
DEPARTMENT OF EDUCATION AND WORKFORCE

I. Transfer of State K-12 Governance

Department of Education and Workforce

- Renames the Department of Education as the Department of Education and Workforce.
- Creates the position of the Director of Education and Workforce, who is appointed by the Governor, with the advice and consent of the Senate, and is the head of the Department.
- Establishes within the Department the Division of Primary and Secondary Education and the Division of Career-Technical Education, each of which is headed by a Deputy Director appointed by the Director with the advice and consent of the Senate.

State Board of Education

- Transfers most of the powers and duties of the State Board of Education and the Superintendent of Public Instruction to the Director or the Department, as applicable.
- Retains the State Board's and state Superintendent's powers and duties regarding educator licensure, licensee disciplinary actions, school district territory transfers, and certain other areas.
- Expands the uses for the State Board Licensure Fund.

Implementation deadline

- Requires the Director, Department, State Board, and state Superintendent to complete any action necessary to implement the transfer of powers by January 1, 2024.

II. School finance

Funding for FYs 2024 and 2025

- Extends the operation of the school financing system established in H.B. 110 of the 134th General Assembly, with changes, to FY 2024 and FY 2025.
- Extends to FY 2024 and FY 2025 the payment of temporary transitional aid to school districts and the payment of a formula transition supplement to districts, community schools, and STEM schools.

Student wellness and success fund

- Requires the Department to notify, in each fiscal year, each school district, community school, and STEM school of the portion of the district or school's state share of the base cost that is attributable to the staffing cost for the student wellness and success component.
- Requires districts and schools to spend student wellness and success funds (SWSF) on the same initiatives required for disadvantaged pupil impact aid (DPIA) funds.

- Requires districts and schools to spend at least 50% of SWSF for either physical or mental health based initiatives, or a combination of both.
- Requires districts and schools to develop a plan to use SWSF in coordination with certain community based mental health treatment providers and other community partners.
- Requires that any SWSF allocated in any of FYs 2020 through 2023 be expended by June 30, 2025, and any unexpended funds be repaid to the Department.
- Beginning in FY 2024, requires all SWSF to be expended by the end of the following fiscal year, and any unexpended funds be repaid to the Department.
- At the end of each fiscal year, requires each district and school to submit a report to the Department describing the initiative or initiatives on which the district or school's SWSF were spent during that fiscal year.

Disadvantaged pupil impact aid

- Makes changes in initiatives for which schools may spend DPIA.

Gifted funding requirements

- Makes permanent, and in some cases revises, requirements regarding gifted student funding and services, including spending requirements, funding reductions for noncompliant spending, and reporting and auditing requirements.

Jon Peterson Special Needs Scholarship amounts

- Increases the base and category amounts for a Jon Peterson Special Needs Scholarship for FY 2024 and increases the category amounts for FY 2025.
- Increases the maximum scholarship amount for a Jon Peterson Special Needs Scholarship from \$27,000 to \$30,000 for FY 2024 and to \$32,445 for FY 2025.

Payment for districts with decreases in utility TPP value

- Requires the Department to make a payment, for FY 2024 and FY 2025, to each school district that has at least one power plant within its territory and that experiences a 10% or greater decrease in the taxable value of utility tangible personal property (TPP) and an overall negative change in TPP subject to taxation.

Newly chartered nonpublic school auxiliary services funds

- Permits a newly chartered nonpublic school, within ten days of receiving its charter, to elect to receive auxiliary services funds directly.

Community school equity supplement

- Requires the Department to pay a \$650 per student equity supplement in FY 2024 and FY 2025 to each site-based community school.

Quality Community and Independent STEM School Support Program

- Extends and revises the Quality Community School Support Program, including by expanding it to cover independent STEM schools.

DOPR community school credential-only programs

- Requires the Department to include students enrolled in a credential-only program at a dropout prevention and recovery (DOPR) community school in the school's category one career-technical ADM and to count those students as full-time students.
- Permits a DOPR community school that offers a credential-only program to provide support services to its graduates to assist them in securing post-secondary placement opportunities.
- Authorizes a DOPR community school to use a portion of its career-technical education funds to provide its recent graduates with short-term, emergency financial assistance related to specified issues.

DOPR e-school funding pilot program

- Makes permanent and revises the operation of the pilot program that provides additional funding to DOPR internet- or computer-based community schools (e-schools).

School funding based on updated TY 2021 data

- Requires the Department to compute the state foundation aid for a school district whose property tax information was incorrectly reported in tax year 2021 using updated information for that year.

III. Student transportation

Transportation dispute resolution timeline

- Requires the Department to resolve any disputes over determinations regarding transportation noncompliance received after December 1, 2023, within 30 days of receiving notice of the dispute, or within 45 days if the Department notifies all affected parties in advance of the delay.

Late drop-off

- Prohibits transportation operators from delivering students late to school.

Out of compliance definition and penalties

- Defines "out of compliance" with regard to student transportation requirements as a period of five consecutive school days or more than ten school days within a school year in which certain conditions apply.
- Requires the Department to notify a district if it is found to be out of compliance and requires the district to create a corrective action plan to be submitted to the Department within one week of its first notification of noncompliance.

- Requires the Department to withhold 25% of a district's daily transportation payments for each day a district is determined to be out of compliance for the next three subsequent determinations of noncompliance in the same school year.
- Requires the Department, for the fifth determination of noncompliance in the same school year, to withhold 100% of a district's daily state transportation payment amount.
- Requires the noncompliance count be reset to zero at the beginning of the school year.

Bus Driver Flex Career Path Model

- Requires the Department to develop the Bus Driver Flex Career Path Model to create a pathway for bus drivers to work as educational aides or student monitors at districts and schools.

Nine-passenger vehicles

- Authorizes a school district to use a vehicle designed to carry nine passengers or less (not including the driver) in lieu of a school bus to transport chartered nonpublic and community school students under certain conditions.
- Authorizes a community school to transport its students using a nine-passenger or less vehicle under certain circumstances.
- Adds a new circumstance under which a chartered nonpublic and a community school may transport its students to and from regularly scheduled school sessions using a nine-passenger or less vehicle to include when the school has offered to provide its own student transportation.

Private and community school transportation – children with disabilities

- Requires school districts to provide transportation as a related service to students with disabilities who live in the district but attend a nonpublic school if the school district is provided with supporting documentation in the student's individualized education program (IEP) or individual service plan.

Pilot program

- Establishes a pilot program under which two selected educational service centers provide transportation to students enrolled in participating community schools and chartered nonpublic schools in the 2023-2024 school year.

IV. Literacy and dyslexia screening and intervention

Third Grade Reading Guarantee

- Exempts a student from retention under the Third Grade Reading Guarantee if the student's parent or guardian, in consultation with the student's reading teacher and building principal, requests that the student be promoted to fourth grade regardless of whether the student is reading at grade level.

- Requires districts and schools to continue to provide reading intervention services to promoted students who do not read at grade level until the student reads at grade level.
- Requires reading intervention and remediation services to include high-dosage tutoring opportunities, be aligned to the science of reading, and include a written notification statement that details the connection between reading proficiency and long-term outcomes of success.
- Permits students retained under the Guarantee in the 2022-2023 school year to be promoted to the fourth grade, unless the student's parent or guardian requests otherwise.

Dyslexia screening and intervention

Transfer students

- Requires public schools to administer grade-level aligned dyslexia screenings to students enrolled in grades K-6 who transfer into the district or school midyear.
- Exempts a district or school from administering a tier one dyslexia screening measure to a transfer student who received a screening in that school year from the student's original school.
- Generally requires a district or school to administer a dyslexia screening within 30 days of transfer student enrollment or request, though a kindergarten transfer student screening may be performed at the regularly scheduled screening for all kindergartners if the student transfers before that assessment has been performed.

Professional development

- Requires teachers hired after April 12, 2021, to complete dyslexia professional development training by the later of two years after the date of hire or prescribed dates, unless the teacher has completed the training while employed by a different district.

Literacy improvement grants

Professional development stipends

- Requires the Department to reimburse public schools for stipends for teachers to complete professional development in the science of reading and evidence-based strategies for effective literacy instruction provided by the Department.
- Requires all teachers and administrators to complete the professional development not later than June 30, 2025, unless they have previously completed a similar course.
- Requires each district and school to pay teachers who complete the professional development stipends of \$1,200 or \$400 dependent upon subject and grade band.

Subsidies for core curriculum and instructional materials

- Requires the Department to subsidize the cost for public schools to purchase high-quality core curriculum and instructional materials in English language arts and evidence-based reading intervention programs from the lists established by the Department.

- Requires the Department to conduct a survey to collect information on the core curriculum and instructional materials in English language arts in grades pre-K through 5 and the reading intervention programs in grades pre-K through 12 used by public schools.

Literacy supports coaches

- Requires the Department to use funds for coaches to provide literacy supports to public schools with the lowest rates of proficiency in literacy based on their performance on the English language arts assessments.

Early literacy activities

- Requires the Department to use funds to support early literacy activities to align state, local, and federal efforts to bolster all students' reading success.

Literacy instructional materials

- Requires the Department to compile a list of high-quality core curriculum and instructional materials in English language arts and a list of evidence-based reading intervention programs that are aligned with the science of reading and strategies for effective literacy instruction.
- Not later than the 2024-2025 school year, requires each school district, community, and STEM school to use the core curriculum, instructional materials, and intervention programs from the lists compiled by the Department.
- Prohibits a district or school from using the "three-cueing approach" to teach students to read unless the district or school receives a waiver from the Department, but permits waivers for individual students.
- Requires the Department to identify vendors that provide professional development to educators, including pre-service teachers and faculty employed by educator preparation programs, on the use of high-quality core curriculum, instructional materials, and reading intervention programs.

EMIS reporting of literacy instructional materials

- Requires districts and schools to report to the Education Management Information System (EMIS) the English language arts curriculum and instructional materials used in each of grades pre-K-5 and the reading intervention programs used in each of grades pre-K-12.

V. State scholarship programs

Ed Choice Expansion eligibility and scholarship amounts

- Expands eligibility for an Ed Choice Expansion scholarship to any student entering any of grades K-12 in the school year for which a scholarship is sought.
- Establishes in codified law a logarithmic function formula to calculate Ed Choice Expansion scholarship amounts for students who receive a first-time scholarship in and after the 2024-2025 school year, but also prescribes specific, partial scholarship amounts

for the 2023-2024 school year only for students with a family income at or above 450% federal poverty level (FPL).

- Bases the income eligibility threshold for an Ed Choice Expansion scholarship on a “family’s adjusted gross income” rather than “family income.”
- Eliminates the priority order for awarding Ed Choice Expansion scholarships if the number of eligible students who apply for a scholarship exceeds the scholarship available based on the appropriation.

Ed Choice scholarship selection

- Permits a student who qualifies for both a traditional Ed Choice scholarship and an Expansion Ed Choice scholarship to select which scholarship the student would like to receive.

Use of private scholarships for Ed Choice

- Permits a chartered nonpublic school to accept private scholarships issued by a scholarship granting organization as payment for the difference between the amount of an Ed Choice scholarship and the school’s regular tuition, as well as for any fees regularly charged by the school.

Ed Choice student growth measure

- Requires the Department to develop a student growth measure by July 1, 2025, for Ed Choice scholarship students enrolled in grades 4-8.

Family income disclosure

- Prohibits a chartered nonpublic school participating in Ed Choice from requiring a student’s parent to disclose, as part of the school’s admission procedure, whether the student’s family income is at or below 200% FPL.

Autism scholarship

Eligibility

- Expands qualification for the Autism Scholarship Program to a child who receives an autism diagnosis from a physician or psychologist.
- Qualifies a child for a scholarship who meets only one, instead of all, qualifications.
- Requires school districts to develop an education plan for a child who is eligible for the Autism Scholarship Program based on an autism diagnosis, but does not have an individualized education program.

Intervention services providers

- Qualifies certified Ohio behavior analysts as providers that may offer intervention services under the Autism Scholarship Program.
- Qualifies registered behavior technicians as providers that may offer intervention services under the Autism Scholarship Program if the registered behavior technician works under

the supervision and following the intervention plan of a certified Ohio behavior analyst or a nationally certified behavior analyst.

- Prohibits the State Board from requiring registered behavior technicians and certified Ohio behavior analysts to have an instructional assistant permit to provide services to a child under the Autism Scholarship Program.

Cleveland scholarship program location restrictions

- Permits a Cleveland Scholarship recipient to attend any private school, without a restriction on location of that school, using that scholarship.

State scholarships – general

Income verification

- Specifies what documents a student’s parent or guardian may use to certify income eligibility for an Ed Choice Expansion scholarship to the Department.
- Prohibits the Department from generally requiring the parent of a student who is applying for, or receiving, a state scholarship, other than an Ed Choice Expansion scholarship, from completing any kind of income verification regarding the student’s family income.
- Creates an exception to the general prohibition described above to qualify low-income Ed Choice or Cleveland scholarship recipients for a waiver of any tuition, textbooks, or fees related to attending a private college through the College Credit Plus Program.

Tax return information

- Exempts an individual who is not required to file a state tax return under continuing law from the requirement to certify income eligibility for an Ed Choice Expansion scholarship.
- Prohibits the Department from requiring the parent of a student to submit a complete copy of the parent’s federal or state income tax return to determine the student’s family income for the purposes of the traditional Ed Choice or Cleveland Scholarship Program.
- Permits the Department to require a partial federal or state tax return that only contains the minimum amount of information necessary to determine the student’s family income.

Reporting of tuition rates

- Requires certain educational entities that enroll state scholarship students, by September 30, 2023, for the 2023-2024 school year and by June 30 for each subsequent year, to submit to the Department their tuition rates for that year.

Application after the start of the school year

- Delays the application deadline for receiving the full amount of an Ed Choice or Cleveland scholarship from July 1 to October 15 of the school year for which a scholarship is sought.
- Requires the Department to prorate the amount of a student’s scholarship for an application submitted on and after October 15 based on how much of the school year remains after the date of the student’s enrollment in school.

VI. Community schools

Community school sponsors

- Requires the Department, in deciding whether to approve a request to change sponsors from a community school that primarily serves students with disabilities, to consider the school's performance against the average performance of all other community schools that primarily serve students with disabilities.
- Permits a community school that primarily serves students with disabilities to enter into a contract with a new qualified sponsor without submitting a request if it satisfies certain state report card rating criteria.

Community school FTE reporting

- Extends through the 2023-2024 and 2024-2025 school years the option of certain community schools to report their student enrollment on a full-time equivalent basis based partially on credits earned.

Dropout prevention and recovery schools

End-of-course exams for DOPR community schools

- Requires a DOPR community school to administer end-of-course exams in an online or paper format based on the needs of the student.
- Requires the Director to establish extended testing windows of ten weeks in duration in the fall and spring for dropout recovery community schools so that assessments may be administered in closer proximity to when students complete related coursework.
- Requires the Director to establish a summer testing window for students participating in summer instruction.

DOPR report card

- Requires the Department to consult with stakeholder groups and use data from prior school years and simulations in establishing benchmarks and performance levels for performance indicators on the DOPR community school report card.

DOPR Advisory Council

- Establishes the Dropout Prevention and Recovery Advisory Council to provide a forum for communication and collaboration between the Department and parties involved with dropout recovery community schools.
- Requires the Council to review, in collaboration with the Director, all existing rules and guidance previously developed or adopted by the Department.

Rules and guidelines for DOPR community schools

- Requires the Department to adopt any requirement imposed on a DOPR community school as a rule under the Administrative Procedure Act, and prohibits the Department

from developing guidelines, rather than rules, that impose requirements on a DOPR community school.

- Requires that any new rule related to DOPR community school requirements be reviewed by the Dropout Prevention and Recovery Advisory Council prior to adoption.

E-school standards

- Changes the source for the standards with which e-schools must comply.

Community school closing audit bonds and guarantees

- Removes provisions related to community school closing audit bonds. (For more information, see “**Community school closing audit bonds and guarantees**” in the Treasurer of State portion on this analysis.)

JCARR review of changes regarding community schools (VETOED)

- Would have subjected to Joint Committee on Agency Rule Review (JCARR) approval any proposed changes to EMIS or the Department’s business rules and policies that may have affected community schools (VETOED).

VII. Schools

Intradistrict open enrollment

- Requires a school district to report to the Department the number of students who attend a school building other than the one to which they are assigned.
- Requires a district that elects to conduct a lottery to determine intradistrict placement of students to do so by the second Monday of June prior to the school year for which enrollment is sought.

Virtual education during school closure

- Requires a school district, community school, STEM school, or chartered nonpublic school to adopt a plan to provide instruction through a virtual education model during a period of school closure for a calamity.
- Repeals the process under which a district, community school, or chartered nonpublic school may adopt a plan to require students to complete lessons posted on the district or school’s website, or paper copies of those lessons (“blizzard bags”), during a period of school closure for a calamity.

Seizure action plans

- Requires public and chartered nonpublic schools to create an individualized seizure action plan for each enrolled student who has an active seizure disorder diagnosis.
- Requires at least one employee at each school to be trained on implementing seizure action plans.

- Provides qualified immunity in a civil action for money damages for school districts and schools and their officers and employees for injury, death, or other loss allegedly arising from providing care or performing duties under the act.

Cash payments for school-affiliated events

- Requires qualifying schools to accept cash payments for tickets and concessions at school-affiliated events, unless the event is conducted at a public facility that is leased by a professional sports team or privately owned facility.

School meals

- Provides free breakfast and lunch to students eligible for a reduced-price meal by requiring the Department to provide reimbursements to schools and other programs that participate in the National School Breakfast or Lunch Program and requiring schools and programs to provide meals at no cost to qualifying students.

Free feminine hygiene products

- Requires all public and private schools that enroll girls in grades 6-12 to provide free feminine hygiene products for those students and permits schools to provide products to students below grade six.

Auxiliary services personnel

- Prohibits a school district from denying a nonpublic school's request for properly licensed personnel to provide auxiliary services.

Auxiliary services reimbursement for Educational Service Centers

- Specifies that if an ESC contracts with a district to provide auxiliary services, only the ESC may be reimbursed for administrative costs.

Transmission of transferred student's records

- Requires public and chartered nonpublic schools to transmit a transferring student's school records within five school days upon receiving a request from the school or district that the student is attending, unless there is \$2,500 or more of debt attributed to the student.

Pecuniary interest of school board members

- Exempts a school board member employed by a private institution of higher education from the prohibition against members having a financial interest in a contract with the district when the contract is with a private institution of higher education.

Nonchartered nonpublic schools

- Codifies an administrative rule that sets minimum requirements for nonchartered nonpublic schools, including hours of instruction, educational requirements for teachers and administrators, curriculum, promotion, and safety requirements.

- Requires the Director to update existing rules to conform to the changes and prohibits the adoption of any additional rules for nonchartered nonpublic schools.

Home education and school attendance

- Exempts a child from the compulsory school attendance law if the child's parent submits a notice to the superintendent of the child's school district of residence that the child is receiving a home education in specified subject areas.
- Specifies that a child exempt for the purposes of home education may be subject to state truancy law if there is evidence the child is not receiving the required education.

VIII. Educator and other licensing and permits

Ohio Teacher Residency Program

- Revises the operation of the Ohio Teacher Residency Program, with respect to mentoring, counseling, and the Resident Educator Summative Assessment.

Alternative resident educator license

- Reduces the alternative resident educator license from four to two years and makes that license renewable.
- Permits the holder of an alternative resident educator license to teach preschool students.
- Permits the holder of an alternative resident educator license to convert that license to a renewable alternative educator license instead of completing the Ohio Teacher Residency Program and other certain prescribed requirements necessary for obtaining a professional educator license.

Temporary substitute teacher license

- Permits public schools to hire substitute teachers without a post-secondary degree and establishes a one-year temporary substitute teacher license.

Out-of-state teacher license

- Permits an applicant for a one-year nonrenewable out-of-state teaching license who passes Ohio's Foundations of Reading Exam on the first try to forgo the required completion of coursework in the teaching of reading.

Licensure grade bands

- Expands the grades bands for which an individual may receive a resident educator license, professional educator license, senior professional educator license, or a lead professional educator license to grades pre-K-8 or 6-12.
- Permits a school district or community school to employ an educator to teach not more than two years outside of the educator's designated grade band for two school years at a time.

Pre-service teaching for compensation

- Establishes a three-year pre-service teaching permit for student teachers that authorizes them to substitute teach and receive compensation for it.

Alternative military educator license

- Requires the State Board, in consultation with the Chancellor of Higher Education, to establish an alternative military educator license that permits eligible military individuals to receive an educator license on an expedited timeline.

Computer science educator licensure

- Permits industry professionals to teach 40 hours a week in computer science without taking a content examination.
- Requires all computer science licenses to carry a grade band designation of K-12, pre-k-5, 4-9, or 7-12.
- Extends through the 2024-2025 school year an exemption that permits a public school to permit a licensed teacher to teach computer science in any of grades K-12, provided the teacher completes a specific professional development course.
- For purposes of that exemption, extends the grade bands for which a license holder must be licensed to teach from any of grades 7-12 to any of grades K-12.

Financial literacy license validation

- Exempts all chartered nonpublic schools from the general requirement that teachers who provide high school financial literacy instruction have a financial literacy license validation.
- Disqualifies chartered nonpublic schools from receiving reimbursement for costs associated with financial literacy license validation for teachers.

School counselor licensure

- Requires the State Board to enter into an agreement with a construction trades organization to develop a mandatory training program for school counselors about job opportunities in the construction trades.
- Requires a school counselor serving students in grades 7-12 to complete four hours of training every five years.
- Requires local professional development committees to incorporate the training into professional development programs for counselors serving students in grades 7-12.
- Requires participating building and construction trades to bear all costs associated with the required training.

Community school employee misconduct

- Prohibits a community school from employing a person if the person's educator license was permanently revoked or denied or if the person entered into a consent agreement in which the person agreed not to apply for an educator license in the future.

Private school educator certification

- Makes explicit that the State Board must issue teaching certificates to private school administrators, supervisors, and teachers who hold a master's degree from an accredited college or university.

Mental health training for school athletic coaches

- Prohibits an individual from coaching an athletic activity at a public or nonpublic school unless the individual has completed a student mental health training course approved by the Department of Mental Health and Addiction Services.
- For renewal of pupil activity permits, changes the frequency of sudden cardiac arrest training from annually to sometime within the duration of the permit.

RAPBACK and criminal records checks

Nonlicensed school employees

- Requires the State Board to enroll all nonlicensed school employees and contractors, including bus drivers, in the Retained Applicant Fingerprint Database (RAPBACK).
- Requires any nonlicensed employee or contractor whose most recent criminal records check is older than one year or does not include certain information to complete a new records check by a State Board prescribed date, and every six years thereafter.

School volunteers

- Specifically excludes school volunteers from the requirements related to criminal background checks and RAPBACK.

IX. Student performance data

Online high school graduation rates

- Requires the Department to include a modified graduation rate measure on the state report card to account for online high schools.
- Generally requires the Department to report the modified graduation rate as data without an assigned performance rating beginning with the state report card for the 2023-2024 school year.

Individual student performance reports on value-added data

- Requires the Department to make individual student performance data reports available to districts and schools that have an overall value-added progress dimension score calculated on the state report card.

Report of state assessment scores

- Requires each public and chartered nonpublic school to provide a student's parent with the student's state assessment scores by June 30 of each year by mail, email, or secure online portal on the school's website.

X. Career-technical education and workforce development

Career-technical cooperative education districts

- Permits two or more city, local, or exempted village school districts that are members of a compact career-technical education provider that exists on October 3, 2023, to enter into an agreement to create a career-technical cooperative education district.
- Requires a cooperative district to fund and provide students enrolled in grades 7-12 in member districts with a career-technical education adequate to prepare them for an occupation.
- Specifies that a cooperative district is not a joint vocational school district and, instead, requires the cooperative district to:
 - Be considered a career-technical education compact for the purposes of state education law; and
 - Serve as the lead district of a career-technical planning district composed of the cooperative district's member districts.
- Establishes a board of directors, composed of the superintendents of the cooperative district's member districts, to govern the cooperative district.
- Permits a board of directors to levy a voter-approved property tax of up to three mills and accept gifts, donations, bequests, and other grants of money.
- Requires the Department to compute and make payments to a cooperative district in the same manner as a lead district of a career-technical planning district.

Courses at Ohio technical centers

- Permits school districts, upon approval from the Department, to contract with Ohio technical centers (OTCs) to serve students in grades 7-12 who are enrolled in a career-technical education program at the district but cannot enroll in a course for specified reasons.

DOPR and career-technical programs

- Adds DOPR programs of school districts, community schools, and STEM schools to the approval process for state funding for career-technical education programs.
- Requires the Department to authorize a payment for a DOPR school offering a career-technical program that is in its first year of operation and that submits an application for approval after the May 15 deadline established under continuing law.

Workforce development

- Requires the Department to develop informational materials for seventh and eighth graders about available career opportunities.
- Requires the Department to participate in the process to identify in-demand jobs.
- Requires the Governor to appoint the Deputy Directors to the Governor's Executive Workforce Board.

XI. Other

State minimum teacher salary schedule

- Increases the minimum base salary for beginning teachers with a bachelor's degree from \$30,000 to \$35,000 and proportionally increases the minimum salaries for teachers with different levels of education and experience.

English learners

- Eliminates an exemption excusing English learners who have been enrolled in U.S. schools for less than a year from any reading, writing, or English language arts state assessments.
- Eliminates an exemption that excluded, except when required by federal law, English learners who have been enrolled in U.S. schools for less than a year from state report card performance measures.
- Requires English learners to be included in performance measures on the state report card in accordance with the state's federally approved plan to comply with federal law.
- Requires the Director to adopt rules related to educating English learners that conform to the state's federally approved plan.

School emergency management plans

- Specifies that all records related to a school's emergency management plan and emergency management tests are security records and are not subject to Ohio's public records laws.
- Extends the annual deadline for a school administrator to submit the school district's or school's emergency management plan to the Director of Public Safety from July 1 to September 1.

School counselor liaison

- Requires the Director to designate at least one employee of the Department to serve as a liaison to school counselors across the state.

Innovative Pilot Program waivers

- Prohibits waivers of the requirements associated with blended learning or operating an online learning school for school districts of innovation or an online learning school as part of an innovative education pilot program.

Academic distress commissions

- Prohibits the Director from establishing any new academic distress commissions (ADCs) for the 2023-2024 and 2024-2025 school years.
- Dissolves the Lorain City Schools ADC and academic improvement plan, and, upon dissolution of the ADC, requires the chief executive officer to relinquish management and control of the school district to the district board of education and the district superintendent.

State share of local property taxes in five-year forecasts

- Requires the Department and Auditor of State to label the property tax allocation projections in a school district's five-year forecast as the "state share of local property taxes."

Private before and after school care programs – licensure

- Authorizes a private before and after school care program that meets certain conditions to seek licensure as a school child program.

State Report Card Review Committee

- Eliminates the State Report Card Review Committee.

Study on services for economically disadvantaged students

- Requires the Department to conduct a study evaluating the needs of economically disadvantaged students.

Competency-based diploma pilot program

- Requires the Department to operate a competency-based diploma pilot program in FYs 2024 and 2025 for students who are at least 18 years old, but under 22 years old and issue a report on the pilot program by July 30, 2025.

Adult Diploma Pilot Program minimum age

- Expands eligibility to participate in the Adult Diploma Pilot Program by lowering the minimum age from 20 to 18 years old.

I. Transfer of state K-12 governance

Department of Education and Workforce

(R.C. 3301.07, 3301.111, 3301.13, 3301.137, and 3301.0138; Sections 130.100 and 130.101; conforming changes in numerous R.C. sections)

The act renames the Department of Education as the Department of Education and Workforce. It also creates the position of Director of Education and Workforce, who is appointed by the Governor with the advice and consent of the Senate, to oversee the Department and primary and secondary education in Ohio. To that end, the act transfers to the Department, or

where applicable the Director, most of the powers and duties assigned to the State Board of Education and the Superintendent of Public Instruction.

Examples of the powers and duties transferred include:

1. Adopting minimum education standards for elementary and secondary schools, and minimum operating standards for school districts;
2. Issuing and revoking state charters to school districts, school buildings operated by districts, and nonpublic schools that elect to seek a charter;
3. Developing state academic standards and model curricula;
4. Establishing the statewide program for assessing student achievement through standardized assessments;
5. Establishing the state report card system for school districts, community schools, STEM schools, and college-preparatory boarding schools;
6. Administering state scholarship programs;
7. Performing prescribed functions regarding the creation and operation of joint vocational school districts;
8. Providing oversight to, and performing functions regarding, community schools, community school sponsors, and STEM schools; and
9. Calculating and distributing all foundation funding payments.

The State Board and the state Superintendent retain duties and powers regarding educator licensure, licensee disciplinary actions, school district territory transfers, and certain other areas. The act transfers from the Department to the State Board any employees and assets necessary for the State Board to perform its retained powers and duties.

For more information about the role of the State Board and the state Superintendent under the act, see “**State Board of Education**,” below.

Organization of the Department

Under the act, the Department consists of the Division of Primary and Secondary Education and the Division of Career-Technical Education. Each division is headed by a Deputy Director appointed by the Director with the advice and consent of the Senate. However, the act does not prescribe specific functions for either division.

Rather, except for those duties and powers retained by the State Board and state Superintendent, the act vests responsibility for primary, secondary, special, and career-technical education in the Director. The Director may delegate duties and powers to either division as the Director determines appropriate. The Director also is responsible for employing personnel to carry out the Department’s powers and duties. The Director must exercise general supervision of the Department’s employees and may appoint them, fix their salaries, and terminate their employment.

The act expressly states that the Department is subject to all provisions of law pertaining to departments, offices, or institutions established for the exercise of any function of state government. It also subjects the Department to the Administrative Procedure Act.

Appointment of Director and Deputy Directors

Limits on interim officeholders

The act expressly prohibits any individual from holding the office of, or serving on an interim basis for more than 45 days as, Director or Deputy Director without being appointed with the advice and consent of the Senate.

Deputy Director qualifications

The act requires the Director to appoint an individual with appropriate educational, professional, or managerial experience, as determined by the Director, to be a Deputy Director.

Confirmation hearing

The act requires the Senate Education Committee to hold at least one in-person hearing on the nomination of an individual to serve as Director or as a Deputy Director before the full Senate holds a confirmation vote on that nomination.

Director's rulemaking authority

Under the act, the Director is responsible for adopting the Department's administrative rules. However, it expressly limits the Director's rulemaking authority to the Director's or the Department's statutorily prescribed powers and duties. It also permits the General Assembly, in accordance with continuing law, to adopt a concurrent resolution to rescind or invalidate any administrative rule adopted by the Director. The Director is not authorized to adopt rules regarding the State Board's or state Superintendent's retained powers.

(The act also addresses providing information about rulemaking in "**Public presentation requirement**" below.)

Rules regarding minimum education standards

Prior law authorized the State Board, when it adopted rules to prescribe minimum education standards, to include in those standards any factor it determines necessary. The act eliminates that authority and, instead, specifies that the Director, when adopting minimum education standards, is limited to the powers and duties that are expressly prescribed and authorized in statute.

Stakeholder outreach and rulemaking

The act requires the Department to establish a stakeholder outreach process for use when it engages in rulemaking. The Department must establish a method under which stakeholders may elect to participate in the process. The process must include both a notice and an opportunity for stakeholder feedback prior to the Department initiating rulemaking and submitting a proposed rule to the Joint Committee on Agency Rule Review (JCARR). The process

also may include stakeholder meetings, questionnaires for stakeholders, or stakeholder advisory groups.

The act expressly states that a notice under the process is a not a public notice, but rather it is a courtesy for stakeholders. The Department also is not required to send draft rules out to, nor negotiate draft rule language with, stakeholders.

Prior to initiating rulemaking

Prior to conducting a five-year review, adopting a new rule, or amending or rescinding an existing rule, the Department must notify stakeholders of its intent to initiate rulemaking and provide an explanation of the rationale for doing so. The notice must include:

1. For a five-year review in which the Department decides not to make any changes to an existing rule, a statement that the rule is not being changed;
2. For a new rule or an amendment or rescission of an existing rule, information explaining the rationale for the new rule or rule change, including any state or federal law changes that make it necessary; and
3. A link to a webpage on the Department's website that provides an opportunity to:
 - a. Review the existing rule, if one exists;
 - b. Submit public comments for a period of time established by the Department; and
 - c. Provide, as part of the public comment system, a chance to submit information that might aid the Department in preparing a business impact analysis, if one is required.

The Department must consider each submitted comment provided during the public comment period. However, it is not required to respond to them.

Prior to submitting a proposed rule to JCARR

Prior to submitting a proposed rule to JCARR, the Department must post the draft rule and a completed business impact analysis, if one is required, on the Department's website and notify stakeholders that they have been posted. The notice must include a link to a webpage on the Department's website that provides the opportunity to review the draft rule, and the business impact analysis if required, and submit public comments for a period established by the Department. The Department must consider each comment it receives and may revise the draft based on them. If the Department determines further outreach is necessary, it must hold stakeholder meetings, send questions to stakeholders, or create stakeholder advisory groups.

Public presentation requirement

The act requires the Director, or the Director's designee, to convene a public meeting at least every other month. The Department's employees must conduct a presentation at each meeting that addresses any new information the Department has about:

1. Any of its significant new or existing initiatives, policies, or guidelines;
2. Any change to state or federal law that affects the Department or education stakeholders; and

3. Any rule the Director intends to adopt, amend, or rescind.

At the conclusion of a presentation, the Director, or designee, must provide an opportunity for public discussion on the information in the presentation or other appropriate topics, as determined by the Director or designee. The Department must make available via the internet an audio recording of each meeting within five days after its conclusion.

Under the act, any nonemergency rule adopted after October 3, 2023, is void unless the rule was included in a presentation conducted during a public meeting.

In addition, the act requires the Director to schedule meetings for FY 2024 in a timely manner.

Limits on policies and guidance

The act establishes that any policy adopted or guidance issued by the Director or Department that is not expressly authorized or required by state or federal statute is advisory in nature. Furthermore, it also establishes that those policies or guidance are nonbinding on schools and educators and do not have the force and effect of law.

Exchange of information with the State Board

The act authorizes the Department and the State Board to exchange necessary information and documentation upon request to enable both agencies to effectively perform their functions under state or federal law, including sharing proprietary and confidential information. Each agency cannot disclose any proprietary or confidential information it receives and must adopt safeguards to prevent disclosure.

The act expressly states that the purpose of the authorization to exchange information is to best serve the interests of primary and secondary education and workforce development in Ohio and to maximize efficiencies and operations.

State Board of Education

(R.C. 3301.111 and 3319.51)

Duties and powers

The State Board and the state Superintendent retain their duties and powers under continuing law regarding:

1. Educator licensure and licensee disciplinary actions;
2. School district territory transfer determinations;
3. The teacher and school counselor evaluation systems;
4. The annual teacher recognition program; and
5. The Educator Standards Board (ESB).

However, the act designates the Director of Education and Workforce, or the Director's designee, as a nonvoting, ex officio member of the ESB and its subcommittees.

The act expressly reserves responsibility for the adoption of requirements for educator licensure and licensee disciplinary actions to the State Board, and largely excludes the Director and the Department from that process. The act requires the State Board to adopt those requirements as rules in accordance with the Administrative Procedure Act.

Finally, the act requires the State Board to make recommendations to the Director regarding priorities for primary and secondary education. It also permits the state Superintendent to serve as an adviser to the Director.

Administration

Under prior law, the Department of Education was the organizational unit through which the state Superintendent administered the policies and statutorily prescribed powers and duties of the State Board and the state Superintendent. With the transfer of control over the Department from the State Board to the Director, the act establishes a separate administrative structure for the State Board and state Superintendent. That structure is similar to prior law.

Specifically, the act expressly states that, in accordance with the Ohio Constitution, the state Superintendent remains an appointee of the State Board. It further states that, in accordance with continuing law, the state Superintendent remains the State Board's secretary and executive officer.

The State Board remains subject to all provisions of law regarding state departments, offices, or institutions. The State Board must employ personnel to carry out its duties and powers. Subject to the State Board's policies, rules, and regulations, the state Superintendent exercises general supervision of those employees and may appoint them, fix their salary, and terminate their employment.

Finally, the State Board may request the Department's assistance in exercising the State Board's powers and duties. To the extent the Director determines that assistance necessary and practicable, the Department must provide the requested assistance.

State Board of Education Licensure Fund

The act expands the uses of the State Board of Education Licensure Fund to pay the State Board's operating expenses, including any cost incurred to perform a duty prescribed by law, in addition to the cost of administering requirements related to the issuance and renewal of educator credentials as under continuing law. Prior law limited the use of that fund solely for the cost of administering requirements related to the issuance and renewal of licenses, certificates, and permits.

Implementation deadline

(Section 130.106)

The act requires the Director, Department, State Board, and state Superintendent to complete any action necessary to implement the transfer of powers by January 1, 2023.

Background – State Board of Education

The Ohio Constitution provides that there must be a State Board of Education and a Superintendent of Public Instruction appointed by the State Board. The selection and terms of

members of the State Board, as well as the powers and duties of the State Board and the state Superintendent, must be prescribed by law.⁶²

II. School finance

Funding for FYs 2024 and 2025

(R.C. 3314.08, 3317.011, 3317.012, 3317.014, 3317.016, 3317.017, 3317.018, 3317.019, 3317.0110, 3317.02, 3317.021, 3317.022, 3317.024, 3317.026, 3317.0212, 3317.0213, 3317.0215, 3317.0217, 3317.0218, 3317.051, 3317.11, 3317.16, 3317.162, 3317.20, 3317.201, 3317.25, and 3326.44; Sections 265.280 and 265.290)

The act extends the operation of the current school financing system to FY 2024 and FY 2025, but with the following changes:

1. Updates the data used to calculate the base cost from FY 2018 data to FY 2022 data;
2. Requires the use of FY 2024 statewide average base cost per pupil in FY 2024 and FY 2025;
3. Requires the use of FY 2024 statewide average career-technical base cost per pupil in FY 2024 and FY 2025;
4. Increases the general phase-in and disadvantaged pupil impact aid phase-in percentages from 33.33% in FY 2023 to 50% in FY 2024 and 66.67% in FY 2025;
5. Increases the minimum state share percentage from 5% to 10% for FY 2024 and FY 2025;
6. Increases the minimum transportation state share percentage from 33.33% in FY 2023 to 37.5% in FY 2024 and 41.67% in FY 2025;
7. Increases the career awareness and exploration per pupil amount from \$5 in FY 2023 to \$7.50 in FY 2024 and \$10 in FY 2025;
8. Increases the gifted professional development per pupil amount from \$14 in FY 2023 to \$21 in FY 2024 and \$28 in FY 2025;
9. Clarifies that a school district's building operations cost in the aggregate base cost calculation does not use a six-year average of the average building square feet per pupil and average cost per square foot for all districts in the state but instead uses only FY 2022 data;
10. Requires the payment of English learner funds to internet- or computer-based community schools (e-schools); and
11. Renames the "threshold catastrophic cost" for special education students as the "threshold cost" for special education students.

⁶² Ohio Const., art. VI, sec. 4.

In addition, the act extends to FY 2024 and FY 2025 the payment of temporary transitional aid to school districts based on a FY 2020 funding base and a formula transition supplement based on an FY 2021 funding base to districts, community schools, and STEM schools.

For background information on the current school financing system, see the LSC [Final Analysis \(PDF\) for H.B. 110 of the 134th General Assembly](#), which enacted the system, and the LSC [Final Analysis \(PDF\) for H.B. 583 of the 134th General Assembly](#), which made a number of corrective and technical changes to it. Both final analyses are available on the General Assembly's website: legislature.ohio.gov.

Student wellness and success funds

(R.C. 3317.26)

Spending requirements

The act requires the Department, in each fiscal year, to notify each school district, community school, and STEM school, of the portion of the district or school's state share of the base cost that is attributable to the staffing cost for the student wellness and success component of the base cost. Those funds are designated as student wellness and success funds (SWSF).

It requires districts and schools to spend their SWSF on the same initiatives for which schools must spend disadvantaged pupil impact aid (DPIA) funds. (See "**Disadvantaged pupil impact aid**," below.) Of those initiatives, the act further requires districts and schools to spend at least 50% of SWSF for either physical or mental health based initiatives, or a combination of both. Formerly, there were no requirements placed on how districts and schools must spend SWSF.

Additionally, districts and schools must develop a plan to use SWSF in coordination with both: (1) a community mental health prevention or treatment provider or their local board of alcohol, drug addiction, and mental health services, and (2) a community partner identified under continuing law. Within 30 days of completing or amending this plan, each district or school must share the plan at a meeting of its board of education or governing authority and post it to the district or school's website.

At the end of each fiscal year, each district and school must submit a report to the Department, in a manner determined by the Department, describing the initiative or initiatives on which the district or school's SWSF were spent during that fiscal year.

Unexpended funds

The act requires that any SWSF allocated in any of FYs 2020 through 2023 be expended before June 30, 2025, and requires any unexpended funds to be repaid to the Department.

Beginning in FY 2024, the act requires all SWSF to be spent by the end of the following fiscal year and, again, requires any unexpended funds to be repaid to the Department.

The act permits the Department to develop a corrective action plan if it determines that a district or school is not spending the SWSF funds correctly and further permits the Department to withhold SWSF if a district or school is found to be out of compliance with the action plan.

Disadvantaged pupil impact aid

(R.C. 3317.25)

Under continuing law, disadvantaged pupil impact aid (DPIA) is calculated based on the number and concentration of economically disadvantaged students enrolled at each school and district. A district must develop a plan for utilizing its DPIA in coordination with one of the following: a board of alcohol, drug addiction, and mental health services, an educational service center (ESC), a county board of developmental disabilities, a community-based mental health treatment provider, a board of health of a city or general health district, a county department of job and family services, a nonprofit organization with experience serving children, or a public hospital agency.

Continuing law prescribes initiatives upon which DPIA must be spent. The act makes changes to some of those initiatives. The table below illustrates the current initiatives and the changes made by the act (these changes apply to both DPIA funds and SWSF):

Initiatives	
Current initiatives	The act
Extended school day and school year	No change
Reading improvement and intervention	Requires reading improvement and intervention to be aligned with the science of reading and evidence-based strategies for effective literacy instruction
Instructional technology or blended learning	No change
Professional development in reading instruction for teachers of students in kindergarten through third grade	Requires professional development be aligned with the science of reading and evidence-based strategies for effective literacy instruction
Dropout prevention	No change
School safety and security measures	No change
Community learning centers that address barriers to learning	No change
Academic interventions for students in any of grades six through twelve	No change
Employment of an individual who has successfully completed the bright new leaders for Ohio schools program as a principal or an assistant principal	No change

Initiatives	
Current initiatives	The act
Mental health services, including telehealth services	Adds community-based behavioral health services, and recovery supports
Culturally appropriate, evidence-based or evidence-informed prevention education, including youth-led programming and social and emotional learning curricula to promote mental health and prevent substance use and suicide	Changes prevention “education” to prevention “services” and removes the requirement that prevention services include social and emotional learning, but adds trauma-informed services
Services for homeless youth	No change
Services for child welfare involved youth	No change
Community liaisons or programs that connect students to community resources, including city connects, communities in schools, and other similar programs	Adds behavioral wellness coordinators as a possible liaison
Physical health care services, including telehealth services	Requires physical health care service initiatives to include community-based health services
Family engagement and support services	No change
Student services provided prior to or after the regularly scheduled school day or any time school is not in session, including mentoring programs	No change

Gifted funding requirements

(R.C. 3317.022, 3324.05, and 3324.09)

The act makes permanent, and in some cases revises, a series of requirements regarding gifted student funding that, under prior law, applied only to FYs 2022 and 2023. Those requirements include how school districts spend gifted funding, how the Department reduces funding for noncompliance, and what information is included in reports regarding services for gifted students.

Spending requirements

The act makes permanent the requirement that a school district only spend its gifted funding on:

1. The identification of gifted students;
2. Gifted coordinator services;
3. Gifted intervention specialist services; and
4. Gifted professional development.

The act does not make permanent a law that applied to FYs 2022 and 2023, that a district also may spend its gifted funding on other service providers approved by the Department.

Reduction of funds for noncompliance

The act also makes permanent a requirement that the Department, if it determines a district did not spend its gifted funding on authorized services and providers, reduce the district's state funding for the fiscal year by the misspent amount. In addition, the act requires the Department to reduce a district's state funding within 90 days after the end of the fiscal year.

Reporting and auditing requirements

The act makes permanent the requirement that each school district include the number of students identified in each gifted category in its annual report to the Department regarding the screening, assessment, and identification of gifted students.

In addition, the act makes permanent the requirement that the Department annually publish data submitted by districts regarding services offered to gifted students and the district's number of gifted intervention specialists and coordinators. Furthermore, it requires the Department to report the services offered in grade bands of K-2, 3-6, 7-8, and 9-12, rather than K-3, 4-8, and 9-12 as under prior law for FY 2022 and 2023.

The act also makes permanent the requirement that the Department annually publish on its website a district's gifted funding for the prior fiscal year and each district's expenditure of those funds. It eliminates a requirement that the Department, for FY 2024 and annually thereafter, publish a report on its website that only includes the district's expenditure of funds for the previous fiscal year.

Finally, the act makes permanent the requirement that, when the Department audits a school district's identification numbers as required under continuing law, it also audit the district's service numbers.

Jon Peterson Special Needs Scholarship amounts

(R.C. 3317.022)

The act increases the base and category amounts for the Jon Peterson Special Needs Scholarship (JPSN) Program for FY 2024 and also establishes amounts for FY 2025. The base and category amount increases are as follows:

1. Increases the base amount from \$6,414 to \$7,190 for FY 2024 and FY 2025;
2. Increases the Category 1 amount from \$1,562 to \$1,751 for FY 2024, and \$2,395 for FY 2025;

3. Increases the Category 2 amount from \$3,963 to \$4,442 for FY 2024, and \$5,280 for FY 2025;

4. Increases the Category 3 amount from \$9,522 to \$10,673 for FY 2024, and \$11,960 for FY 2025;

5. Increases the Category 4 amount from \$12,707 to \$14,243 for FY 2024, and \$15,787 for FY 2025;

6. Increases the Category 5 amount from \$17,209 to \$19,290 for FY 2024, and \$21,197 for FY 2025;

7. Increases the Category 6 amount from \$25,370 to \$28,438 for FY 2024, and \$30,469 for FY 2025.

The act also increases the maximum scholarship award for the JPSN Program from \$27,000 to \$30,000 for FY 2024, and \$32,445 for FY 2025.

The act maintains requirements with regard to how scholarships under the program are determined, limiting a scholarship to the least of (a) the fees charged by the student's alternative public provider or registered private provider, (b) the sum of the base amount and the student's category amount, and (c) the maximum amount.

Payment for districts with decreases in utility TPP value

(Section 265.310)

The act requires the Department to make a payment, for FY 2024 and FY 2025, to each city, local, exempted village, or joint vocational school district that has at least one power plant within its territory and that experiences a 10% or greater decrease in the taxable value of utility tangible personal property (TPP) and an overall negative change in TPP subject to taxation. To qualify for the FY 2024 payment, a district must have experienced this decrease between tax years 2017 and 2023 or tax years 2022 and 2023. To qualify for the FY 2025 payment, a district must have experienced this decrease between tax years 2017 and 2024 or tax years 2023 and 2024.

Eligibility determination

The Tax Commissioner must determine which districts are eligible for this payment no later than May 15, 2024 (for the FY 2024 payment) or May 15, 2025 (for the FY 2025 payment). For each eligible district, the Commissioner must certify the following information to the Department:

1. If the district is eligible for the FY 2024 payment, its total taxable value for tax year 2023 and the change in taxes charged and payable on the district's total taxable value for tax years 2017 and 2023; and

2. If the district is eligible for the FY 2025 payment, its total taxable value for tax year 2024 and the change in taxes charged and payable on the district's total taxable value for tax years 2017 and 2024; and

3. If the district is eligible for either payment, the taxable value of the utility TPP decrease and the change in taxes charged and payable on the change in taxable value.

Payment amount

The act requires the Department, for purposes of computing the payment, to replace the three-year average valuations used in computing a district's state education aid for FY 2019 with the district's total taxable value for tax year 2023 (for the FY 2024 payment) or tax year 2024 (for the FY 2025 payment). It then must recompute the state education aid for FY 2019 without applying any funding limitations enacted by the General Assembly.

The amount of a district's payment is the *greater* of 1 or 2 as described below:

1. The lesser of either:

a. The positive difference between the district's state education aid for FY 2019 prior to the recomputation and the district's recomputed state education aid for FY 2019; or

b. The absolute value of the change in taxes charged and payable on the district's total taxable value for tax years 2017 and 2023 (for the FY 2024 payment) or for tax years 2017 and 2024 (for the FY 2025 payment).

2. 0.50 times the absolute value of the change in taxes charged and payable on the district's total taxable value for tax years 2017 and 2023 (for the FY 2024 payment) or for tax years 2017 and 2024 (for the FY 2025 payment).

Payment deadline

The Department must make FY 2024 payments between June 1 and June 30, 2024, and must make FY 2025 payments between June 1 and June 30, 2025.

Codified law payment

The act prohibits the Department from calculating or making a similar payment prescribed under codified law for FY 2024 and FY 2025.⁶³

Newly chartered nonpublic school – auxiliary services funds

(R.C. 3317.024)

The act permits a newly chartered nonpublic school, within ten days of receiving a notification of the approval and issuance of its charter, to elect to receive auxiliary services funds directly. A school that does not make an election will receive auxiliary services funds through the school district in which it is located. Continuing law permits chartered nonpublic schools to choose whether to receive auxiliary services funds directly from the Department. Otherwise, by default a school receives those funds through the school district in which it is located. A chartered nonpublic school may subsequently change its election.

⁶³ R.C. 3317.028, not in the act.

Auxiliary services funds are used to purchase goods and services for students who attend chartered nonpublic schools, such as textbooks, digital texts, workbooks, instructional equipment, library materials, or tutoring and other special services.⁶⁴

Community school equity supplement

(Sections 265.285 and 265.290)

The act requires the Department to pay an equity supplement in FYs 2024 and 2025 to each community school that is not an internet- or computer-based community school (e-school). The Department must calculate a community school's equity supplement for a fiscal year by multiplying the number of students in the school's enrolled ADM by \$650.

Additionally, the act requires the Department to include a community school's equity supplement in the school's payments for the fiscal year when the Department calculates the school's formula transition aid.

Quality Community and Independent STEM School Support Program

(Sections 265.430, 265.431, and 265.432)

The act extends and revises the Quality Community School Support Program, including by expanding it to cover independent STEM schools. Under the program, the Department must pay each community school and STEM school that is designated as a "School of Quality" up to \$3,000 per fiscal year for each student identified as economically disadvantaged and up to \$2,250 per fiscal year for each student who is not identified as economically disadvantaged.

"Community School of Quality" designation

Under the act, to be a "Community School of Quality," the community school must meet at least one of the following sets of conditions:

1. The community school meets all of the following:
 - a. The school's sponsor was rated "exemplary" or "effective" on its most recent evaluation;
 - b. The school received a higher performance index score than the school district in which it is located on the two most recent report cards issued;
 - c. The school either:
 - i. Received a performance rating of four stars or higher for the value-added progress dimension on its most recent report card; or
 - ii. Is a school where a majority of its students are either enrolled in a dropout prevention and recovery program operated by the school or are children with disabilities receiving special education and related services, and the school did

⁶⁴ See R.C. 3317.06 and 3317.062, neither in act.

not receive a rating for the value-added progress dimension on the most recent report card; and

d. At least 50% of the students enrolled in the school are economically disadvantaged.

2. The community school meets all of the following:

a. The school's sponsor was rated "exemplary" or "effective" on its most recent evaluation;

b. The school is either:

i. In its first year of operation; or

ii. Opened as a kindergarten school, has added one grade per year, and has been in operation for less than four school years;

c. The school is replicating an operational and instructional model used by a community school that qualifies as a Community School of Quality under the first set of conditions; and

d. If the school has an operator, its operator received a "C" or better on its most recent performance report.

3. The community school meets all of the following:

a. The school's sponsor was rated "exemplary" or "effective" on its most recent evaluation;

b. The school satisfies either of the following:

(i) The school contracts with an operator that operates schools in other states and meets at least one of the following:

(I) The operator has operated a school that received a grant funded through the federal Charter School Program within the five years prior to the date of application or receiving funding from the Charter School Growth Fund;

(II) The operator meets all of the following:

- One of the operator's schools in another state performed better than the school district in which the school is located;

- At least 50% of the total number of students enrolled in all of the operator's schools are economically disadvantaged;

- The operator is in good standing in all states where it operates schools; and

- The operator does not have any financial viability issues that would prevent it from effectively operating a community school in Ohio.

(ii) The school is replicating an operational and instructional model through an agreement with a college or university used by a community school or its

equivalent in another state that performed better than the school district in which it is located.

c. The school is in its first year of operation.

A school that is designated as a Community School of Quality maintains that designation for the two fiscal years following the fiscal year in which it is designated. Schools that were designated as Community Schools of Quality based on the report cards issued for the 2017-2018 and 2018-2019 school years may renew their designation each year, which extends the designation for the two fiscal years following the renewal. Furthermore, a school that was designated as a Community School of Quality for the first time for the 2022-2023 school year maintains that designation through the 2027-2028 school year and may renew its designation each year.

Merged community schools

The act specifically qualifies for the program the surviving community school of a merger that takes place on or after June 30, 2022, provided it otherwise qualifies as a Community School of Quality under one of the sets of criteria described above. Payment for these schools is calculated using the adjusted full-time equivalent number of students enrolled in the school for the fiscal year as of the date the payment is made, as reported by the surviving community school, regardless of whether those students were previously enrolled in a community school that was dissolved as part of the merger.

Finally, the act qualifies a school dissolved under the merger that otherwise qualified for the program to receive and retain funds received under the program prior to October 3, 2023.

Independent STEM schools

A STEM school is an “Independent STEM School of Quality” if it:

1. Operates autonomously;
2. Does not have a STEM school equivalent designation;
3. Is not governed by a school district;
4. Is not a community school;
5. Cannot levy taxes or issue tax-secured bonds;
6. Satisfies continuing law requirements for STEM schools; and
7. Satisfies the requirements described in the Quality Model for STEM and STEAM Schools established by the Department.

DOPR community school credential-only programs

(R.C. 3317.163)

The act addresses how DOPR community schools that operate credential-only programs are funded and how those funds may be used. For purposes of the provision, a “credential-only program” is an industry-approved credentialing program, or series of programs, offered by a DOPR community school that:

1. Enrolls students in grades 11-12;
2. Permits students to earn an industry-recognized credential;
3. Aligns with an approved career-technical education program; and
4. Is offered using classroom teachers employed by the DOPR community school.

The act requires the Department to adjust the career-technical education ADM of a DOPR community school that offers a credential-only program so that each student enrolled in that program is included in the school's category one career-technical education ADM. In addition, the act requires the Department to count each student enrolled in a credential-only program as a full-time student.

Finally, the act permits a DOPR community school that offers a credential-only program to provide support services to its graduates to assist them in securing post-secondary placement opportunities, including careers with state, regional, and local labor organizations. For that purpose, it authorizes a school to use a portion of its career-technical education funds to provide recent graduates, in the year following their graduation, with short-term, emergency financial assistance related to childcare, housing, food insecurity, transportation, and services including healthcare, dental care, mental health care, and addiction treatment.

DOPR e-school funding pilot program

(R.C. 3317.22)

The act makes permanent, and revises the operation of, the pilot program to provide additional funding to eligible dropout prevention and recovery (DOPR) internet- or computer-based community schools (e-schools). Specifically, the act:

1. Expands eligibility to participate in the program to any DOPR e-school, rather than only DOPR e-schools that participated in FY 2021;
2. Requires a DOPR e-school to notify the Department of its intent to participate in the program by February 1 of the school year in which the e-school wishes to participate;
3. Requires the Department to calculate a DOPR e-school's funding under the program using the statewide average base cost per pupil, rather than the formula amount prescribed under prior law; and
4. Eliminates the Department's authority to require a participating DOPR e-school to create a debt reduction plan approved by the school's sponsor.

H.B. 123 of the 133rd General Assembly established the pilot program to provide additional funding to eligible DOPR e-schools on a per-pupil basis for school's students in grades 8-12. H.B. 110 of the 133rd General Assembly extended the pilot program's operation to FY 2022 and FY 2023 and limited participation only to those DOPR e-schools that participated in FY 2021.

For additional information on the program, see the [LSC Final Analysis \(PDF\) for H.B. 123 of the 133rd General Assembly](#), which is available on the General Assembly's website: legislature.ohio.gov.

School funding based on updated tax year 2021 data

(Section 265.560)

The act addresses the Department's computation of state foundation aid for a school district whose property tax information was incorrectly reported in tax year 2021. The adjustment applies to a district located in a county that reported incorrect tax data that year for public utility property valued at more than \$14 million.

The act allows the county auditor to certify the corrected property tax data to the Department of Taxation by July 19, 2023. The Department of Taxation must recertify the school district's updated data to the Department of Education and Workforce, which will adjust the district's state foundation aid accordingly.

III. Student transportation

Transportation dispute resolution timeline

(R.C. 3327.021)

Beginning with disputes regarding determinations of school district noncompliance with transportation obligations arising after December 1, 2023, the act requires the Department to issue a determination within 30 days of receiving a dispute. However, the Department may delay a determination to within 45 days of receiving a dispute notice if the Department notifies all affected parties in advance that the determination will be delayed.

Under continuing law, the Department must monitor each school district's compliance with its transportation obligations and penalize school districts that are out of compliance with those obligations.

Prohibition on late drop-off

(R.C. 3327.01)

The act specifically prohibits transportation operators from delivering students late to school. Continuing law already prohibits operators of every school bus or motor van owned and operated by a school district or educational service center (ESC), or privately owned and operated under contract with any school district or ESC in the state from delivering students to their respective public and nonpublic schools sooner than 30 minutes prior to the beginning of school and requires them to be available to pick them up not later than 30 minutes after the close of their respective schools each day.

Out of compliance definition and penalties

(R.C. 3327.021)

The act defines what constitutes noncompliance with school transportation law and specifies how the Department must calculate amounts to be withheld for noncompliance.

Prior law required the Department to deduct a portion of a school district's state transportation funding if the Department determined that the district had consistently, or for a prolonged period, been out of compliance with certain statutory obligations regarding student

transportation. If the Department determined a consistent or prolonged period of noncompliance by a district to meet those obligations, it was required to deduct from the district's state transportation funding the total daily amount of that funding for each day the district is noncompliant.

The act makes changes to that requirement. First, it defines "out of compliance" as a period of five consecutive school days or more than ten school days within a school year in which any of the following occur for each of those days:

1. Students arrive more than 30 minutes late to school;
 2. Students are picked up more than 30 minutes after the end of the school day;
 3. Students do not receive any transportation at all due to the failure of the bus to arrive;
- or
4. Noncompliance with any other student transportation requirements under continuing law.

The act makes an exemption for days in which inclement weather caused any of the above to occur.

Next, the act requires the Department to notify a district if it is found to be out of compliance with its student transportation responsibilities and requires the district to create a corrective action plan to be submitted to the Department within one week of its first notification of noncompliance. Upon further incidents of noncompliance, the act requires the Department to withhold 25% of a district's daily state transportation amount for each day a district is determined to be out of compliance for the next three subsequent determinations of noncompliance in the same school year. Under the act, on the fifth determination of noncompliance in the same school year the Department must withhold 100% of a district's daily state transportation payment amount for each day a district is determined to be out of compliance. The act requires that the noncompliance count be reset to zero at the beginning of the school year.

Bus Driver Flex Career Path Model

(R.C. 3327.102)

The act requires the Department to develop the Bus Driver Flex Career Path Model to create a pathway for bus drivers to work as educational aides or student monitors at districts and schools.

In developing the model, the Department must do all of the following:

1. Ensure that bus drivers work an eight to ten hour shift by doing either a morning or afternoon bus route and spend the remainder of the work day working as an educational aide or student monitor at a school;
2. Make recommendations on how to seamlessly implement the model, including who would be responsible for paying wages in the most efficient way, whether proportional share or not; and
3. Ensure that the model does not adversely impact a bus driver's pension.

Nine-passenger vehicles

(R.C. 4511.76)

The act authorizes a school district to use a vehicle designed to carry nine passengers or less (not including the driver) to transport students to and from a chartered nonpublic school and a community school for regularly scheduled school sessions if both of the following apply:

1. The number of students transported is nine or less; and
2. The district regularly transports students to that chartered nonpublic school or community school.

Generally, under the Department's rules, the vehicles described above cannot be used routinely for regularly scheduled school sessions, except for transporting preschool children, special needs children, homeless children, foster children, children who are inaccessible to school buses, students placed in alternative schools, or for work programs.⁶⁵

Continuing law also includes a general exception to the Department's rules regarding nine-passenger vehicles by allowing a chartered nonpublic school to use such vehicles to transport its students when either:

1. The local school district has declared transportation of the student impractical; or
2. The student lives more than 30 minutes away from the school.

The act extends this exception to community schools. It also authorizes a chartered nonpublic school and a community school to use the vehicles to and from regularly scheduled school sessions whenever the school has offered to provide its own student transportation.

In any of the above circumstances, the act requires that the following safety standards (many of which are currently part of the Department administrative rules) apply:

1. A qualified mechanic inspects the vehicle at least two times each year and determines that it is safe for pupil transportation.
2. The driver of the vehicle does not stop on the roadway to load or unload passengers (i.e. the driver must pull into a driveway or parking lot instead).
3. The driver meets the standard Department requirements for a school bus or motor van driver (e.g., background checks and training), with the exception that the driver does not need to have a commercial driver's license. The driver must, however, have a current, valid driver's license and be accustomed to operating the vehicle that is transporting the students.
4. The driver and all passengers comply with the seat belt and child restraint system (e.g., booster seats) requirements.

⁶⁵ O.A.C. 3301-83-19.

Private and community school transportation – children with disabilities

(R.C. 3327.01)

The act requires school districts to provide transportation as a related service to students with disabilities who live in the district but attend a nonpublic school if the school district is provided with supporting documentation in the student's individualized education program (IEP) or individual service plan.

Pilot program

(Section 265.550)

The act requires the Department to establish a pilot program under which two educational service centers (ESCs) will provide transportation to students enrolled in participating community schools and chartered nonpublic schools for the 2023-2024 school year, in lieu of the students receiving transportation from their resident school district.

By October 15, 2023, the Department must select an ESC in Franklin County and an ESC in Montgomery County to participate in the pilot program. The Department and the selected ESCs then jointly must identify a school district served by the service center and community schools and chartered nonpublic schools that enroll students from the district for whom the service center will provide transportation during the 2024-2025 school year. The act does not require community schools and chartered nonpublic schools to participate. The act requires the Department to deduct from the school district's transportation payment and pay to the ESC the amount the district would receive for each community and chartered nonpublic school student transported by the ESC.

The Department must evaluate the pilot program and issue a report of its findings not later than September 15, 2025, and participating schools and ESCs must submit data and other information to the Department for the evaluation.

Under the program, ESCs, for the 2023-2024 school year must arrange for a sufficient number of school buses and bus drivers to transport all students from participating schools who qualify for transportation. Participating ESCs must collaborate with participating schools to designate daily start and end times for the 2024-2025 school year that will enable timely and efficient transportation of the schools' students. Further, on behalf of participating schools, ESCs must notify the school district that those schools will not require transportation for the 2024-2025 school year.

School districts and ESCs that participate in the program are exempt from penalties for consistent or prolonged noncompliance with the law requiring student transportation during the 2024-2025 school year with regard to students enrolled in participating schools. However, participating ESCs still must comply with all transportation requirements for students with disabilities as specified in those students IEPs.

IV. Literacy and dyslexia screenings and interventions

Third Grade Reading Guarantee

(R.C. 3313.608 and 3301.163; Section 733.10)

The act exempts a student from retention under the Third Grade Reading Guarantee if the student's parent or guardian, in consultation with the student's reading teacher and building principal, requests that the student be promoted to the fourth grade regardless of whether the student is reading at grade level. The act further requires the school to continue to provide reading intervention services until the student reads at grade level.

Intervention services

The act generally maintains the requirement that public schools and chartered nonpublic schools that enroll Ed Choice and Cleveland scholarship students must offer intervention and remediation services to students reading below grade level.

However, the act requires districts and schools to provide reading intervention services to a student reading below grade level until the student reaches the required level of skill in reading for the student's current grade level. It further requires that the intervention services include high-dosage tutoring opportunities that are aligned with the student's classroom instruction through a state-approved vendor on the list of high-quality tutoring vendors or a locally approved opportunity that aligns with high-dosage tutoring best practices. The act requires that high-dosage tutoring opportunities include additional instruction time of at least three days per week, or at least 50 hours over 36 weeks. Intervention services also must be aligned to the science of reading as defined under the act.

Finally, the act requires public schools to send, in the written notification to the parents or guardians of a student reading below the required level of skill on the third grade reading assessment, a statement that details the connection between reading proficiency and long-term outcomes of success.

Safe harbor

The act requires school districts and schools that retained a student for the 2023-2024 school year based on that student's level of achievement on the third grade achievement assessment in reading in the 2022-2023 school year to promote that student to the fourth grade, unless the student's parent or guardian requests that the student continue to be retained for that school year. The act further requires that a student promoted to the fourth grade under this safe harbor receive intensive reading instruction until the student is able to read at the student's current grade level.

Dyslexia screenings and interventions

Transfer students

(R.C. 3323.251)

The act requires school districts and schools to administer tier one dyslexia screenings and intervention to students enrolled in any of grades K-6 who transfer into the district or school midyear. The dyslexia screenings must be aligned to the grade level in which the student is

enrolled at the time the screening is administered. However, the act exempts a district or school from administering a tier one dyslexia screening measure to a transfer student whose student record indicates that the student received a screening in that school year from the student's original school. Continuing law requires that districts and schools administer a tier one dyslexia screening to students in grades K-6 under prescribed conditions.

The act prescribes the following administrations of a tier one dyslexia screening measure for transfer students:

1. For students enrolled in kindergarten, a district or school must administer a screening measure during the kindergarten class's regularly scheduled screening or within 30 days after the student's enrollment or after a parent, guardian, or custodian requests or grants permission for the screening;

2. For students enrolled in any of grades 1 through 6, a district or school must administer a screening measure within 30 days of a student's enrollment if required, or within 30 days after the student's parent, guardian, or custodian requests or grants permission for the screening.

Professional development

(R.C. 3319.077)

Continuing law requires teachers who teach grades K-3 or special education to grades 4-12 to complete professional development regarding dyslexia. The act specifically applies the phase-in model for dyslexia training as part of a teacher's approved professional development training to teachers employed by the district on April 12, 2021, and specifies the dates by which a teacher must complete the training as follows:

1. Not later than the beginning of the 2023-2024 school year, for each district teacher who provides instruction for students in grades K and 1, unchanged from continuing law;

2. Not later than September 15, 2024, for each district teacher who provides instruction for students in grades 2 and 3;

3. Not later than September 15, 2025, for each district teacher who provides special education instruction for students in grades 4 through 12.

Teachers employed after April 12, 2021, must complete the training by the later of two years after date of hire or the dates specified above for teachers employed prior to that date. However, this does not apply to teachers who already have completed the training while employed by a different district.

Literacy improvement grants

(Section 265.330)

Professional development stipends

The act requires the Department to use up to \$43 million from funds appropriated for literacy improvement in each fiscal year to reimburse school districts, community schools, and STEM schools for stipends for teachers to complete professional development in the science of

reading and evidence-based strategies for effective literacy instruction. It requires the Department to provide the professional development courses.

Districts and schools must require all teachers and administrators to complete a course provided by the Department, not later than June 30, 2025, except that any teacher or administrator who has previously completed similar training, need not complete the course. Teachers must complete the course at a time that minimizes disruptions to normal instructional hours. Districts and schools must pay a stipend to each teacher who completes a course, in the following amounts:

1. \$1,200 for:
 - a. All teachers of grades K through 5;
 - b. All English language arts teachers of grades 6 through 12;
 - c. All intervention specialists, English learner teachers, reading specialists, and instructional coaches who serve any of grades pre-K through 12.
2. \$400 for all teachers who teach a subject area other than English language arts in grades 6 through 12.

Each district and school may apply to the Department for reimbursement of the cost of the stipends. The act prohibits the Department from providing reimbursement to an administrator to complete a professional development course.

The act further requires the Department to work with the Department of Higher Education, institutions of higher education that offer educator preparation programs, and local professional development committees, to help teachers and administrators who complete a professional development course to earn college credit or to apply the coursework towards licensure renewal requirements. Additionally, the Department must collaborate with the Department of Higher Education, and institutions of higher education that offer educator preparation programs to align the coursework of the programs with the science of reading and evidence-based strategies for effective literacy instruction.

Subsidies for core curriculum and instructional materials

The act requires the Department to use up to \$64 million from funds appropriated for literacy improvement to subsidize the cost for school districts, community schools, and STEM schools to purchase high-quality core curriculum and instructional materials in English language arts and evidence-based reading intervention programs from the lists established by the Department.

Further, the Department must conduct a survey to collect information on the core curriculum and instructional materials in English language arts in grades pre-K through 5 and the reading intervention programs in grades pre-K through 12 that are being used by public schools. Each district and school must participate in the survey and provide the information requested by the Department.

Literacy supports coaches

The act requires the Department to use up to \$6 million in FY 2024 and up to \$12 million in FY 2025 from funds appropriated for literacy improvement for coaches to provide literacy supports to school districts, community schools, and STEM schools with the lowest rates of proficiency in literacy based on their performance on the state English language arts assessments. These coaches must have training in the science of reading and evidence-based strategies for effective literacy instruction and intervention and must implement “Ohio’s Coaching Model,” as described in Ohio’s Plan to Raise Literacy Achievement. The coaches will be under the direction of, but not employed by, the Department.

Early literacy activities

The act requires the Department to support early literacy activities to align state, local, and federal efforts in order to bolster all students’ reading success. The Department must distribute these funds to educational service centers (ESCs) to establish and support regional literacy professional development teams consistent with current law requirements. A portion of the funds may be used by the Department for program administration, monitoring, technical assistance, support, research, and evaluation.

Literacy instructional materials

(R.C. 3313.6028)

The act requires the Department to compile a list of high-quality core curriculum and instructional materials in English language arts and a list of evidence-based reading intervention programs that are aligned with the science of reading and strategies for effective literacy instruction.

The act defines the “science of reading” as an interdisciplinary body of scientific evidence that:

1. Informs how students learn to read and write proficiently;
2. Explains why some students have difficulty with reading and writing;
3. Indicates that all students benefit from explicit and systematic instruction in phonemic awareness, phonics, vocabulary, fluency, comprehension, and writing to become effective readers;
4. Does not rely on any model of teaching students to read based on meaning, structure and syntax, and visual cues, including a three-cueing approach.

Beginning not later than the 2024-2025 school year, each school district, community school, and STEM school must use core curriculum, instructional materials, and intervention programs only from the lists compiled by the Department.

The act generally prohibits a district or school from using the “three-cueing approach” to teach students to read unless that district or school receives a waiver from the Department permitting them to do so. The act defines “three-cueing approach” as any model of teaching students to read based on meaning, structure and syntax, and visual cues.

However, the act permits a district or school to apply for a waiver on an individual student basis to use curriculum, materials or an intervention program that uses the “three-cueing approach.” But students who have an individualized education program (IEP) that explicitly indicates use of the three-cueing approach and students who have a reading improvement and monitoring plan under the Third Grade Reading Guarantee do not need a waiver to receive instruction in the “three-cueing approach.”

Prior to approval of a waiver, the Department must consider that district or school’s performance on the state report card, including its score on the early literacy component.

Professional development

The act requires the Department to identify vendors that provide professional development to educators, including pre-service teachers and faculty employed by educator preparation programs, on the use of high-quality core curriculum, instructional materials, and reading intervention programs from the list compiled by the Department that are aligned with the science of reading and strategies for effective literacy instruction.

The act further requires a professional development committee to qualify any completed professional development coursework in literacy instruction provided by a vendor identified by the Department and any coursework toward professional development coursework requirements for teacher licensure renewal. Each committee must permit a teacher roll-over to the next licensure renewal period any hours earned over the minimum amount required for professional development coursework related to literacy.

EMIS reporting of literacy instructional materials

(R.C. 3301.0714)

The act requires each school district, community school, and STEM school to report to the education management information system (EMIS) the English language arts curriculum and instructional materials it is using for each of grades pre-K-5 and the reading intervention programs being used in each of grades pre-K-12.

V. State scholarship programs

Ed Choice Expansion eligibility and scholarship amounts

(R.C. 3310.032, 3310.08, and 3317.022; Sections 265.275 and 265.277)

The act expands eligibility for an Ed Choice Expansion scholarship to *any* student entering grades K-12 in the school year for which a scholarship is sought. It also establishes, in codified law, a logarithmic function formula to calculate scholarship award amounts for students who receive a first-time Ed Choice Expansion scholarship in and after the 2024-2025 school year. The formula replaces the specific scholarship amounts set forth in prior law. Recipients of the scholarship under the expansion prior to that date may continue to receive the amounts they received prior to that date. However, the act permits the parent of any student who received an Ed Choice Expansion scholarship prior to that date to elect to receive the amount calculated under the new formula instead.

That formula will not be used for first-time scholarship recipients in the 2023-2024 school year for FY 2024. Instead of amounts based on the formula, those students will receive specific scholarship amounts based on a student's family income. The act does not affect the eligibility or amounts awarded under traditional Ed Choice scholarships.

Logarithmic function formula

Under the formula, any student with a family adjusted gross income at or below 450% of the federal poverty level (FPL) will receive the formula's base amount. The formula's base amount is the same scholarship amount that a traditional Ed Choice scholarship recipient receives. Scholarship amounts for students with a family income above 450% FPL are progressively reduced based on family adjusted gross income, with students with higher family incomes receiving smaller amounts. However, the formula establishes a minimum scholarship amount for an Ed Choice Expansion recipient that is equal to 10% of the formula's base amount.

The table below indicates the estimated scholarship amounts for new Ed Choice Expansion recipients under the formula. The first row indicates students who will receive the formula's base amount, the second row indicates students who will receive 50% of the base amount, and the final row indicates students who will receive the formula's minimum amount.

Ed Choice Expansion scholarship amounts for first-time recipients under the formula		
Student's family income based on FPL ⁶⁶	K-8 scholarship amount	9-12 scholarship amount
At or below 450% FPL (\$135,000 or less)	\$6,165.00	\$8,407.00
At 550% FPL (\$165,000)	\$3,082.50	\$4,203.50
At or above 785% FPL (\$235,500 or more)	\$615.50	\$840.70

Under the act, the Department must require an applicant for an Ed Choice Expansion scholarship to submit documentation regarding the student's family adjusted gross income for purposes of calculating the student's scholarship amount. The Department must use the

⁶⁶ FPL dollar amounts are calculated based on the [HHS Poverty Guidelines for 2023](https://www.hhs.gov/poverty/guidelines/2023) for a family size of four issued by the federal Department of Health and Human Services, which are also available at aspe.hhs.gov.

documentation submitted for the first school year the student has a scholarship calculated under the formula to calculate the student's scholarship amount for that school year and subsequent school years, unless the student's parent requests for the amount to be recalculated. In that case, the Department must recalculate the scholarship amount based on updated documentation provided by the parent.

The act also requires the Department to provide an opportunity each fiscal year for the parent of a student who received an Ed Choice Expansion scholarship prior to October 3, 2023 to elect to receive a scholarship amount calculated under the formula.

First-time scholarship recipients in the 2023-2024 school year

For FY 2024 only, the act requires the Department to determine a scholarship amount for a student who receives a first-time Ed Choice Expansion scholarship based on the student's family income. The student will, in subsequent years, have a scholarship amount calculated using the logarithmic function formula. A student with a family income at or below 450% FPL must receive the same scholarship amount as a traditional Ed Choice scholarship recipient. For a student with a family income above 450% FPL, the act prescribes specific scholarship amounts based on the student's family income.

The table below indicates the estimated scholarship amounts for students with a family income at or below 450% FPL and the specific prescribed amounts for students with a family income above 450% FPL.

Ed Choice Expansion scholarship amounts for first-time recipients in the 2023-2024 school year		
Student's family income based on FPL ⁶⁷	K-8 scholarship amount	9-12 scholarship amount
At or below 450% FPL (\$135,000 or less)	\$6,165	\$8,407
Above 450% FPL, but at or below 500% FPL (\$135,001 to \$150,000)	\$5,200	\$7,050

⁶⁷ FPL dollar amounts are calculated based on the [HHS Poverty Guidelines for 2023](#) for a family size of four issued by the federal Department of Health and Human Services, which are also available at aspe.hhs.gov.

Ed Choice Expansion scholarship amounts for first-time recipients in the 2023-2024 school year		
Student's family income based on FPL ⁶⁷	K-8 scholarship amount	9-12 scholarship amount
Above 500% FPL, but at or below 550% FPL (\$150,001 to \$165,000)	\$3,650	\$5,000
Above 550% FPL, but at or below 600% FPL (\$165,001 to \$180,000)	\$2,600	\$3,550
Above 600% FPL, but at or below 650% FPL (\$180,001 to \$195,000)	\$1,850	\$2,500
Above 650% FPL, but at or below 700% FPL (\$195,001 to \$210,000)	\$1,300	\$1,750
Above 700% FPL, but at or below 750% FPL (\$210,001 to \$225,000)	\$900	\$1,250
Above 750% FPL (\$225,001 or more)	\$650	\$950

Elimination of priority order

The act eliminates the priority order for awarding Ed Choice expansion scholarships if the number of eligible students who apply for a scholarship exceeds the scholarships available based on the appropriation.

Ed Choice scholarship selection

(R.C. 3310.035)

The act permits a student who qualifies for both a traditional Ed Choice and an Expansion Ed Choice scholarship to select which scholarship the student will receive. A student may change which scholarship they receive in each school year.

Under former law, a student that qualified for both scholarships was required to select a traditional Ed Choice scholarship.

Use of private scholarships for Ed Choice

(R.C. 3310.13)

The act permits a chartered nonpublic school to accept scholarships issued by a scholarship granting organization as payment for the difference between the amount of a student's Ed Choice scholarship and the regular tuition charge of the school, as well as for any fees regularly charged by the school. Under continuing law, these schools may charge any student whose family income is above 200% of the federal poverty guidelines up to the difference between the amount of the student's scholarship and the regular tuition charge of the school.

A "scholarship granting organization" is an entity that is certified by the Attorney General as a nonprofit organization that primarily awards academic scholarships for primary and secondary school students and prioritizes awarding scholarships to low-income primary and secondary school students.⁶⁸

Ed Choice student growth measure

(R.C. 3310.15)

The act requires the Department to develop a measure of student growth for Ed Choice scholarship students enrolled in chartered nonpublic schools by July 1, 2025. The measure must be used to report data annually on student growth for students in grades 4-8 during the school year for which data is reported. The act prohibits data from being reported for schools with fewer than 10 scholarship students. The Department must make the growth reports available on its publicly accessible website.

Family income disclosure

(R.C. 3310.13)

The act prohibits a chartered nonpublic school participating in Ed Choice from requiring a student's parent to disclose, as part of the school's admission procedure, whether the student's family income is at or below 200% FPL.

Continuing law prohibits a chartered nonpublic school from charging an Ed Choice scholarship recipient tuition exceeding the recipient's scholarship amount if the recipient's family income is at or below 200% FPL.

⁶⁸ R.C. 5747.73.

Autism Scholarship

Eligibility

(R.C. 3310.41)

The act adds a new qualification as well as qualifies a child under one, instead of both, existing qualifications under prior law.

As a result, the act qualifies a child for the Autism Scholarship Program if any of the following apply to the child:

1. The school district in which the child is entitled to attend school has identified the child as autistic;
2. The school district in which the child is entitled to attend school has developed an individualized education program (IEP) for the child which specifically includes services related to autism; *or*
3. The child has been diagnosed as autistic by a physician or psychologist.

Under former law, a child was eligible for the Autism Scholarship Program if the school district identified the child as autistic *and* the school district developed an IEP for the child.

The act also requires school districts to develop an education plan for a child who is eligible for the Autism Scholarship Program based on an autism diagnosis who does not have an IEP.

Intervention services providers

(R.C. 3310.41 and 3310.43)

The act qualifies certified Ohio behavior analysts as providers that may offer intervention services under the Autism Scholarship Program. The act also qualifies registered behavior technicians to provide intervention services under the Autism Scholarship Program if the registered behavior technician works under the supervision and following the intervention plan of a certified Ohio behavior analyst or a behavior analyst certified by a nationally recognized organization that certifies behavior analysts.

Under continuing law, intervention services under the Autism Scholarship Program may be provided by a qualified, credentialed provider. The act adds registered behavior technicians and certified Ohio behavior analysts to the list of qualified providers.

The act also prohibits the State Board from requiring registered behavior technicians and certified Ohio behavior analysts to receive an instructional assistant permit to qualify to provide services to a child under the Autism Scholarship Program, including in-home services.

Cleveland scholarship program location restrictions

(R.C. 3313.976 and 3313.978)

The act permits a Cleveland Scholarship recipient to use the scholarship to attend any private school, without a restriction on the school's location. Under prior law, eliminated by the

act, only schools located within the Cleveland Municipal School District or a qualifying neighboring municipality could participate.

State scholarships – generally

Verification of income

(R.C. 3310.03, 3310.032, 3310.41, 3310.52, 3313.975, and 3365.07)

The act permits a student's parent or guardian to certify income eligibility for an Ed Choice Expansion scholarship to the Department by submitting: (1) an affidavit affirming that the student's family income meets the income requirement, (2) proof of income eligibility under another state or federal program, or (3) other evidence determined appropriate by the Department.

Conversely, the act prohibits the Department from generally requiring the parent of a student who is applying for, or receiving, a traditional Ed Choice, Autism, Jon Peterson Special Needs, or Cleveland scholarship to complete any kind of income verification regarding the student's family income.

However, the Department may require income verification to qualify low-income Ed Choice or Cleveland scholarship recipients for a waiver of any tuition, textbooks, or fees related to attending a private college through the College Credit Plus (CCP) Program.

Tax return information

(R.C. 3310.032, 3310.13, and 3313.976)

The act exempts an individual who is not required to file a state tax return under continuing law requirements from the requirement to certify income eligibility for an Ed Choice Expansion scholarship. It also prohibits the Department from requiring the parent to submit a complete copy of the parent's federal or state income tax return to determine the student's family income for the purposes of the Ed Choice or Cleveland Scholarship Program. Instead, the Department may require a partial federal or state tax return that only contains the minimum amount of information necessary to determine the student's family income.

Reporting of tuition rates

(R.C. 3310.13, 3310.41, 3310.581, and 3313.976; Section 265.570)

The act requires each of the following entities, by September 30, 2023, for the 2023-2024 school year, and by June 30 prior to each subsequent school year, to submit to the Department the entity's tuition rates for that year:

1. Chartered nonpublic schools enrolling Ed Choice scholarship recipients;
 2. Private schools enrolling Cleveland scholarship recipients;
 3. Alternative public or registered private providers enrolling Autism scholarship recipients;
- and
4. Alternative public or registered private providers enrolling Jon Peterson Special Needs scholarship recipients.

Applications after the start of the school year

(R.C. 3310.16 and 3313.978; Section 265.570)

The act delays the application deadline for receiving the full amount of an Ed Choice or Cleveland scholarship from July 1 to October 15 of the school year for which a scholarship is sought. The act specifies that the Department prorate the amount of a student's scholarship for an application submitted on and after October 15 based on how much of the school year remains after the date of the student's enrollment in school.

VI. Community schools

Community school sponsors

Sponsor changing for schools that serve students with disabilities

(R.C. 3314.034)

The act makes two changes to the general prohibition against lower-performing community schools entering into a contract with a new sponsor, both of which apply only to schools that primarily serve students with disabilities receiving special education and related services.

First, the act requires that when the Department decides to approve a request to change sponsors from a community school that primarily serves students with disabilities it must at least consider the school's performance against the average performance of all other community schools that primarily serve students with disabilities.

Second, the act permits a community school that primarily serves students with disabilities to enter into a contract with a new qualified sponsor without submitting a request if (1) the school received a rating of at least three stars for progress on its most recent report card and (2) as calculated for the most recent school year, the school's performance index score for students with disabilities is higher than that of the school district in which the school is located.

Community school FTE reporting

(Section 5 of H.B. 554 of the 134th G.A., amended in Sections 610.35 and 610.36)

The act extends through the 2023-2024 and 2024-2025 school years the option for a qualifying community school to elect to report its number of enrolled students to the Department on a full-time equivalent basis using the lesser of:

1. The maximum full-time equivalency for the portion of the school year for which a student is enrolled in the school; or
2. The sum of $\frac{1}{6}$ of the full-time equivalency based on attendance for the portion of the school year for which a student is enrolled and $\frac{1}{6}$ of the full-time equivalency for each credit of instruction earned during the enrollment period, up to five credits.

For more information on the provision and the community schools that qualify under it, see the LSC [Final Analysis \(PDF\) for H.B. 554 of the 134th General Assembly](#), which is also available at legislature.ohio.gov.

Dropout prevention and recovery schools

End-of-course exams for DOPR community schools

(R.C. 3301.0727)

Under the act, a DOPR community school must do both of the following with regard to the administration of end-of-course exams:

1. In addition to the annual testing windows established by the Director, administer the exams in an online or paper format, based on the needs of the student;
2. Adhere to security requirements prescribed under continuing law for those exams.

The Director of Education and Workforce must establish extended ten-week testing windows in the fall and spring for DOPR community schools so that exams may be administered in closer proximity to when students complete related coursework. The Director also must establish a summer testing window for students participating in summer instruction.

The act expressly states this provision does not relieve a DOPR community school from its obligation to administer in-person testing as otherwise required under continuing law.

DOPR community school report card

(R.C. 3314.017)

The act requires the Department to base its rules prescribing performance levels and benchmarks for performance indicators on the DOPR community school state report card, in part, on simulations created by the Department. The act also requires the Department to gather and analyze data from prior school years, rather than leaving that to the Department's discretion. It removes several obsolete provisions related to developing the rating and report card systems.

DOPR Advisory Council

(R.C. 3314.381)

The act establishes the DOPR Advisory Council to provide a forum for communication and collaboration between the Department and parties involved in the establishment and operation of DOPR community schools, including sponsors and operators. The Council consists of the following members appointed by the Director of Education and Workforce:

1. Two members of the State Board of Education;
2. One employee of the Department who works directly with DOPR community schools;
3. Seven individuals with experience in DOPR community schools, their operators, and their sponsors that represent a diverse array of schools in terms of enrollment, programs, learning models, and methods of instruction.

The Advisory Council is required to collaborate with the Director to review all existing rules and guidance previously developed or adopted by the Department imposing on a DOPR community school.

Rules and guidelines for DOPR community schools

(R.C. 3314.382)

The act requires the Department to adopt rules in accordance with the Administrative Procedure Act to impose any requirement on a DOPR community school. It prohibits the Department from developing guidelines – rather than a formally adopted rule – imposing requirements on their general and uniform operation. Prior to adoption of any rules, the newly created DOPR Advisory Council must review those rules. As of October 3, 2023, the act voids any guidance document previously developed by the Department that establishes general and uniform operations for DOPRs.

E-school standards

(R.C. 3314.23)

The act changes the source for the standards with which internet- or computer-based community schools (e-schools) must comply. It requires e-schools to comply with the National Standards for Quality Online Learning developed under a project led by a partnership between Quality Matters, the Virtual Learning Leadership Alliance, and the Digital Learning Collaborative, or any other successor organization. Formerly, e-schools were required to comply with standards developed by the International Association for K-12 Online Learning.

Community school closing audit bonds and guarantees

(R.C. 3314.50)

The act revises the law related to community school closing audit bonds. (For more information, see “**Community school closing audit bonds and guarantees**” in the Treasurer of State portion of this analysis.)

JCARR review of changes regarding community schools (VETOED)

(R.C. 3301.85)

The Governor vetoed a provision that would have required the Department to submit to the Joint Committee on Agency Rule Review (JCARR) any proposed changes to the Education Management Information System (EMIS) or the Department’s “business rules and policies” that may have affected community schools. Once submitted, JCARR would have had to hold public hearings regarding the changes, consider testimony, and vote to determine whether community schools can reasonably comply with those changes.

The act also would have prohibited the Department from implementing any changes to EMIS or its business rules and policies that may affect community schools unless and until JCARR issued a determination that community schools could reasonably comply with the proposed changes.

VII. Schools

Intradistrict open enrollment

(R.C. 3313.984)

The act requires each school district to report to the Department, in the manner prescribed by the Department, the number of students who attend a school building in the district that is different from the one to which the students are assigned.

If a school district that conducts an enrollment lottery for students through an intradistrict open enrollment policy, the act requires that the district conduct that lottery on the second Monday of June prior to the school year for which the student is seeking enrollment. Continuing law and administrative rule require that each board of education adopt an intradistrict open enrollment policy, under which a resident student may enroll in a different school within the same district, but does not require a school district to assign placement to students based on a lottery system.⁶⁹

Virtual education during school closure

(R.C. 3313.482)

The act addresses how a school district, community school, STEM school, or chartered nonpublic school may make up hours of instruction during a period of school closure for disease epidemic, hazardous weather conditions, law enforcement emergencies, inoperability of school buses or other equipment, damage to a school building, or other temporary circumstances rendering a school building unfit for use.

The act repealed the process under which a district, community school, or chartered nonpublic school could adopt a plan to require students to complete lessons posted on the district or school's website, or paper copies of those lessons distributed to students (known as "blizzard bags"), to make up the equivalent of up to three school days when a school is closed. Instead, it requires a district, community school, STEM school, or chartered nonpublic school to adopt a plan to provide instruction through a virtual education delivery model during school closure.

Under the act, the governing body of each district or school must adopt a plan by August 1 of each school year to provide instruction via online delivery to make up the equivalent of up to three school days. A governing body does not have to adopt a plan for any school it operates that uses an online or blended learning model.

Each plan must ensure continuity of learning and contain the following:

1. A statement that the school, to the extent possible, will provide for teacher-directed synchronous learning in real-time on a virtual learning platform;

⁶⁹ R.C. 3313.97, not in the act, and O.A.C. 3301-48-01.

2. The school's attendance requirements, including how the school will document participation in learning opportunities and how the school will reach out to students to ensure engagement;

3. A description of how equitable access to quality instruction will be ensured, including how the school will address the needs of students with disabilities, English learners, and other vulnerable student populations;

4. The process by which the school will notify staff, students, and parents that the school will be using online delivery of instruction;

5. Information on contacting teachers by telephone, email, or virtual learning platform;

6. A description of how the school will meet the needs of staff and students regarding internet connectivity and technology.

The act requires that each adopted plan include the written consent of the respective teacher's union.

Joint vocational school districts

The board of education of any joint vocational school district, in addition to making up the three school days permitted under the act's general provision, may include in its plan other options to make up any number of additional hours missed as a result of a permitted closure at one of its member school districts, including additional online lessons, planned student internships, and student projects.

Minimum number of hours compliance

If a public or chartered nonpublic school implements a plan that complies with the act's provisions, the school must not be considered to have failed to comply with the minimum number of hours required by continuing law with respect to the number of make-up hours for which the plan is utilized.

Seizure action plans

(R.C. 3313.7117, 3314.03, 3326.11, and 3328.24; Section 733.20)

The act requires each public and chartered nonpublic school to create an individualized seizure action plan for each enrolled student who has an active seizure disorder diagnosis. It must be created by the school nurse, or another district or school employee if a school district or school does not have a school nurse, in collaboration with the student's parent or guardian.

Each plan must include:

1. A written request signed by a parent, guardian, or other person having care or charge of the student to have drugs prescribed for a seizure disorder administered to the student;

2. A written statement from the student's treating practitioner providing the drug information for each drug prescribed for the student for a seizure disorder; and

3. Any other component required by the State Board.

The plan is effective only for the school year in which a written request is submitted and must be renewed at the beginning of each school year. Plans must be maintained in the school nurse's office, or school administrator's office if the school does not employ a full-time school nurse.

For each student who has a seizure action plan in force, a school nurse or school administrator must notify each school employee, contractor, and volunteer who (1) regularly interacts with the student, (2) has legitimate educational interest in the student, or (3) is responsible for the direct supervision or transportation of the student in writing regarding the existence and content of the student's plan.

Further, each school nurse or school administrator must identify each individual who has received training under the seizure action plan in the administration of drugs prescribed for seizure disorders (see below). A school nurse or another district employee also must coordinate seizure disorder care at each school and ensure that all required staff are trained in the care of students with seizure disorders.

Finally, a drug prescribed for a student with a seizure disorder must be provided to the school nurse or another person at the school who is authorized to administer it to the student. The drug also must be provided in the container in which it was dispensed by the prescriber or licensed pharmacist.

Training on seizure action plans

The act requires districts and schools once every two years to train or arrange training for at least one employee at each school, aside from a school nurse, on the implementation of seizure action plans. Training must be consistent with guidelines and best practices established by a nonprofit organization that supports the welfare of individuals with epilepsy and seizure disorders, such as the Epilepsy Alliance Ohio, Epilepsy Foundation of Ohio, or other similar organizations as determined by the Department.

Training must address the following:

1. Recognizing the signs and symptoms of a seizure;
2. Appropriate treatment for a student exhibiting the symptoms of a seizure; and
3. Administering seizure disorder drugs prescribed for the student.

The act limits a seizure training program to one hour and qualifies the required seizure disorder training as a professional development activity for educator license renewal. If the training is provided to a district or school on portable media by a nonprofit entity, the training must be provided free of charge.

Districts and schools also must require each person employed as an administrator, guidance counselor, teacher, or bus driver to complete a minimum of one hour of self-study or in-person training on seizure disorders by October 3, 2025. Any such individual employed after that date must complete a training within 90 days of employment.

Qualified immunity

The act provides a qualified immunity in a civil action for money damages for a school, school district, members of a school district board or school governing authority, and a district's or school's employees for injury, death, or other loss allegedly arising from providing care or performing duties under the act. The immunity does not apply if any act or omission constitutes willful or wanton misconduct.

Title

The act entitles the provisions "Sarah's Law for Seizure Safe Schools Act."

Cash payments for school-affiliated events

(R.C. 3313.5319, 3314.03, 3326.11, and 3328.24)

The act requires qualifying schools to accept cash payments for tickets and concessions at school-affiliated events.

Regarding the sale of concessions specifically, it requires qualifying schools that offer concessions for sale at a school-affiliated event to provide at least one location where an individual may pay cash for concessions. If concessions are sold on multiple floors, at least one location on each floor must accept cash payments.

The act defines "qualifying school" as a school district, community school, STEM school, college preparatory boarding school, or chartered nonpublic school that elects to participate in athletic events regulated by an interscholastic conference or an organization that regulates interscholastic conferences (for example, the Ohio High School Athletic Association). The act also defines "school-affiliated event" as an athletic event, play, musical, or other school-affiliated event or activity that a district or school conducts, sponsors, or participates in and for which a district or school charges admission to attend. However, events conducted in a public facility leased by a professional sports team or a privately owned facility are exempt from this requirement.

School meals

(R.C. 3301.91, 3313.819, 3314.03, and 3326.11)

The act makes school breakfasts and lunches free to all students who qualify for a reduced-priced lunch. It does so by requiring the Department to provide reimbursements to schools and other facilities that participate in the National School Breakfast or Lunch program and by requiring those schools and facilities to provide those meals at no cost to students who qualify for a reduced-price lunch.

Schools and facilities that must provide meals at no cost to qualifying students include:

1. Public schools (including community and STEM schools);
 2. Chartered nonpublic schools;
 3. Special education programs operated by a county board of developmental disabilities;
- and

4. Facilities offering juvenile day treatment services.

The National School Breakfast and Lunch programs are federally assisted meal programs operating in public schools, nonprofit private schools, and residential childcare institutions. For more information on both of the programs please see the [National School Breakfast Program \(PDF\)](#) and [National School Lunch Program \(PDF\)](#) fact sheets prepared by the U.S. Department of Agriculture available at: www.usda.gov.

Free feminine hygiene products

(R.C. 3313.6413; conforming changes in 3314.03, 3326.11, and 3328.24)

The act requires all public and chartered nonpublic schools that enroll girls in grades 6-12 to provide free feminine hygiene products for those students. The act further permits schools to offer free feminine hygiene products to students below sixth grade if they so choose. Schools must determine where the products are to be kept in the school. The act specifies that all such products are for use on school premises.

Auxiliary services personnel

(R.C. 3317.06)

The act prohibits school districts from denying a nonpublic school's request for personnel to provide auxiliary services who are properly licensed by a state board or agency.

Auxiliary services reimbursement for educational service centers

(R.C. 3317.06)

The act specifies that if a school district contracts with an educational service center (ESC) to provide auxiliary services, only the ESC may be reimbursed for administrative costs incurred in providing those services.

Transmission of transferred student's records

(R.C. 3319.324; conforming changes in R.C. 3314.03, 3326.11, and 3328.24)

The act requires school districts, community schools, STEM schools, college-preparatory boarding schools, and chartered nonpublic schools to transmit a transferred student's school records upon the request of the district or school that the student is currently attending. A school district or school must transmit the records within five school days after receiving the request unless there is \$2,500 or more of debt attributed to the student. In that case, a school may withhold a student's school records until the debt is paid. Once the debt is paid, the school district or school must transmit the records. If the district or school does not have a record of the student's attendance, it must provide a statement of that fact to the requestor.

Pecuniary interest of school board members

(R.C. 3313.33)

The act creates an additional exception to the general prohibition that no member of a school district board of education or educational service center governing board may have,

directly or indirectly, any pecuniary interest in any contract of the board or be employed in any manner for compensation by the board of which the person is a member.

Under the new exception, a board member may have a pecuniary interest in a contract of the board if the member is employed by a private institution of higher education that is contracting with the board. Consistent with the requirements of continuing law, the member may not participate in any discussion or debate regarding the contract, nor may the member vote on the contract. Finally, the member must file with the school district or service center treasurer an affidavit stating the member's exact employment status with the private institution of higher education.

Nonchartered nonpublic schools

(R.C. 3301.0732 and 3301.132)

As discussed above, the act transfers the responsibility for adopting minimum education standards from the State Board of Education to the Director of Education and Workforce. However, the act also codifies the State Board's administrative rule establishing standards for nonchartered nonpublic schools and expressly requires the Director to comply with it. Furthermore, the act requires the Director, by January 1, 2024, to amend or rescind any rules necessary to conform to those changes. Thereafter, it prohibits the Director and the Department from adopting any additional rules for nonchartered nonpublic schools.

Nonchartered nonpublic schools, which are also referred to as nonchartered nontax-supported schools, are private schools that choose not to seek a state charter because of a truly held religious belief. They do not receive any state funds. Students enrolled in a nonchartered nonpublic school may participate in extracurricular activities offered by their resident school district and the College Credit Plus Program.

Minimum education standards compliance report

The act requires each nonchartered nonpublic school to annually certify in a report to the parents of its students that the school meets the minimum education standards for nonchartered nonpublic schools. The school must file a copy of that report with the Department by September 30 of each year.

Hours of instruction

A nonchartered nonpublic school must be open for instruction the same number of hours as schools operated by a school district, with students in attendance for:

1. 455 hours for students in half-day kindergarten;
2. 910 hours for students in full-day kindergarten through grade 6;
3. 1,001 hours for students in grades 7-12.

Attendance report

The act requires the parent of a student to report to the student's resident school district the student's enrollment or withdrawal from a nonchartered nonpublic school. The act permits

but does not require the nonchartered nonpublic school, as a matter of convenience, to report to the treasurer on behalf of the parents.

Each attendance report must include the name, age, and place of residence of each student below 18 years of age. The report must be made within the first two weeks of the beginning of each school year. When a student withdraws or enrolls during the school year, that notice must be given within the first week of the next school month.

Teachers and administrators – educational requirements

The act requires teachers and administrators at nonchartered nonpublic schools to hold at least a bachelor's degree, or the equivalent, from a recognized college or university.

Continuing law, unchanged by the act, requires teachers, supervisors, and administrators in nonchartered nonpublic schools to receive a certificate from the State Board. The State Board must issue a certificate to any individual who has received:

1. A bachelor's or master's degree from an accredited college or university in the United States;
2. At the State Board's discretion, a degree from a foreign college or university that is equivalent to a bachelor's degree from an accredited U.S. college or university;
3. A diploma from a bible college or bible institute.

Curriculum requirements

Each nonchartered nonpublic school must include in its curriculum the study of:

1. Language Arts;
2. Geography, U.S. and Ohio history, and national, state, and local government;
3. Math;
4. Science;
5. Health;
6. Physical Education;
7. The fine arts, including music;
8. First aid, safety, and fire prevention;
9. Other subjects as determined by the school.

Grade promotion

Each nonchartered nonpublic school must also follow regular procedures for promotion from grade to grade for students who have met the school's educational requirements.

Health and safety

The act requires each nonchartered nonpublic school to comply with all applicable health, fire, and safety laws.

Transportation, auxiliary services, and administrative cost reimbursement

Finally, the act clarifies that students attending nonchartered nonpublic schools are not entitled to transportation or auxiliary services, and that nonchartered nonpublic schools are not entitled to reimbursement for administrative costs.

Home education and school attendance

(R.C. 3301.132 and 3321.042; conforming changes in numerous R.C. sections)

The act exempts from the compulsory school attendance law any child who is receiving a home education in the subject areas of English language arts, math, science, history, government, and social studies. For the purposes of the provision, a “home education” is the education of a child between 6 and 18 years old that is directed by the child’s parent, so long as that child is not enrolled full time in a public or chartered nonpublic school.

A child’s parent or guardian must transmit a notice to the superintendent of the child’s school district of residence within five days of commencing home education, moving into a new school district, or withdrawing from a public or nonpublic school and by August 30 of each year thereafter. The notice must provide the parent’s name and address, the child’s name, and an assurance that the child will receive an education in the required subject areas. The child’s exemption is effective immediately upon receipt of the notice.

The superintendent must provide the parent or guardian with a written acknowledgement of the superintendent’s receipt of the notice within 14 calendar days after receiving the notice. A child with an exemption is not required to receive an excuse for the purposes of home instruction under continuing law.

A child who is enrolled in a public school after any period of home education must be placed in the appropriate grade level, without discrimination or prejudice, based on the policies of the child’s district of residence.

The act expressly states that the law regarding exemptions for the purposes of home education is not subject to any rules adopted by the Department of Education and Workforce or the Director of Education and Workforce. It also requires the Director to rescind any rules regarding the issuance of excuses from compulsory attendance for the purposes of home education.

However, if there is evidence that a child who has received an exemption is not receiving an education in the required subject areas, that child may be subject to state truancy law.

VIII. Educator and other school employee licensing and permits

Ohio Teacher Residency Program

(R.C. 3319.223)

The act makes changes to the three components of the Ohio Teacher Residency (OTR) program: (1) mentoring, (2) counseling, and (3) measures of appropriate progression through the program (successful completion of the Resident Educator Summative Assessment (RESA)).

Mentoring

The act specifically permits both online and in-person mentoring to participants. It also requires the state Superintendent to provide participants and mentors with no-cost access to online professional development resources and sample videos of Ohio classroom lessons submitted for the RESA.

Counseling

The act requires the state Superintendent to provide to each participant who does not receive a passing score on the RESA the opportunity to meet online with an instructional coach who is a certified assessor of the RESA to review the participant's results and discuss improvement strategies and professional development. These participants must receive the training at no cost.

Participants who choose to meet with an instructional coach must select from an online pool of instructional coaches who have completed training and are approved by the state Superintendent. The characteristics of each coach's school or district, including its size, typology, and demographics, must be made available. However, participants are not required to choose an instructional coach from a similar district and school.

The act also permits participants who have not taken the RESA to meet with approved coaches if the participant's district or school pays the costs associated with the meetings.

Measures of progression

The act invalidates an administrative rule prohibiting participants from attempting the RESA more than three times and instead permits an unlimited number of attempts.

The act creates a window of time within which participants may submit the RESA. Participants may send RESA submissions between the first Tuesday of October and the first Friday of April of participants' second year in the program. The results of each RESA must be returned within 30 days after submission unless a new assessor is contracted. In that case, the results of each RESA must be returned within 45 days.

Alternative resident educator license

(R.C. 3319.26)

The act reduces the length of the alternative resident educator license from four to two years and reduces the number of years that an individual must teach under the alternative resident educator license before receiving a professional educator license from four to two years. It also specifies that an individual must complete at least 12 hours or the equivalent in the principles and practices of teaching to convert to a professional educator license. It makes the alternative resident educator license renewable generally, rather than renewable only for reasons determined by the State Board or as necessary to complete the Ohio Teacher Residency Program.

The act also permits the holder of an alternative resident educator license to teach preschool students.

Conversion to alternative educator license

The act removes participation in the Ohio Teacher Residency Program from the conditions of holding an alternative resident educator license. Instead, the holder of an alternative resident educator license is permitted to convert that license to a renewable alternative educator license, provided the license holder (1) shows satisfactory progress in taking and successfully completing professional development provided by a teacher preparation program that has been approved by the Chancellor of Higher Education and (2) passes an assessment of professional knowledge in the second year of teaching under the alternative resident educator license.

An alternative resident educator license holder may still apply for and receive a professional educator license after completing certain prescribed requirements unchanged by the act, including completion of the Teacher Residency Program.

Temporary substitute teacher license

(R.C. 3319.102; Sections 107.30 and 107.31)

The act makes permanent a provision permitting a public or chartered nonpublic school or educational service center to hire a substitute teacher who does not hold a post-secondary degree, provided the teacher is of good moral character, meets the district's or school's own set of educational requirements, and passes a background check. (A similar provision applied for the 2021-2022, 2022-2023, and 2023-2024 school years only.) The act also establishes a one-year temporary substitute teaching license for individuals who meet the specified criteria, and requires the State Board to establish procedures and criteria under which that license may be renewed.

Out-of-state teacher license

(R.C. 3319.2210)

The act permits an applicant for a one-year nonrenewable out-of-state teaching license who passes Ohio's Foundations of Reading Exam on the first try to forgo the required completion of coursework in the teaching of reading. Continuing law, unchanged by the act, requires an applicant for a resident educator license designated for teaching children in grades K-6 or the equivalent to have successfully completed at least six semester hours, or the equivalent, of coursework in the teaching of reading that includes at least one separate course of at least three semester hours, or the equivalent, in the teaching of phonics in the context of reading, writing, and spelling.

Licensure grade bands

(R.C. 3319.22)

The act amends the grade bands for which an individual may receive a resident educator license, professional educator license, senior professional educator license, or a lead professional educator license to pre-K through 8 or grades 6 through 12. However, the act permits a school district or community school to employ a licensed educator to teach not more than two grade levels outside of the grade band designated on that educator's license for not more than two school years at a time. The school district superintendent or community school governing

authority may opt to renew the educator's eligibility to teach outside of grade band every two years.

Under prior law, the grade bands for licensure are pre-K through 5, grades 4 through 9, or grades 7 through 12.

Pre-service teaching for compensation

(R.C. 3319.0812 and 3319.088; conforming changes in R.C. 3314.03 and 3326.11)

The act creates a three-year pre-service teaching permit for student teachers. Under the permit, student teachers may substitute teach and receive compensation for it. The State Board must adopt rules establishing the permit for students enrolled in educator preparation programs. Students must obtain the permit to student teach, participate in other training experiences, and serve as substitute teachers. A permit holder may substitute teach for up to one full semester, and be compensated for that service.

The act permits the school district or school employer to approve one or more additional subsequent semester-long period of teaching for the permit holder. It also permits the State Board, on a case-by-case basis, to extend the permit's duration to enable the permit holder to complete the educator preparation program in which the permit holder is enrolled.

Applicants for a pre-service teacher permit must submit to a criminal records check and be enrolled in the retained applicant fingerprint database (RAPBACK) in the same manner as any other licensed teacher. The act requires the Department to notify an educator preparation program if an applicant has been arrested or convicted and authorizes the school district or school to take any action prescribed by law. Upon receiving that notice, the educator preparation program must provide to the Department a list of all school districts and schools to which the pre-service teacher has been assigned as part of the program.

The act eliminates provisions of law that conflict with the act's changes. Namely, it eliminates the law that prohibits requiring students preparing to become licensed teachers or educational assistants from holding an educational aide permit or paraprofessional license when they are assigned to work with a teacher in a school district. The act also eliminates the prohibition from those students receiving compensation.

Alternative military educator teaching license

(R.C. 3319.285)

The act requires the State Board, in consultation with the Chancellor of Higher Education, to establish an alternative military educator license that permits eligible military individuals to receive an educator license on an expedited timeline. For the license, the State Board must allow eligible military individuals to apply leadership training or other military training toward requirements for college coursework, professional development, content knowledge examinations, and other licensure requirements. Under the act, an "eligible military individual" includes:

1. An active-duty member of any branch of the U.S. armed forces;

2. A veteran of any branch of the U.S. armed forces who separated from service with an honorable discharge;
3. A member of the National Guard or a member of a reserve component of the U.S. armed forces; or
4. A spouse of an eligible member or veteran.

The act permits the State Board to work with the Credential Review Board to determine the types of military training that correspond with the educational training needed to be a successful teacher.

Under continuing law, a qualifying unlicensed veteran may teach a noncore course at a school district if the veteran has meaningful teaching or other instructional experience.⁷⁰

Computer science educator licensure

(R.C. 3319.236; Section 610.120, amending Section 733.61 of H.B. 166 of the 133rd General Assembly)

40-hour license for industry professionals

Under continuing law, an individual generally must hold a valid license in computer science, or have a licensure endorsement in computer technology and a passing score in a computer science content exam, to teach computer science courses.

As an exception to that general requirement, the act requires the State Board to create a teaching license for industry professionals to teach computer science courses for up to 40 hours each week. A license holder may not teach any other subject. The Superintendent of Public Instruction must consult with the Chancellor of Higher Education in revising the requirements for licensure in computer science.

Grade band specifications

The act requires that each license for teaching computer science specify whether the educator is licensed to teach in grades K-12, pre-K-5, 4-9, or 7-12.

Temporary exemption from licensure

The act extends through the 2024-2025 school year an exemption that permits a public school to permit an individual who holds a valid teaching license to teach computer science in any of grades K-12, if, prior to teaching the course, the individual completes a professional development course that provides computer science content knowledge. The superintendent or principal must approve any professional development program endorsed by the College Board, the organization that creates and administers the national Advanced Placement examinations, as appropriate for the course the individual will teach. The individual may not teach a computer science course in a school district or school other than the one that employed the individual when the individual completed the professional development program. Beginning July 1, 2025, a

⁷⁰ R.C. 3319.283, not in the act.

district or school may allow an individual to teach a computer science course only if the individual satisfies the requirements of permanent law.

It also extends the grade bands for which a license holder who takes advantage of the exemption must be licensed to teach from any of grades 7-12 to any of grades K-12.

Financial literacy license validation

(R.C. 3319.238 and 3319.239)

The act exempts all chartered nonpublic schools from the general requirement that teachers who provide high school financial literacy instruction have a financial literacy license validation. Prior law exempted only chartered nonpublic schools that do not accept students with state scholarships. The act also disqualifies chartered nonpublic schools from receiving state reimbursement for costs associated with financial literacy license validation for teachers.

School counselor licensure

(R.C. 3319.2213)

The act requires the State Board to enter into an agreement with a construction trade organization located in Ohio, such as ACT Ohio, to develop a mandatory training program to educate school counselors about building and construction trades career pathways. Each licensed school counselor serving students in any of grades 7-12 must complete four hours of this training every five years. Those four hours may count toward meeting professional development activity requirements established by the State Board for licensure renewal. However, the act permits an individual who begins working with students in grades 7-12 and is in the last two years of the individual's five-year renewal period to complete this training during the next renewal period.

The training must be completed at a building and construction trades training facility and include information about:

1. The pay and benefits available to people who work in the building and construction trades; and
2. Job opportunities and available apprenticeships for boilermakers, electrical workers, bricklayers, insulators, laborers, iron workers, plumbers and pipefitters, roofers, plasterers and cement masons, sheet metal workers, painters and glazers, elevator constructors, operating engineers, teamsters, and carpenters.

The act requires local professional development committees to incorporate the training as part of the independent professional development programs for school counselors that serve students in any of grades 7-12. Participating building and construction trades are required under the act to ensure ample opportunities for school counselors to complete the training during each licensure renewal cycle. Additionally, participating trades training facilities (or the entity with which the State Board enters into an agreement) must bear all costs associated with the training.

Community school employee misconduct

(R.C. 3314.03 and 3314.104)

The act prohibits a community school from employing a person if the State Board permanently revoked or denied the person's educator license or if the person entered into a consent agreement in which the person agreed not to apply for an educator license in the future. It also requires that each community school sponsorship contract include the same prohibition.

Private school educator certification

(R.C. 3301.071)

The act makes explicit that the State Board must issue teaching certificates to private school administrators, supervisors, and teachers who hold master's degrees from an accredited college or university without further educational requirements. Continuing law already requires the same for individuals who hold bachelor's degrees.

Mental health training for athletic coaches

(R.C. 3313.5318 and 3319.303; conforming changes in R.C. 3313.5310, 3314.03, 3326.11, and 3328.24)

The act prohibits an individual from coaching an athletic activity at a public or nonpublic school unless the individual has completed a student mental health training course approved by the Department of Mental Health and Addiction Services. The prohibition applies only to schools that are subject to rules of an interscholastic conference or an organization that regulates such conferences (for example, the Ohio High School Athletic Association). An individual must (1) complete the training each time the individual applies for or renews a pupil-activity program permit and (2) present evidence of each successful completion to the State Board. However, the individual may complete the training at any time within the duration of the individual's new or renewed permit.

The act also directs the State Board to require each individual applying for a pupil-activity program permit renewal to present evidence that the individual has completed the training. The training may be completed as part of another training course.

Frequency of other trainings required for permit renewal

The act changes the frequency of trainings required to renew a pupil-activity program permit as follows:

- For sudden cardiac arrest training, from annually to within the duration of an individual's previous permit; and
- For brain trauma and brain injury management (concussion) training, from within the previous three years to within the duration of an individual's previous permit.

RAPBACK and criminal records checks

(R.C. 3319.316, 3319.391, and 3327.10)

Nonlicensed school employees

The act requires the State Board, rather than the Department on its behalf, to enroll the following individuals employed by or engaged in providing services to a school district, educational service center (ESC), or chartered nonpublic school in the Retained Applicant Fingerprint Database (RAPBACK):

1. Any nonlicensed employee, including a bus driver;
2. Any contractor not licensed by the State Board;
3. Any contractor that holds a position that does not require a registration issued by the State Board.

The act authorizes and requires the State Board to promptly transmit any notification received regarding a person subject to RAPBACK to the person's employer. To facilitate that process, the Bureau of Criminal Identification and Investigation (BCII) must first make the initial criminal records check requested by an employer available to the State Board. The act requires the State Board to use that information to enroll the person in RAPBACK in the same manner as licensed teachers. If the State Board is unable to enroll the person because the person has not satisfied enrollment requirements, the State Board must notify the employer of the person's failure to satisfy those requirements. BCII is not required to make available to the State Board the records check of anyone who is already enrolled in RAPBACK on the date the person's employer requests a records check. The act requires the State Board to inform the employer of any arrest, guilty plea or conviction of any person subject to the act's RAPBACK provisions.

The act requires that when the most recent criminal records check requested for a person subject to the act's RAPBACK provisions was completed more than one year prior to the date of the most recent request, or if the records check does not include adequate information, the employer must request a new criminal records check that includes all required information, by a date prescribed by the State Board and every six years thereafter.

School volunteers

The act specifically excludes from RAPBACK enrollment and criminal records checks any person who volunteers at a school building within a district, ESC, or chartered nonpublic school, including a parent volunteer in a student's classroom.

IX. Student performance data

Online high school graduation rates

(R.C. 3302.0310)

The act requires the Department to include a modified graduation rate measure on the state report card issued for an online high school operated by a school district or an internet- or computer-based community school (e-school), including dropout prevention and recovery schools. However, the modified graduation rate is a performance measure without an assigned

performance rating, meaning the graduation rate is used as an indicator of the school's performance but is not factored into the school's report card rating.

The modified graduation rate is calculated in the same manner as the four-year adjusted cohort graduation rate, except that it only includes students who are deemed "graduation eligible students." Graduation eligible students are students who, when enrolling in the school for the first time, are in the twelfth grade and have earned at least 15 high school credits. The modified calculation does not include students who are automatically withdrawn from the online school due to an unexcused failure to participate in learning opportunities for 72 consecutive hours and who do not re-enroll in a school from the modified graduation rate's calculation.

Except as required by federal law, the Department must report the modified graduation rate as data without an assigned performance rating beginning with the report card for the 2023-2024 school year.

Individual student performance reports on value-added data

(R.C. 3302.021)

The act requires the Department to make individual student performance data reports available to districts and schools that have an overall value-added progress dimension score calculated on the state report card. The reports must include data regarding student level percentiles, normal curve equivalents, unique identifiers, and other data each school year that a district or school has an overall value-added progress dimension score calculated. The act also requires the Department to make available the data used to calculate the district's or school's overall growth rating. The reports must be made available in an electronic spreadsheet form, as soon as practicable each school year. Finally, the act explicitly subjects the data sharing requirements to state and federal student privacy laws.

Report of state assessment scores

(R.C. 3313.6029, 3314.03, 3326.11, and 3328.24)

The act requires each public and chartered nonpublic school, by June 30 of each school year, to provide a student's parent with the student's score on any state assessment administered to the student in that year. Specifically, the school must mail or email the scores to the parent or post them in an accessible portal on the school's website.

X. Career-technical education and workforce development

Career-technical cooperative education districts

(R.C. 3313.831, 5705.2114, and 5705.01)

Establishment and purpose

On and after July 1, 2024, the act authorizes the boards of education of two or more city, local, or exempted village school districts that are members of the same compact career-technical education provider, by adopting identical resolutions, to enter into an agreement to create a career-technical cooperative education district. The purpose of a cooperative district is to fund and provide students enrolled in grades 7-12 in member districts with a career-technical

education adequate to prepare them for an occupation. The act limits eligibility only to the member districts of compact career-technical education providers that exist on October 3, 2023.

A cooperative district is not a joint vocational school district. Rather, it must be considered a career-technical education compact for the purposes of state education law. The cooperative district must be a lead district of a career-technical planning district and provide career-technical education leadership to its member districts. The Department of Education and Workforce must create an internal retrieval number for the cooperative district.

An agreement establishing a cooperative district may be amended under terms and procedures mutually agreed to by member districts. A cooperative district's territory is composed of the combined territories of its member districts. Services funded by a cooperative district must be available to all individuals enrolled in member districts.

Governance

Board of directors

Each cooperative district is governed by a board of directors. The superintendent of each member district must serve on the board of directors. The board of directors is a public body for the purposes of Ohio's open meetings law. Its records and the cooperative district's records are public records. The cooperative district is a public office and its directors are public officials with respect to the Ohio law that grants the Auditor of State authority to conduct audits of public offices. The district is also a political subdivision for the purposes of state law governing political subdivision tort liability.

The board of directors is a body corporate and politic. The board of directors is capable of suing and being sued, contracting within the limits of the provision and the district agreement, and accepting gifts, donations, bequests, or other grants of money.

Directors cannot receive compensation, but must be reimbursed for reasonable and necessary expenses incurred in the performance of their duties of the cooperative district. The district agreement must provide for the terms of office of directors, the conduct of the board's initial organizational meeting, the frequency of subsequent meetings, and quorum requirements. The board of directors, at its first meeting, must designate from among its members a president and secretary, in a manner provided in the district agreement.

The district agreement must require the board of directors to designate a permanent location for its office and meeting place. The agreement also may provide for the use of facilities and property for the provision of services by the agencies with which the board of directors contracts to provide services.

Fiscal officer

The district agreement must provide for the manner of appointment of an individual or entity to perform the duties of fiscal officer for the cooperative district. The agreement must specify the length of time an individual or entity must perform those duties and whether the individual or entity may be reappointed upon completion of a term. The fiscal officer may receive compensation for performing those duties and be reimbursed for reasonable expenses related to performing those duties from the cooperative district's special fund.

Legal adviser

The prosecuting attorney of the most populous county containing a cooperative district's member district must serve as the cooperative district's legal adviser. The prosecuting attorney must prosecute all actions against a member of the board of directors for malfeasance or misfeasance in office. Additionally, the prosecuting attorney must be legal counsel for the board of directors and its members in all other actions brought by or against them and conduct those actions in the prosecuting attorney official capacity. A prosecuting attorney cannot receive compensation in addition to the prosecuting attorney's regular salary.

Insurance

The board of directors of a cooperative district must procure a policy or policies of insurance insuring the board, its fiscal officer, and its legal representative against liability on account of damage or injury to persons and property. Before procuring such insurance, the board of directors must adopt a resolution setting forth the amount of insurance to be purchased, the necessity of the insurance, and a statement of its estimated premium cost. The procured insurance must be from one or more recognized insurance companies authorized to do business in Ohio. The cost of the insurance must be paid from the district's special fund.

Career-technical education services

To provide career-technical education services, the board of directors of a cooperative district must provide for the hiring of employees or contract with one or more entities, including a cooperative district's member district, an educational service center, or a state institution of higher education. The district agreement must:

1. Provide for the distribution of services provided by the cooperative district and a resident district. The agreement must specify which services will be provided by the employees of member districts and which will be provided by the cooperative district.
2. Include a statement of how transportation of students to and from school will be provided by the cooperative district. The statement must include at least both of the following:
 - a. How special education students will be transported as required by their individualized education program; and
 - b. Whether the transportation to and from school will be provided to any other students of the cooperative district and, if so, the manner in which transportation will be provided.

Funding

In addition to its authority to accept gifts, donations, bequests, and other grants of money, the act authorizes a cooperative district to levy voter-approved property taxes throughout the district. To do so, a majority of the boards of education of the school districts that make up the district must approve of the levy proposal before the board of directors may adopt a resolution to submit the question to the voters. The question may be submitted at a general or primary election at least 90 days after the resolution is certified to the county board of elections. The resolution must specify the rate or amount of the tax, up to three mills, and either the number of years that the tax will be levied or that the tax will be levied for a continuing period of time. The tax may be renewed by and must otherwise follow procedures applicable to other,

similar tax levies. The board of directors must create a special fund to hold the proceeds of its property tax levy and its gifts, donations, bequests, and other grants.

The act also requires the Department to compute and make payments to a cooperative district in the same manner as it makes payments to a lead district of a career-technical planning district.

Addition of a new member district

The board of education of a school district may join an existing cooperative district by adopting a resolution requesting to join and upon approval by the boards of education of current member districts. If the cooperative district has levied a property tax in the district, a board of education may join the district only after a majority of qualified electors in the school district voting on the question vote in favor of levying the tax throughout the district. A board of education joining an existing cooperative district must have the same powers, rights, and obligations under the district agreement as other member districts.

Withdrawal of a member district

The act permits the board of education of a member district to withdraw that district from a cooperative district by adopting a resolution. If a property tax is levied on the cooperative district, the resolution must take effect no later than the first day of January following the resolution's adoption. Beginning with the first day of January following the resolution's adoption, any property tax levied by the cooperative district cannot be levied in the withdrawing district.

Any tax collected in the territory of the withdrawing district that has not been settled and distributed when the resolution takes effect must be credited to the district's special fund.

Dissolution of a cooperative district

A district agreement must provide for the manner of the cooperative district's dissolution. The cooperative district must cease to exist when no more than one member district remains in the district and the property tax levied cannot be extended beginning the year after the district's dissolution. The district agreement must provide that, upon dissolution of the district, an unexpended balance in the district's special fund must be divided among the member districts party to the agreement immediately before dissolution of the district, in proportion to the taxable valuation of the taxable property in the member districts, and credited to their respective general funds.

Courses at Ohio technical centers

(R.C. 3313.901)

Upon approval by the Department, the act permits school districts to contract with an Ohio technical center (OTC) to serve students in grades 7-12 who are enrolled in a career-technical education program at the district but cannot enroll in a course at the district due to one of the following reasons:

1. The course is at capacity and cannot serve all students who want to enroll in the course.
2. The student has a scheduling conflict that prevents the student from taking the course at the time offered by the district.

3. The district does not offer the course due to lack of enrollment, lack of a qualified teacher, or lack of facilities.

4. Any other reason determined by the Department.

Districts must apply to the Department for approval to contract with an OTC and submit a plan describing how the district and the OTC will establish a collaborative partnership to provide career-technical education to students.

The act also requires a district approved by the Department to do the following:

1. Award a student high school credit for completion of a course at an OTC;

2. Report in EMIS a student who spends time in an OTC course as being enrolled in the district for that time, but also indicate the student is taking a course at the OTC. However, the act prohibits the district from counting a student taking a course at an OTC as more than one full-time equivalent student, unless the student is enrolled full-time in the district during the regularly scheduled school day and takes an OTC course outside normal school hours;

3. Pay to the OTC, per student, the lesser of the standard tuition charged for the course at the OTC or one of the following:

a. If the OTC is located on the same campus as the student's high school, the sum of the statewide average base cost per pupil and the appropriate career-technical category amount, multiplied by the student's full-time equivalency while enrolled in the OTC course, and without the district's state share percentage applied; or

b. If the OTC is not located on the same campus as the student's high school, \$7,500.

The act permits a district and an OTC to enter into an agreement to establish alternate amounts that the district must pay to the OTC.

Under the act, districts may use career-technical education funds to pay for any costs incurred by students enrolling in courses at an OTC. Further, the Department must consider the cost of student OTC enrollment as an approved career-technical education expense. Finally, the act permits an individual who holds an adult education permit issued by the State Board and is employed by an OTC to provide instruction to a student in grades 7-12 enrolled in a course at an OTC.

DOPRs and career-technical programs

(R.C. 3317.161)

The act adds dropout prevention and recovery programs (DOPRs) of school districts, community schools, and STEM schools to the approval process for state funding for career-technical education programs.

It also requires the Department to authorize a payment for any DOPR offering career-technical education that is in its first year of operation and that submits an application for approval after the May 15 deadline established under continuing law for the fiscal year for which the application was submitted.

Workforce Development

(R.C. 3313.6020, 6301.04, 6301.11, 6301.111, and 6301.112)

Career opportunity informational materials

The act requires the Department to develop and make available informational materials for seventh and eighth graders about career opportunities available to them, including in-demand jobs. The materials also must address how a career-technical education may help those students satisfy state high school graduation requirements.

In-demand jobs list

The act requires the Department to participate in the process established under continuing law to identify and publicize in-demand jobs. Specifically, the act:

1. Adds the Department to the entities required to develop a methodology to identify in-demand jobs and use that methodology to create an in-demand jobs list;
2. Requires the Department to post the in-demand jobs list on its website;
3. Adds the Department to the entities required to conduct a survey of employers about in-demand jobs and use the survey's results to update the in-demand jobs list; and
4. Adds the Department to the entities required to establish the OhioMeansJobs website.

Governor's Executive Workforce Board

The act adds the Deputy Director of Primary and Secondary Education and the Deputy Director of Career-Technical Education to the Governor's Executive Workforce Board.

XI. Other

State minimum teacher salary schedule

(R.C. 3317.13)

The act amends the statutory minimum teaching salary schedule. It increases the minimum base salary for beginning teachers with a bachelor's degree from \$30,000 to \$35,000 and proportionally increases the minimum salaries for teachers with different levels of education and experience.

Under continuing law, each school district board of education and each educational service center governing board must adopt an annual teacher salary schedule that complies with the statutory minimum. That schedule must be either merit-based or contain provisions for increments based on training and years of service. In practice, however, the compensation rate is generally set by way of collective bargaining between the employing board and the organization representing the teachers.⁷¹

⁷¹ R.C. 3317.14 and 3317.141, neither in the act.

English learners

(R.C. 3301.0711, 3301.0731, and 3302.03; conforming in R.C. 3313.61, 3313.611, 3313.612, and 3317.016)

The act eliminates an exemption that excused English learners who have been enrolled in a school in the United States for less than a full school year from being required to take any reading, writing, or English language arts assessment. The act maintains an exemption for English learners who have been enrolled in a U.S. school for less than two years and for whom no appropriate accommodations are available.

The act also eliminates an exemption that excluded, except as required by federal law, English learners who have been enrolled in a U.S. school for less than one school year from state report card performance measures. It requires English learners to be included on the state report card in accordance with the state's federally approved plan to comply with federal law.

Finally, the act requires the Director to adopt rules regarding the identification, instruction, assessment, and reclassification of English learners. The rules must conform to the Department's plan, as approved by the U.S. Secretary of Education, to comply with the federal "Elementary and Secondary Education Act of 1965."

School emergency management plans

(R.C. 5502.262)

The act clarifies that all records *related to* a school's emergency management plan and emergency management tests are security records and are not subject to Ohio's public records laws. Continuing law specifies that copies of the emergency management plan and all of the following information incorporated into the plan are security records and are not subject to Ohio's public records laws:

1. Protocols for addressing serious threats to the safety of property, students, employees, or administrators;
2. Protocols for responding to any emergency events that occur and compromise the safety of property, students, employees, or administrators;
3. A threat assessment plan;
4. Protocols for school threat assessment teams; and
5. Information posted to the Contact and Information Management System.

The act extends the deadline for a school administrator to submit the school district's or school's annual emergency management plan to the Director of Public Safety from July 1 to September 1.

School counselor liaison

(R.C. 3301.139)

The act requires the Director to designate at least one Department employee to serve as a liaison to school counselors across the state to support their efforts to advance students'

academic and career development. In determining who to designate as liaison, the Director must give preference to individuals who hold a valid pupil services license in school counseling.

Innovative Schools and Pilot Program waivers

(R.C. 3302.063 and 3302.07)

The act prohibits the Department from waiving the requirements associated with blended learning or online learning for an innovation school in a school district of innovation or online learning school as part of an Innovative Education Pilot Program.

Academic distress commissions

Moratorium

(Section 265.540)

The act prohibits the Director from establishing any new academic distress commissions (ADCs) for the 2023-2024 and 2024-2025 school years.

Lorain City School District

(R.C. 3302.111)

The act dissolves the Lorain City School District's ADC and academic improvement plan on October 3, 2023. It requires that upon dissolution of the ADC, the chief executive officer relinquish management and control of the school district to the district board of education and the district superintendent.

The Lorain City School districts has been subject to an ADC since 2013.

State share of local property taxes in five-year forecasts

(R.C. 5705.391)

Beginning with FY 2024, the act requires the Department and Auditor of State to label the property tax allocation projections in a school district's five-year forecast as the "state share of local property taxes."

Each fiscal year a school district must submit a five-year projection of its operational revenues and expenditures to the Department and Auditor of State. The property tax allocation projection accounts for the reimbursements a district may receive from the state for property tax rollbacks, the homestead exemption, and tangible personal property tax losses.⁷²

Private before and after school care programs – licensure

(R.C. 3301.52, 3301.57, and 3301.58)

Continuing law requires before and after school child care programs to be licensed as child care providers by the Department of Job and Family Services (ODJFS), although it exempts

⁷² See [How to Read a Five-Year Forecast \(PDF\)](#), available at the Department's website: education.ohio.gov.

school child programs that are subject to licensure by the Department from that requirement.⁷³ The act allows an “authorized private before and after school care program” to obtain from the Department a school child program license, thereby exempting one with such a license from ODJFS licensure. Law unchanged by the act authorizes each of the following entities to obtain a school child program license from the Department: a school district board of education, county board of developmental disabilities, community school, or eligible nonpublic school.

Under the act, an authorized private before and after school care program is a child care program operated only for school children that is all of the following:

- Operated by a nonprofit or for-profit private entity;
- Operated under a contract with a school district board of education, community school, or eligible nonpublic school;
- Conducted only outside of school hours and in a building owned or operated by the contracting board or school.

State Report Card Review Committee

(Repealed R.C. 3302.039)

The act eliminates the State Report Card Review Committee which was required to be established on July 1, 2023. Accordingly, the act also eliminates the requirement that the Committee conduct a study of the state report card and submit a report by June 30, 2024, with its findings and recommendations for improvements, corrections, and clarifications to the state report card.

Study on services for economically disadvantaged students

(Section 265.409)

The act requires the Department to conduct a study to determine the needs of Ohio’s economically disadvantaged students, the most effective services for those needs, and the cost of implementing those services using Ohio cost data. The Department must issue a report on the study’s results, including recommendations regarding measures and parameters for determining student eligibility for the identified services. The recommendation must take into account existing state and federal resources used to support those services.

Competency-based diploma pilot program

(Section 733.50)

The act requires the Department to operate a competency-based diploma pilot program in FY 2024 and FY 2025 for students who are at least 18, but under 22 years old. The pilot program must be aligned to the rules and standards prescribed for the 22+ Adult High School Diploma Program under continuing law. The Department must issue a report on the pilot program by July 30, 2025, which must be posted on the Department’s publicly available website.

⁷³ R.C. 5104.02(B)(6).

Adult Diploma Pilot Program minimum age

(R.C. 3313.902)

The act lowers the minimum age to participate in the Adult Diploma Pilot Program from 20 to 18. The program provides job training and an alternative pathway for adults who have not received a high school diploma or certificate of high school equivalence to earn an industry-recognized credential aligned to one of Ohio's in-demand jobs and earn a state-issued high school diploma.