
DEPARTMENT OF EDUCATION

School finance

Funding for FY 2024 and 2025

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

Student wellness and success fund

- Requires the Department of Education 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.

Payment for districts with decreases in utility TPP value

- 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.

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.

Dyslexia screening and intervention

Transfer students

- Requires school districts and 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 the 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.

Screening measures

- Requires the Department to identify a tier one dyslexia screening measure by January 1, 2024, to be made available to public schools free of charge for use beginning in the 2024-2025 school year.

Professional development

- Requires teachers hired after April 12, 2021, to complete dyslexia professional development training by the later of 2 years after the date of hire or prescribed dates, unless the teacher has completed the training while employed by a different district.

Ed Choice Expansion income threshold

- Increases from 250% to 400% the federal poverty level (FPL) income eligibility threshold that a recipient's family must meet to qualify for an Ed Choice Expansion Scholarship.

Educator licensing and permits

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 of Education, 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 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.

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

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 State Board 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.

Career-technical 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 enrolled in a career-technical education program at the district but cannot enroll in a course for specified reasons.
- Requires a district to award students high school credit for completion of a course at an OTC.

- Permits a district and an OTC that enter into an agreement to establish alternate amounts that the district must pay to the OTC.
- Permits the district to use career-technical education funds to pay for any costs incurred by students enrolling in courses at an OTC.
- Requires the Department to consider costs of a student enrolling in an OTC as an approved career-technical education expense.
- 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.

Literacy improvement grants

Professional development stipends

- Requires the Department 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 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 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 under the bill.
- 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 that are being 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 in order to bolster all students' reading success.

Other

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.

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 it is using in each of grades pre-K-5 and the reading intervention programs being used in each of grades pre-K-12.

FAFSA graduation requirement

- Requires all public and chartered nonpublic school students to complete the Free Application for Federal Student Aid (FAFSA) in order to qualify for a high school diploma, unless an exception applies.

E-school standards

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

Pilot funding for dropout recovery e-schools

- Extends to FY 2024 and FY 2025 the pilot program providing additional funding for certain e-schools operating dropout prevention and recovery programs on a per-pupil basis for students in grades 8-12.

Quality Community School Support Program

- Continues the Quality Community School Support Program.

Competitive bidding exemption

- Exempts purchases made by the Department from an educational service center from competitive bidding or Controlling Board approval.

Academic distress commissions

- Prohibits the Superintendent of Public Instruction from establishing any new academic distress commissions (ADCs) for the 2023-2024 and 2024-2025 school years.

School finance

Funding for FY 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 bill extends the operation of the current school financing system to FY 2024 and FY 2025, but with the following changes:

1. Requires the use of FY 2022 statewide average base cost per pupil in FY 2024 and FY 2025;

2. Requires the use of FY 2022 statewide average career-technical base cost per pupil in FY 2024 and FY 2025;

3. 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;

4. 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;

5. 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;

6. Increases the gifted professional development per pupil amount from \$14 in FY 2023 to \$21 in FY 2024 and \$28 in FY 2025; and

7. 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 2018 data.

In addition, the bill extends to FY 2024 and FY 2025 the payment of temporary transitional aid based on a FY 2020 funding base and a formula transition supplement based on a FY 2021 funding base.

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 bill requires the Department of Education 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 of the base cost.

Next, the bill requires districts and schools to spend student wellness and success funds (SWSF) it receives 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 bill 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. Current law does not prescribe requirements on which 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 the completion or amendment of this plan, the bill requires districts and schools to share the plan at a meeting of a public district 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 bill 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 bill 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 bill 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 current law, disadvantaged pupil impact aid (DPIA) is calculated based on the number and concentration of economically disadvantaged students enrolled at each school and district. H.B. 110 of the 134th General Assembly required that a district must develop a plan for utilizing its DPIA in coordination with one of the following: a board of alcohol, drug, 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.

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

| Initiatives | |
|--|---|
| Current law | The bill |
| 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 |
| 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 |

| Initiatives | |
|---|--|
| Current law | The bill |
| Community liaisons or programs that connect student 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 |

Background

H.B. 110 of the 134th General Assembly repealed the requirement for the Department to pay SWSF and enhancement funds to school districts, community schools, and STEM schools and the spending requirements for those funds, but applied similar spending requirements to disadvantaged pupil impact aid. However, that act included district's staffing cost for SWSF in the calculation of a district or school's base cost.

Payment for districts with decreases in utility TPP value

(Section 265.310)

The bill 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 bill 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 bill prohibits the Department from calculating or making a similar payment prescribed under codified law for FY 2024 and FY 2025.²⁷

Newly chartered nonpublic school auxiliary services funds

(R.C. 3317.024)

The bill 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

²⁷ R.C. 3317.028, not in the bill.

directly. Under the bill, a chartered nonpublic school that does not make an election will receive auxiliary services funds paid to the school district in which the chartered nonpublic school is located. Law unchanged by the bill 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.

Under law unchanged by the bill, a chartered nonpublic school may later elect to directly receive funds by notifying the Department and school district in which the school is located by the first day of April of each odd-numbered year and submitting an affidavit certifying that the school will use the funds for auxiliary services in the manner required by law. Similarly, a chartered nonpublic school may rescind its election to receive funds directly by notifying the Department and school district in which the school is located by the first day of April in an odd-numbered year. Election changes take effect on the first day of July following the submitted change.

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.²⁸

Dyslexia screenings and interventions

Transfer students

(R.C. 3323.251)

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

1. For students enrolled in kindergarten, a district or school must administer the 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 one through six, a district or school must administer the 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.

²⁸ See R.C. 3317.06 and 3317.062, neither in bill.

Screening measures

(R.C. 3323.25)

The bill requires the Department to identify a tier one dyslexia screening measure by January 1, 2024, that must be made available to public schools free of charge. Districts and schools must use the identified screening measure beginning in the 2024-2025 school year as the tier one screening measure to satisfy dyslexia screening requirements under continuing law.

Professional development

(R.C. 3319.077)

Continuing law requires teachers who teach grades K-3 or special education to grades 4-12 complete professional development regarding dyslexia. The bill 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 July 1, 2023, for each district teacher who provides instruction for students in grades kindergarten and first grade;
2. Not later than July 1, 2024, for each district teacher who provides instruction for students in grades two and three;
3. Not later than July 1, 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.

Ed Choice Expansion income threshold

(R.C. 3310.032; Section 265.275)

The bill increases from at or below 250% to 400% of the federal poverty level (FPL) income eligibility threshold that a recipient's family must meet to qualify for an Educational Choice Expansion Scholarship.

The Ed Choice Scholarship Program operates statewide in every school district except Cleveland to provide scholarships mainly for students who (1) are assigned or would be assigned to district school buildings that have persistently low academic achievement (known as "traditional" or "performance-based" Ed Choice) or (2) are from low-income families (known as "income-based" Ed Choice Expansion). Continuing law also qualifies certain other students for the scholarship as well, including foster children and siblings of Ed Choice recipients. Students may use their scholarships to enroll in participating chartered nonpublic schools.

Educator licensing and permits

Pre-service teaching for compensation

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

Student teachers

The bill 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 bill requires the State Board of Education to adopt rules establishing a new three-year pre-service teacher 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 bill 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 Department, on a case-by-base 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 bill 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 bill eliminates provisions of law that conflict with the bill'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 bill also eliminates the prohibition from those students receiving compensation.

Alternative military educator teaching license

(R.C. 3319.285)

The bill 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 bill, 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 bill permits the Department of Education 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 current law unchanged by the bill, an unlicensed veteran may teach a non-core course at a school district if the veteran has meaningful teaching or other instructional experience.²⁹

Computer science educator licensure

(R.C. 3319.22 and 3319.236)

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 bill 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 Office of Computer Science Education (see “**Office of Computer Science Education**,” below) in revising the requirements for licensure in computer science.

Continuing law prescribes a separate exception to the general requirement. Under that exception, a school district may employ an individual who holds any valid educator license if that individual has received a supplemental teaching license in computer science. An individual qualifies for a supplemental license by passing a computer science content exam and meeting other requirements established by the State Board.

Grade band specifications

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

Community school employee misconduct

(R.C. 3314.03 and 3314.104)

The bill 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.

²⁹ R.C. 3319.283, not in the bill.

Private school educator certification

(R.C. 3301.071)

The bill makes explicit that the State Board of Education 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. Current law already requires the same for individuals who hold bachelor's degrees.

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 bill 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 bill 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 bill 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 bill requires the State Board to adopt rules regarding the identification, instruction, assessment, and reclassification of English learners. The rules must conform to the Department of Education'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 bill 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. Current 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 bill 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.

Career-technical courses at Ohio Technical Centers

(R.C. 3313.901)

Upon approval by the Department, the bill 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 by submitting a plan describing how the district and the OTC will establish a collaborative partnership to provide career-technical education to students.

The bill also requires a district approved by the Department to do all of the following:

1. Award a student high school credit for completion of a course at an OTC;
2. Report students taking classes at OTCs to the education management information system (EMIS) as enrolled for the time the student is taking a course at an OTC indicating as such. However, the bill 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 the course at the OTC during time outside of 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 statewide average base cost per pupil and the amount applicable to the student for the portion of the full-time equivalency the student is enrolled in the course, without applying the district's state share percentage; or
 - b. If the OTC is not located on the same campus as the student's high school, \$7,500.

The bill 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 bill, 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 bill permits an individual who holds an adult education permit issued by the State Board of Education and is employed by an OTC to provide instruction to a student in grades 7-12 enrolled in a course at an OTC.

OTCs are career-technical centers and schools that provide adult education and are recognized as such by the Chancellor of Higher Education. There are currently 49 OTCs in the state.³⁰

Literacy improvement grants

(Section 265.330)

Professional development stipends

The bill 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.

Under the bill, district 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. Teachers and administrators must complete the professional development course as follows:

1. First, all of the following:
 - 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. Second, all teachers who teach a subject area other than English language arts in grades 6 through 12;
3. Third, all administrators.

The bill requires each district and school to pay a stipend to each teacher who completes a professional development course. The stipend must be \$1,200 for each individual listed under (1) and \$400 for each individual listed under (2). Each district and school may apply to the Department for reimbursement of the cost of the stipends. The bill prohibits the Department from providing reimbursement to an administrator to complete a professional development course.

³⁰ See the [Ohio Technical Centers](http://ohiotechnicalcenters.com) website at ohiotechnicalcenters.com for more information.

The bill 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 bill 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 school district, community school, and STEM school must participate in the survey and provide the information requested by the Department.

Literacy supports coaches

The bill 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 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 bill 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.

Other

Literacy instructional materials

(R.C. 3313.6028)

The bill 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.

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 bill 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 bill further 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.” However, 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.

EMIS reporting of literacy instructional materials

(R.C. 3301.0714)

The bill requires each district and 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.

FAFSA graduation requirement

(R.C. 3313.618 and 3313.619)

The bill establishes a new requirement that each student must provide evidence of having completed and submitted the Free Application for Federal Student Aid (FAFSA). However, the bill exempts a student from meeting this requirement if either the student’s:

1. Parent or guardian, or the student if the student is at least 18 years old, has submitted a written letter, in a manner prescribed by the Department of Education, to the student’s district or school stating the student will not complete and submit the FAFSA; or

2. District or school has made a record, in a manner prescribed by the Department, describing circumstances that make it impossible or impracticable for the student to complete the FAFSA.

E-school standards

(R.C. 3314.23)

The bill 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. Current law requires that e-schools comply with standards developed by the International Association for K-12 Online Learning.

Pilot funding for dropout recovery e-schools

(Section 265.320)

The bill extends to FY 2024 and FY 2025 the pilot program established initially for FY 2021 that provides additional funding on a per-pupil basis for certain e-schools operating dropout prevention and recovery programs (DOPR) for students in grades 8-12. A participating school must have participated in FY 2023 to be eligible. Each school that chooses to participate in the pilot program must report any information necessary for the Department to make payments.

For each fiscal year, the Department must calculate an additional payment for each DOPR community school that chooses to participate in the program.³¹

The bill permits the Department to complete a review of the enrollment of each DOPR e-school that choose to participate in the pilot program. If the Department determines a school has been overpaid based on that review, it must require a repayment of the overpaid funds and may require the school to establish a plan to improve enrollment reporting.

Quality Community School Support Program

(Section 265.430)

Continuation of Quality Community School Support Program

The bill continues the Quality Community School Support Program. Under the program, the Department of Education is required to pay each community school that is designated as a “Community 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.

³¹ For more information on the computation, see the LSC Department of Education Redbook when available at lsc.ohio.gov/budget.

“Community School of Quality” designation

Under the bill, 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 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, as determined by the Department.
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 two or more points 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 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 established under 20 U.S.C. 7221 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:
 - (1) One of the operator's schools in another state performed better than the school district in which the school is located, as determined by the Department;
 - (2) At least 50% of the total number of students enrolled in all of the operator's schools are economically disadvantaged, as determined by the Department;
 - (3) The operator is in good standing in all states where it operates schools, as determined by the Department; and
 - (4) The Department has determined that the operator does not have any financial viability issues that would prevent it from effectively operating a community school in Ohio; and
- 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 it is designated. Such a school may also seek to renew its designation each year, which extends the designation for the two fiscal years following the renewal. Schools that were designated as a Community School of Quality based on the report cards issued for the 2017-2018 and 2018-2019 school years may renew their designation in this manner.

Competitive bidding exemption

(R.C. 127.16)

The bill exempts purchases made by the Department from an educational service center from the requirement that purchases made by state agencies using direct appropriations and exceeding a certain amount must be competitively bid or approved by the Controlling Board.

Academic distress commissions

(Section 265.540)

The bill prohibits the state Superintendent from establishing any new academic distress commissions (ADCs) for the 2023-2024 and 2024-2025 school years. Otherwise, under continuing law, the state Superintendent must establish an ADC for certain school districts with persistently low academic performance to guide actions to improve their performance. That law requires each ADC to appoint a chief executive officer (CEO) who has substantial powers to manage the operation of a qualifying district and prescribes progressive consequences for the district,

including possible changes to collective bargaining agreements and eventual mayoral appointment of the district board.³²

H.B. 110 of the 134th General Assembly established a moratorium on the establishment of new ADCs for the 2021-2022 and 2022-2023 school years, which the bill extends. H.B. 110 also established a process by which school districts subject to an existing ADC may make an early transition out of ADC oversight prior to meeting the conditions for transitioning out of the oversight of an ADC. For a detailed description of this process, see the LSC's Final Analysis for H.B. 110.³³

³² R.C. 3302.10, not in the bill.

³³ See [H.B. 110 of the 134th General Assembly Final Analysis \(PDF\)](#) at pp. 211-213, also accessible at: legislature.ohio.gov.