or university participant, all participants shall be provided with the annual actuarial reports of the program.	82 83 84 85 86 87 88 89 90
(3) Establishment of or participation in a captive insurance company that is licensed to do business in this state, another state, or a foreign country-;	91 92 93
<u>(4) Establishment of, or participation in, a joint self-insurance pool under section 3345.203 of the Revised Code.</u>	94 95
(C) Insurance coverages under division (B)(1), (2), or (3) <u>or (4)</u> of this section may include coverage for the defense or costs of defense or settlement, including attorney's fees, of any covered person or entity and be paid for from any funds under the control of the state university or college.	96 97 98 99 100
(D) Provision of any insurance coverage under divisions (B)(1) to (3) of this section is not a waiver of any immunity or defense available to the state university or college or to any covered person or entity.	101 102 103 104
<u>Sec. 3345.203. (A) As used in this section:</u>	105

(1) "Claims expenses" means payment of judgments, settlement of claims, expense, loss, and damage. 106
107

(2) "State university or college" has the same meaning as in section 3345.12 of the Revised Code. 108
109

(B) Regardless of whether a state university or college secures insurance coverages under division (B)(1), (2), or (3) of section 3345.202 of the Revised Code, the board of trustees of the state university or college may join with other state universities or colleges in establishing and maintaining a joint self-insurance pool to do both of the following: 110
111
112
113
114
115

(1) Provide for payment of claims expenses that arise, or are claimed to have arisen, from an act or omission of the state university or college or any of its employees or other persons authorized by the board while doing either of the following: 116
117
118
119

(a) Acting in the scope of their employment or official responsibilities; 120
121

(b) Being engaged in activities undertaken at the request or direction, or for the benefit, of the state university or college; 122
123

(2) Indemnify or hold harmless the state university's or college's employees against such loss or damage. 124
125

The joint self-insurance pool shall be pursuant to a written agreement and to the extent that the board considers the pool to be necessary. 126
127
128

(C) All of the following apply to a joint self-insurance pool under this section: 129
130

(1) The funds shall be reserved as are necessary, in the exercise of sound and prudent actuarial judgment, to cover potential state university or college and employee liabilities, 131
132
133

loss, and damage. A report of aggregate amounts so reserved and 134
aggregate disbursements made from such funds shall be prepared and 135
maintained in the office of the pool administrator described in 136
division (C)(2) of this section. 137

The report shall be prepared and maintained not later than 138
ninety days after the close of the pool's fiscal year. The report 139
required by this division shall include, but not be limited to, 140
the aggregate of disbursements made for the administration of the 141
pool, including claims paid, costs of the legal representation of 142
state universities or colleges and employees, and fees paid to 143
consultants. The report also shall be accompanied by a written 144
report of a member of the American academy of actuaries certifying 145
whether the amounts reserved conform to the requirements of this 146
division, are computed in accordance with accepted loss reserving 147
standards, and are fairly stated in accordance with sound loss 148
reserving principles. 149

The pool administrator described in division (C)(2) of this 150
section shall make the report required by this division available 151
for inspection by any person at all reasonable times during 152
regular business hours. Upon the request of such person, the pool 153
administrator shall make copies of the report available at cost 154
within a reasonable period of time. The report required by this 155
division is in lieu of the records required by division (A) of 156
section 149.431 of the Revised Code. 157

(2) The board of trustees establishing a joint self-insurance 158
pool may award a contract, without the necessity of competitive 159
bidding, to a pool administrator for purposes of administration of 160
the joint self-insurance pool. A "pool administrator" may be any 161
person, political subdivision, limited liability company organized 162
under Chapter 1705. of the Revised Code, nonprofit corporation 163

organized under Chapter 1702. of the Revised Code, or regional 164
council of governments created under Chapter 167. of the Revised 165
Code. The board shall not enter into such a contract without full, 166
prior, public disclosure of all terms and conditions. The 167
disclosure shall include, at a minimum, a statement listing all 168
representations made in connection with any possible savings and 169
losses resulting from the contract, and potential liability of any 170
state university or college or employee. The proposed contract and 171
statement shall be disclosed and presented at a meeting of the 172
board of trustees of the state university or college prior to the 173
meeting at which the board of trustees of the state university or 174
college authorizes the contract. 175

(3) A joint self-insurance pool shall include a contract with 176
a member of the American academy of actuaries for the preparation 177
of the written evaluation of the reserve funds required under 178
division (C)(1) of this section. 179

(4) A joint self-insurance pool may allocate the costs of 180
funding the pool among the funds or accounts in the treasuries of 181
the state universities or colleges on the basis of their relative 182
exposure and loss experience. A joint self-insurance program may 183
require any deductible under the program to be paid from funds or 184
accounts in the treasury of the state university or college from 185
which a loss was directly attributable. 186

(D) Two or more state universities or colleges may also 187
authorize the establishment and maintenance of a joint 188
risk-management program, including but not limited to the 189
employment of risk managers and consultants, for the purpose of 190
preventing and reducing the risks covered by insurance, 191
self-insurance, or joint self-insurance programs. 192

(E) A state university or college is not liable under a joint 193

self-insurance pool for any amount in excess of amounts payable 194
pursuant to the written agreement for the participation of the 195
state university or college in the joint self-insurance pool. 196
Under a joint self-insurance pool agreement a state university or 197
college may, to the extent permitted under the written agreement, 198
assume the risks of any other state university or college, 199
including the indemnification of its employees. A joint 200
self-insurance pool, established under this section, is deemed a 201
separate legal entity for the public purpose of enabling the 202
members of the joint self-insurance pool to obtain insurance or to 203
provide for a formalized, jointly administered self-insurance fund 204
for its members. An entity created pursuant to this section is 205
exempt from all state and local taxes. 206

(F)(1) In the manner provided by and subject to the 207
applicable provisions of section 3345.12 of the Revised Code, any 208
state university or college may issue obligations and may also 209
issue notes in anticipation of such obligations, pursuant to a 210
resolution of its board of trustees or other governing body for 211
the purpose of providing funds to do both of the following: 212

(a) Pay claims expenses, whether by way of a reserve or 213
otherwise; 214

(b) Pay the state university or college's portion of the cost 215
of establishing and maintaining a joint self-insurance pool or to 216
provide for the reserve in a special fund authorized by division 217
(C)(1) of this section. 218

(2) Sections 9.98 to 9.983 of the Revised Code apply to bonds 219
or notes authorized under this section. 220

(G)(1) A joint self-insurance pool, in addition to its powers 221
to provide self-insurance against any and all liabilities under 222
this chapter, may also include any one or more of the following 223

<u>forms of property or casualty self-insurance for the purpose of</u>	224
<u>covering any other liabilities or risks of the members of the</u>	225
<u>pool:</u>	226
<u>(a) Public general liability, professional liability, or</u>	227
<u>employee liability;</u>	228
<u>(b) Individual or fleet motor vehicle or automobile liability</u>	229
<u>and protection against other liability and loss associated with</u>	230
<u>the ownership, maintenance, and use of motor vehicles;</u>	231
<u>(c) Aircraft liability and protection against other liability</u>	232
<u>and loss associated with the ownership, maintenance, and use of</u>	233
<u>aircraft;</u>	234
<u>(d) Fidelity, surety, and guarantee;</u>	235
<u>(e) Loss or damage to property and loss of use and occupancy</u>	236
<u>of property by fire, lightning, hail, tempest, flood, earthquake,</u>	237
<u>or snow, explosion, accident, or other risk;</u>	238
<u>(f) Marine, inland transportation and navigation, boiler,</u>	239
<u>containers, pipes, engines, flywheels, elevators, and machinery;</u>	240
<u>(g) Environmental impairment;</u>	241
<u>(h) Loss or damage by any hazard upon any other risk to which</u>	242
<u>state universities or colleges are subject, which is not</u>	243
<u>prohibited by statute or at common law from being the subject of</u>	244
<u>casualty or property insurance.</u>	245
<u>(2) A joint self-insurance pool is not an insurance company.</u>	246
<u>Its operation does not constitute doing an insurance business and</u>	247
<u>is not subject to the insurance laws of this state.</u>	248
<u>(H) A public official or employee of a state university or</u>	249
<u>college who is or becomes a member of the governing body of a</u>	250
<u>joint self-insurance pool in which the state university or college</u>	251

participates is not in violation of any of the following as a 252
result of the state university or college entering into the 253
written agreement to participate in the pool or into any contract 254
with the pool: 255

(1) Division (D) or (E) of section 102.03 of the Revised 256
Code; 257

(2) Division (C) of section 102.04 of the Revised Code; 258

(3) Section 2921.42 of the Revised Code. 259

(I) This section shall not be construed to affect the ability 260
of any state university or college to self-insure under the 261
authority conferred by any other section of the Revised Code. 262

(J) The establishment or participation in a joint 263
self-insurance pool under this section shall not constitute a 264
waiver of any immunity or defense available to the member state 265
university or college or to any covered entity. 266

(K)(1) Both of the following shall be determined in the court 267
of claims pursuant to section 2743.02 of the Revised Code: 268

(a) Any claims or litigation relating to the administration 269
of a joint self-insurance pool created pursuant to this section, 270
including any immunities or defenses; 271

(b) Any claims relating to the scope of or denial of coverage 272
under that pool or its administration. 273

(2) The pool administrator described in division (C)(2) of 274
this section and its employees, while in the course of 275
administering a joint-insurance pool under this section, shall: 276

(a) Be deemed to be an instrumentality of the state for the 277
purposes of Chapter 2743. of the Revised Code; 278

(b) Be deemed to be performing a public duty, as defined in 279

<u>section 2743.01 of the Revised Code; and</u>	280
<u>(c) Have the defenses to, and immunities from, civil</u>	281
<u>liability provided in section 2743.02 of the Revised Code."</u>	282
In line 2468, after "sections" insert "149.431,"	283
In line 2470, delete "and"	284
In line 2471, after "3328.24" insert ", and 3342.202"	285

The motion was _____ agreed to.

Topic: Qualified school district exemptions

_____ moved to amend as follows:

1 In line 1692, after "(E)" insert "A school district that
2 meets the requirements prescribed by division (D) of this
3 section shall be qualified for the exemptions prescribed by this
4 section for three school years, beginning with the school year
5 in which the qualifying report card is issued.

6 (F)"

7 The motion was _____ agreed to.

Sub. S.B. 3
As Passed by the Senate

Topic: Correction of tax levy question ballot error

_____ moved to amend as follows:

In line 12 of the title, delete "and" 1

In line 18 of the title, after "security" insert "; and to 2
validate a tax levy question the ballot for which stated an 3
erroneous term" 4

In line 2496, after the period insert "If, at an election 5
held prior to the effective date of this section, a political 6
subdivision proposed to its electors and those electors approved 7
the levy of a property tax under any one or more of sections 8
5705.19 through 5705.215 of the Revised Code for a specified 9
number of years in excess of that permitted by the applicable 10
statute as in effect at the time of the election, the results of 11
that election were officially determined, ascertained, announced, 12
and declared by the applicable county board of elections, no 13
petition with respect to the results of that election was timely 14
filed pursuant to section 3515.09 of the Revised Code, and the tax 15
has been levied and collected, the approval of that levy by the 16
electors shall be and shall be deemed for all purposes to be valid 17
except that tax shall only be authorized to be levied for the 18
maximum specified number of years permitted by the applicable 19
statute at the time of the election and that levy may be proposed 20
to be renewed or replaced based on and as if originally proposed 21

and approved by the electors for that shortened period.

22

Section 7."

23

The motion was _____ agreed to.