
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.

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 the Jon Peterson Special Needs Scholarship Program in proportion to the bill's estimated proposed increase of 12.1% to the statewide average base cost per pupil.

- Increases the funding cap for the Jon Peterson Special Needs Scholarship Program from \$27,000 to \$30,000.

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.

DOPR e-school funding pilot program

- Makes permanent the pilot program that provides alternative funding to dropout prevention and recovery (DOPR) internet- or computer-based community schools (e-schools).

Student transportation

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 school students under certain conditions.

Private and community school pupil transportation

- Requires a school district to provide each student in grades K-8, regardless of what type of school the student attends, substantially the same level of transportation service, route and schedule convenience, and pick-up and drop-off times relative to the student's school's start and end times.

Noncompliance penalty

- Requires the Department to determine penalty fees related to transportation based upon the number of students affected rather than the total daily transportation amount.

Pilot program

- Establishes a pilot program under which an educational service center provides transportation to students enrolled in participating community schools, STEM schools, and chartered nonpublic schools in the 2023-2024 school year.

Third Grade Reading Guarantee

- Beginning with the 2023-2024 school year, eliminates student retention under the Third Grade Reading Guarantee.

- Requires only one administration of the third-grade English language arts assessment per year.
- Expands the grade bands for which school districts and chartered nonpublic schools are required to provide reading intervention services.
- Expands from three to five the grades in which the State Board of Education must prescribe standards for the teaching of phonics and in-service training programs for teachers.
- Establishes a safe harbor for students retained under the Guarantee in the 2022-2023 school year.

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 that they may 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 two 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 450% the federal poverty level (FPL) income eligibility threshold that a recipient's family must meet to qualify for an Ed Choice Expansion Scholarship.

Scholarship student performance data comparison system

- Requires the Department to develop one or more measures to demonstrate the performance of scholarship students enrolled in chartered nonpublic schools to enable comparison against students enrolled in public schools.

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.

Educator licensing and permits

Ohio Teacher Residency Program

- Permits mentoring under the teacher residency program to occur online or in-person.
- Requires the Department to provide no-cost access to online professional development resources.
- Provides a no-cost opportunity for online coaching to participants who do not pass the Resident Educator Summative Assessment (RESA).
- Permits participants who have not taken the RESA to receive online coaching if the participant's district or school pays for the associated costs.
- Prohibits the State Board from limiting the number of attempts participants have to successfully complete the RESA.

Professional development for classroom teachers

- Requires school districts, community schools, and STEM schools to provide one day of professional development leave per school year for each classroom teacher to observe a veteran classroom teacher.
- Requires local professional development committees to consider a teacher's observation of a veteran teacher as part of the continuing education required for license renewal.

Alternative resident educator license

- Reduces the alternative resident educator license from four to two years.
- Permits the holder of an alternative resident educator license to teach preschool students.

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 pre-K -8 or grades 6-12.

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.

School counselor licensure

- Codifies the requirements for an initial five-year professional pupil services license in school counseling.
- Adds as a new requirement for an initial license that an applicant complete 12 hours of specified training about the building and construction trades.
- Requires an individual who holds a license to complete at least four hours of specified training about the building and construction trades.

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

State minimum teacher salary schedule

- Increases the minimum base salary for beginning teachers with a bachelor's degree from \$30,000 to \$40,000 and proportionally increases the minimum salaries for teachers with different levels of education and experience.

Teacher loan repayment program

- Creates a loan repayment program to provide awards to eligible teachers to teach in "high-needs" subject areas for five consecutive years at public schools that have persistently low performance ratings on the state report card and difficulty attracting and retaining teachers.
- Establishes the Teacher Loan Repayment Fund to consist of the amounts designated for the program.

FAFSA education

- Requires instruction on the free application for federal student aid (FAFSA) as part of the financial literacy education required for students to graduate high school.

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.
- Defines “three-cueing approach” as any model of teaching students to read based on meaning, structure and syntax, and visual cues.
- 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 it is using in each of grades pre-K-5 and the reading intervention programs being used in each of grades pre-K-12.

Training for school athletic coaches

- Prohibits an individual from coaching an athletic activity at a public or chartered 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.

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 a 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 bill.
- Entitles the provisions “Sarah’s Law for Seizure Safe Schools Act.”

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.

Transfer of student records

- Requires public or chartered nonpublic schools to transmit a transferred student's school records within five school days after receiving a request from the school or district that the student is attending.

JCARR review of changes regarding community schools

- Subjects to Joint Committee on Agency Rule Review-approval any proposed changes to EMIS or the Department's business rules and policies that may affect community schools.

Department policies

- Requires each policy established by the Department to comply with statutes and rules in existence at the time the policy is established and other requirements.
- Requires the Department to review each policy 90 days after the amendment's effective date, and every five years thereafter, and prepare a public record certifying that it has been reviewed.
- Permits a person to make a complaint with the Superintendent of Public Instruction alleging that a policy does not comply with the bill's new requirements.
- Requires the Department to give public notification and opportunity for comment of all of its proposed policies.

School counselor liaison

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

Autism Scholarship intervention services providers

- Qualifies registered behavior technicians and certified Ohio behavior analysts as providers that may offer intervention services under the Autism Scholarship Program.
- Prohibits the State Board from requiring registered behavior technicians and certified Ohio behavior analysts to have an instructional assistant permit to qualify to provide services to a child under the Autism Scholarship Program.

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.

- Expands the program to include qualifying independent STEM schools.

E-Rate matching grants pilot project

- Requires the Department to establish and administer a pilot project that provides state matching grants in FYs 2024 and 2025 to school districts, educational service centers, other public schools, or libraries.
- Requires school districts, educational service centers, public schools, or libraries to first be approved by the appropriate entity for the federal Universal Service Fund's Schools and Libraries program (E-Rate) funding and for special construction broadband expansion meeting the Federal Communications Commission's (FCC) long term E-Rate targets to be eligible for the pilot project.
- Requires the Department to begin to accept pilot project applications not later than 90 days after the pilot project law's effective date.
- Requires the Department to establish processes for accepting pilot project applications and making eligibility determinations that are consistent with E-Rate.
- Prohibits the Department from establishing eligibility criteria more stringent than E-Rate approval and special construction meeting the FCC's long term E-Rate targets.
- Permits the Department to establish rules to carry out the pilot project under the Administrative Procedure Act, and exempts such rules from the regulatory restriction limitation in current law.

Financial Literacy and Workforce Readiness Programming Initiative

- Establishes the Financial Literacy and Workforce Readiness Programming Initiative to operate in FY 2024 and FY 2025.

Studies

- Requires the Department to conduct studies evaluating student wellness and success funds, the feasibility of requiring all-day kindergarten, and providing services to economically disadvantaged students.

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.

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."

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. 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 transportation state share percentage from 33.33% in FY 2023 to 37.5% in FY 2024 and 41.67% in FY 2025;
6. 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;
7. Increases the gifted professional development per pupil amount from \$14 in FY 2023 to \$21 in FY 2024 and \$28 in FY 2025; and
8. 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 codifies provisions of the student wellness and success funds (SWSF) that require 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.

It also codifies the provision that requires districts and schools to spend 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

Initiatives	
Current law	The bill
Services for child welfare involved youth	No change
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.

Gifted funding requirements

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

The bill makes permanent, and in some cases revises, a series of requirements regarding gifted student funding that, under current law, apply 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 bill makes permanent the requirement that a school district only spend its gifted funding on specifically authorized services and providers. However, it revises on which services and providers those funds may be spent.

The table below indicates the services or providers that were authorized for FY 2022 and FY 2023 under current law and whether the bill authorizes it permanently or eliminates it.

Services or providers	Made permanent or eliminated
Gifted student identification	Made permanent
Gifted coordinator services	Made permanent
Gifted intervention specialist services	Made permanent
Gifted professional development	Made permanent
Other Department-approved service providers	Eliminated

Reduction of funds for noncompliance

The bill 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 bill requires the Department to reduce a district's state funding within 180 days after the end of the fiscal year.

Reporting and auditing requirements

The bill 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 bill 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, the bill 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 current law for FY 2022 and 2023.

The bill 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 separate report that required the Department, for FY 2024 and each year thereafter, that the Department publish on its website only the district's expenditure of funds for the previous fiscal year.

Finally, the bill 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 bill increases the base and category amounts for the Jon Peterson Special Needs Scholarship (JPSN) Program in proportion to the bill's estimated proposed increase of 12.1% to

the statewide average base cost per pupil. The base and category amount increases are as follows:

1. Increases the base amount from \$6,414 to \$7,190;
2. Increases the Category 1 amount from \$1,562 to \$1,751;
3. Increases the Category 2 amount from \$3,963 to \$4,442;
4. Increases the Category 3 amount from \$9,522 to \$10,673;
5. Increases the Category 4 amount from \$12,707 to \$14,243;
6. Increases the Category 5 amount from \$17,209 to \$19,290;
7. Increases the Category 6 amount from \$25,370 to \$28,438.

The bill also increases the maximum scholarship award for the JPSN Program from \$27,000 to \$30,000.

The bill maintains current law 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.

Background

The Jon Peterson Special Needs Scholarship Program provides scholarships to eligible students in grades K through 12 who have an Individualized Education Program (IEP) established by their resident school districts. The amount of each scholarship "category" is based on the primary disability condition identified on the student's Evaluation Team Report (ETR).

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 2025.⁶⁰

⁶⁰ R.C. 3317.028, not in the bill.

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 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 April 1 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 April 1 in an odd-numbered year. Election changes take effect on July 1 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.⁶¹

DOPR e-school funding pilot program

(R.C. 3317.22)

The bill makes permanent the pilot program that provides alternative funding to dropout prevention and recovery (DOPR) internet- or computer-based community schools (e-schools). It also expands eligibility to participate in that program to any DOPR e-school and adds additional requirements to some or all of the e-schools that choose to participate in the program.

Eligibility

The bill qualifies any e-school in which a majority of students were enrolled in a dropout prevention and recovery program. Any school that chooses to participate in the program must notify the Department in a form and manner determined by the Department. Any DOPR e-school that receives funding for a fiscal year under the program cannot receive state foundation funding.

Payment

The Department must pay each participating e-school, for its students enrolled in grades 8-12, an amount based on student participation and course completion. The section outlines a

⁶¹ See R.C. 3317.06 and 3317.062, neither in bill.

payment calculation for the program. However, these provisions do not appear to be operative, as funding is provided only for the uncodified e-school funding pilot that remains in the bill.⁶²

The Department must require each participating e-school to report all information necessary to make the payment.

Additional requirements for pilot program participants

Enrollment review

The bill requires the Department to conduct a review of the enrollment of each participating e-school.⁶³ If the Department determines an e-school has been overpaid based on this review, the Department must require a repayment of the overpaid funds and may require the e-school to establish a plan to improve the reporting of enrollment.

Debt reduction plan

The bill permits the Department to require each participating e-school to create a debt reduction plan approved by the school's sponsor, if determined appropriate by the Department.

Student engagement plan

The bill specifies that, if a participating school had a percentage of student engagement in learning opportunities that was less than 65%, the school must provide to the Department a meaningful plan for increasing student engagement.

Documentation of enrollment and learning opportunities

The bill requires all participating e-schools to implement programming or a protocol which documents enrollment and student participation in learning opportunities.

Student transportation

Nine-passenger vehicles

(R.C. 4511.76)

The bill 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 for regularly scheduled school sessions if all of the following apply:

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

⁶² Section 265.320.

⁶³ R.C. 3314.08(K).

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.

Currently, 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.⁶⁴

Private and community school pupil transportation

(R.C. 3327.01)

The bill requires a school district to provide each student it transports in grades kindergarten through eight substantially the same level of transportation service, route and schedule convenience, and pick-up and drop-off times relative to the student's school's start and end times regardless of whether the student attends a school operated by the district or a nonpublic or community school.

Generally, under current law, a school district must provide transportation for students in grades K-8 who live more than two miles from school, whether they attend district schools; public community schools; science, technology, engineering, and mathematics (STEM) schools; or private schools that hold a state charter. There are exceptions, however, such as when transportation to a community or STEM school or private school exceeds 30 minutes, or when the district board determines transportation to be impractical and offers to pay a parent instead. But students in certain circumstances, such as students with disabilities and homeless students, are entitled to transportation regardless of age or distance from school. Moreover, a district may choose to transport any student it is not legally required to transport.

Noncompliance penalty

(R.C. 3327.021)

The bill requires the Department to determine the penalty fees to be deducted from a school district's transportation payment for consistent or prolonged periods of noncompliance with student transportation requirements based on the number of students who did not receive the required transportation, including students who arrived to school late, for each day of noncompliance.

Under current law, if the Department determines that a school district has had a consistent or prolonged period of student transportation noncompliance, then the Department must deduct from the school's transportation payment the total daily amount of that payment for each day that the district is not in compliance.

⁶⁴ O.A.C. 3301-83-19.

Pilot program

(Section 265.550)

The bill requires the Department to establish a pilot program under which an educational service center (ESC) will provide transportation to students enrolled in participating community schools, STEM schools, and chartered nonpublic schools for the 2023-2024 school year, in lieu of the students receiving transportation from their resident school district. The Department must take a regional approach to the pilot program when possible.

By August 1, 2023, the Department must select, in collaboration with the Ohio ESC Association Program Cabinet, up to five ESCs and a school district served by each ESC to participate in the pilot program. The Department and Ohio ESC Association Program Cabinet must determine a form and manner for interested ESCs to apply for the pilot program.

The Department, Ohio ESC Association Program Cabinet, and selected ESCs jointly must identify community schools, STEM schools, and chartered nonpublic schools that enroll students from the selected school district and for whom the ESCs will provide transportation during the 2023-2024 school year. However, community schools, STEM schools, and chartered nonpublic schools cannot be required to participate in the pilot program.

During the 2023-2024 school year, the Department and Ohio ESC Association Program Cabinet must develop, and participating ESCs must implement, the pilot program's transportation procedures and a payment structure for transportation funding between participating school districts and schools.

The bill exempts participating ESCs and school districts during the 2023-2024 school year from penalties for consistent or prolonged noncompliance with the student transportation law. The bill also exempts participating ESCs from the prohibition on a community school sponsor selling any goods or services to a community school it sponsors.⁶⁵ However, the bill requires participating ESCs to comply with all transportation requirements for students with disabilities as specified in the individualized education programs developed for those students.

The Department and Ohio ESC Association Program Cabinet must evaluate and issue a report of the pilot program's findings and recommendations by July 1, 2024. The report must include data on the impact the pilot program has had on attendance at the participating schools, the finances of the participating schools, and any other metrics determined by the Department and Ohio ESC Association Program Cabinet. Participating ESCs and schools must submit data and other information to the Department in a manner determined by the Department, to be used for the evaluation of the program.

⁶⁵ See R.C. 3314.46, not in the bill.

Third Grade Reading Guarantee

(R.C. 3301.07, 3301.0711, 3301.163, 3302.151, and 3313.608; Section 733.10)

Beginning with students who enter the third grade in the 2023-2024 school year, the bill eliminates the retention of third grade students who do not attain the required score on the third-grade English language arts achievement assessment under the Third Grade Reading Guarantee. In addition, beginning with the 2023-2024 school year, the bill requires only one administration of the third-grade English language arts assessment per year.

Remediation and intervention plans

The bill generally maintains the requirement that public (school districts, community schools, and STEM schools) and private (chartered nonpublic) schools offer intervention and remediation services to students reading below grade level.

However, the bill makes the following changes to intervention and remediation services requirements for both public and private schools:

1. Increases from three to five the grades for which schools are required to provide reading intervention services;
2. Requires public schools to offer reading improvement and monitoring plans for students in grades four or five who have been identified as having reading skills below grade level;
3. Requires private schools to provide intensive reading instruction services, as determined appropriate by the school;
4. Requires schools to offer reading improvement and monitoring plans or, for private schools, intensive reading instruction services, for students who were retained in any of grades kindergarten through three and received remediation services but continue to read below grade level.

Phonics instruction

The bill expands from kindergarten through three to kindergarten through five the grades for which the State Board of Education must prescribe standards for the teaching of phonics. The bill commensurately expands the grade bands for which the State Board must provide in-service training programs for teachers on the use of phonics as a technique in the teaching of reading.

Safe harbor

The bill requires school districts and schools that retained students for the 2023-2024 school year based solely on that student's score on the third grade achievement assessment in reading in the 2022-2023 school year to promote those students to the fourth grade.

Background

The Third Grade Reading Guarantee is a program to identify students in grades K through 3 who are reading below grade level. Schools must administer diagnostic

assessments in reading for those grades to identify students who are reading below grade level and to provide intervention services for those students prior to taking the third-grade English language arts assessment. Currently, if a student does not attain a level of achievement determined by the Department on the third-grade English language assessment, unless otherwise exempted, that student may not be promoted to the fourth grade.

A similar guarantee applies to students attending chartered nonpublic schools with state scholarships.

Both provisions are amended by the bill to eliminate student retention.

Promotion under the state report card

As described above, the bill eliminates retention under the Third Grade Reading Guarantee; however, it maintains certain promotion-related provisions with regard to the state report card as enacted in 2021 by H.B. 82 of the 134th General Assembly. It is not clear how those report card measures will be affected by the bill's provisions.

For a full description of the relevant provisions please see pages 11 and 12 of the [Final Analysis of H.B. 82 of the 134th General Assembly \(PDF\)](#) accessible at: legislature.ohio.gov for a discussion of the "Early Literacy" report card component and "Reported-only data."

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 1 through 6, 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.

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 may 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 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.

Ed Choice

Expansion program income threshold

(R.C. 3310.032; Section 265.275)

The bill increases from at or below 250% to 450% of the federal poverty level (FPL) income eligibility threshold that a recipient's family must meet to qualify for an income-based Educational Choice (Ed Choice) Expansion Scholarship.

The bill also increases from at or below 100% FPL to at or below 300% FPL the income eligibility threshold for the second tier of prioritization for income-based Ed Choice scholarships if the number of eligible students who apply for scholarships exceeds the number of available scholarships based on appropriations. Under current law, the Department must award scholarships first to renewing students, second to eligible students at or below 100% FPL, and third to all other students.

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.

Scholarship student performance data comparison system

(R.C. 3310.15)

The bill requires the Department to develop one or more measures that demonstrate the performance of scholarship students enrolled in chartered nonpublic schools and enable parents to effectively compare the performance of such students against students enrolled in public schools. The measures must be developed by July 1, 2024. The Superintendent of Public Instruction’s advisory committee on chartered nonpublic schools must review the measures and data simulations developed by the Department and may recommend revisions. The bill also requires the Department to adopt rules prior to using any of the measures developed and exempts rules adopted under this requirement from the limitations on regulatory restrictions implemented in S.B. 9 of the 134th General Assembly.

Under continuing law, the Department is required annually to compile and post to its website aggregate data containing the scores attained by scholarship students who take state assessments and end-of-course examinations and to provide the parents of scholarship students with information comparing their child’s performance on state assessments with the average performance of similar students enrolled at the school building operated by the student’s resident school district where the student otherwise would attend.

Family income disclosure

(R.C. 3310.13)

The bill 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% of the federal poverty level (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.

Educator licensing and permits

Ohio Teacher Residency Program

(R.C. 3319.223)

The bill 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 bill specifically permits both online and in-person mentoring to participants. It also requires the Department 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 bill requires the Department 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 Department. 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 bill also permits participants who have not taken the RESA to meet with Department-approved coaches if the participant's district or school pays the costs associated with the meetings.

Measures of progression

Under administrative rule, participants are prohibited from attempting the RESA more than three times. The bill, however, prohibits the State Board from limiting the number of attempts participants have to successfully complete the RESA.

The bill creates a window of time within which participants may submit their RESA. Participants may send their RESA submissions to the Department 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 by the Department. In that case, the results of each RESA must be returned within 45 days.

Background

The Ohio Teacher Residency program is an entry-level support program that both resident educator and alternative resident educator license holders must complete to qualify for a professional educator license. Effective in 2023, H.B. 442 of the 133rd General Assembly reduced the program from four years to two.

Professional development

(R.C. 3319.225; conforming changes in R.C. 3314.03, 3319.27, and 3326.11)

The bill requires each school district and other public school, beginning the first school year after the bill's effective date, to provide one day of professional development leave each school year for each classroom teacher to observe a veteran classroom teacher. The bill

excludes district superintendents, principals, assistant principals, and other administrators from the requirement.

The bill also requires local professional development committees to consider a teacher's observation of a veteran teacher as part of the continuing education required for license renewal.

Alternative resident educator license

(R.C. 3319.26)

The bill 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.

An alternative resident educator license is an entry-level license for a teacher who has not completed a traditional teacher preparation program, but who instead meets other specified education and testing requirements and agrees to complete other conditions while teaching under the license.

The bill also permits the holder of an alternative resident educator license to teach preschool students. Under current law, the State Board is required to adopt rules establishing the standards and requirements for obtaining an alternative resident educator license for teaching in grades K to 12 a designated subject area. The bill does not make changes to eligibility requirements to obtain such a license.

Licensure grade bands

(R.C. 3319.22)

The bill 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.

Under current 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)

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 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-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 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 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.⁶⁶

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 Chancellor of Higher Education 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.

School counselor licensure

(R.C. 3319.2213)

The bill codifies the requirements currently in rule for an initial five-year professional pupil services license in school counseling.⁶⁷ Specifically, it requires an applicant to complete an approved school counselor preparation program, pass an exam prescribed by the State Board, attain a master's degree, and complete a 600-hour internship.

In addition to those requirements, the bill requires an applicant to complete 12 hours of training about the building and construction trades and available apprenticeships. Those 12 hours may count toward meeting the 600-hour internship requirement.

Under the bill, the State Board also must require an individual who holds a valid professional pupil services license in school counseling to complete four hours of training in the

⁶⁶ R.C. 3319.283, not in the bill.

⁶⁷ O.A.C. 3301-24-05(C)(1)(b).

building and construction trades and available apprenticeships. Those four hours may count toward meeting continuing education unit requirements established by the State Board for licensure renewal.

The training in the building and construction trades, for both an initial license and a license renewal, must be completed at a construction site or a training facility for the building and construction trades. The training must include information about:

1. The pay and benefits available to people who work in the building and construction trades in the individual's community; and

2. Job opportunities for boilermakers, electrical workers, bricklayers, insulators, laborers, iron workers, plumbers and pipefitters, roofers, plasterers and cement masons, sheet metal workers, painters and glaziers, elevator constructors, operating engineers, teamsters, and carpenters.

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.

Private school educator certification

(R.C. 3301.071)

The bill 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. 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 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.⁶⁸

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.

⁶⁸ See the [Ohio Technical Centers](http://ohiotechnicalcenters.com) website at ohiotechnicalcenters.com for more information.

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.

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

State minimum teacher salary schedule

(R.C. 3317.13)

The bill amends the statutory minimum teaching salary schedule to increase the minimum base salary for beginning teachers with a bachelor’s degree from \$30,000 to \$40,000 and to increase proportionally 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.⁶⁹

Teacher loan repayment program

(R.C. 3319.58)

The bill requires the Department and the Chancellor to establish and administer a loan repayment program for eligible teachers providing instruction at qualifying public schools. Under the bill, a “qualifying school” is a school operated by a school district, a community

⁶⁹ R.C. 3317.14 and 3317.141, neither in the bill.

school, a STEM school, or a college-preparatory boarding school that the Department and the Chancellor jointly determine has:

1. Persistently low performance ratings on the state report card; and
2. Difficulty attracting and retaining classroom teachers who hold a valid educator license.

An eligible teacher must apply to receive an award under the program upon being employed by a qualifying school and qualifies for it by remaining employed in that position for five consecutive years providing instruction in a “high-needs” subject area, as determined by the Department. The award consists of a direct payment by the Department to the teacher’s lender of the lesser of \$40,000 or the balance of any outstanding loans the teacher incurred while attaining a bachelor’s degree. A teacher may receive only one award under the program.

The bill requires the Department and the Chancellor to jointly adopt rules to administer the program.

Teacher eligibility

To be eligible under the program, a teacher must satisfy all of the following requirements:

1. Be an Ohio resident;
2. Hold a valid educator license;
3. Be employed full-time for the first time as a classroom teacher;
4. Have received a bachelor’s degree awarded by any public or private institution of higher education in Ohio;
5. Have outstanding student loans for that bachelor’s degree; and
6. Have made timely payments in accordance with the terms of the individual’s repayment schedule for those outstanding loans.

Teacher Loan Repayment Fund

The bill establishes the Teacher Loan Repayment Fund in the state treasury to consist of the amounts designated by the General Assembly to make awards under the program.

FAFSA education

(R.C. 3313.603)

The bill requires public schools and certain private schools to include instruction on the free application for federal student aid (FAFSA) as part of the school’s curriculum on financial literacy. Schools have the discretion to determine the content and method of such instruction.

Under continuing law, students who enter the ninth grade for the first time after July 1, 2022, are required to complete a minimum of 60 hours (one-half unit) of course instruction in financial literacy to graduate from high school. Students who attend chartered nonpublic

schools are not required to complete the financial literacy instruction unless they are attending the school under a state scholarship program.

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 defines “three-cueing approach” as any model of teaching students to read based on meaning, structure and syntax, and visual cues.

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.

The bill 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.

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.

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 bill prohibits an individual from coaching an athletic activity at a public or chartered nonpublic school unless the individual has completed a student mental health training course approved by the Department of Mental Health and Addiction Services. 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 bill 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.

“Athletic activity”

For purposes of the bill's requirements, “athletic activity” includes all of the following:

1. Interscholastic athletics;
2. An athletic contest or competition that is sponsored by or associated with a school, including cheerleading, club-sponsored sports activities, and sports activities sponsored by school-affiliated organizations;
3. Noncompetitive cheerleading that is sponsored by school-affiliated organizations; and
4. Practices, interschool practices, and scrimmages.

Frequency of other trainings required for permit renewal

The bill 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.

Background on duration of pupil activity program permits

Pupil activity permits are required for licensed educators and nonlicensed school employees who direct, supervise, or coach a student activity program that involves athletics, routine or regular physical activity, or activities with health and safety considerations.

Generally, pupil activity permits issued to licensed educators have the same duration as their educator licenses and are renewed at the same time as those licenses. The professional, senior professional, and lead professional educator licenses are renewable every five years.

All other pupil activity permit holders are required to renew the permit every three years.

Seizure action plans

(R.C. 3317.7117, 3314.03, 3326.11, and 3328.24; Section 733.20)

The bill 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 bill 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 bill 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 within 12 months after the bill's effective date. Any such individual employed after that date must complete a training within 90 days of employment.

Qualified immunity

The bill 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 bill. The immunity does not apply if any act or omission constitutes willful or wanton misconduct.

Title

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

School meals

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

The bill 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 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.

Transfer of student records

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

The bill requires public (school districts, community schools, STEM schools, and college-preparatory boarding schools) and private (chartered nonpublic) schools to transmit a transferred student's 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. 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.

Under current law, school officials must request a student's records from the public or private school that the student most recently attended. That request must be made within 24 hours after a student's enrollment in the new school. Both state and federal law permit the transfer of student records between schools for legitimate educational purposes.⁷⁰ Currently, however, there is no statutory requirement that districts or schools must transmit a student's records to the requestor.

JCARR review of changes regarding community schools

(R.C. 3301.85)

The bill requires the Department of Education 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 affect community schools. Once submitted, JCARR must hold public hearings regarding the changes, consider testimony, and vote to determine whether community schools can reasonably comply with those changes.

The bill also prohibits the Department from implementing any changes to EMIS or its business rules and policies that may affect community schools unless and until JCARR issues a determination that community schools can reasonably comply with the proposed changes.

Department policies

(R.C. 3301.132)

The bill enacts new provisions involving policies issued by the Department. Under the bill, "policy" means a written clarification or explanation of a statute or rule that is initiated by the Department. This definition excludes any educational guideline, suggestion, or case study regarding how to comply with a statute or rule or any document or guideline regarding the internal organization or operation of the Department, including matters regarding administration, personnel, or accounting.

The bill specifies that the Department's policies do not have the force of law and are subject to all of the following requirements:

⁷⁰ R.C. 3319.321(C), not in the bill, and 20 U.S.C. 1232g.

1. A policy must comply with the statutes and rules that are in existence at the time the policy is established;
2. A policy may not establish any new requirement;
3. The first page of each policy must have printed on it the following statement in uppercase letters: "THIS POLICY DOES NOT HAVE THE FORCE OF LAW"; and
4. A policy must state clearly the statutory provision or administrative rule on which it is based.

The bill further requires that all proposed policies be placed in a prominent location on the Department's website and allow a public comment period of at least 60 days. If the Department receives more than three public comments during the period, the Department must hold at least one public hearing regarding the proposal.

The bill also outlines the process for written complaints regarding the Department's compliance with the new policy requirements. Specifically, the bill requires the state superintendent to review all alleged compliance issues and determine whether the policy meets requirements. However, the bill specifies that the state superintendent's determination is not a final appealable action.

Finally, the bill outlines several requirements regarding the Department's review of its new and existing policies. The bill requires the Department to review, within 90 days of its effective date, all existing policies to determine whether they comply with the new law and complete a written certification regarding the same. The bill requires the same review and certification of all policies created after the bill's effective date. This process must be completed every five years and the certifications are public records which must be made available for inspection and copying consistent with public record requirements.⁷¹ The bill specifies that a policy that has not been reviewed under this requirement is void.

Within 90 days of the bill's effective date, the Department must compile a copy of all of its policies which must be kept current and available to the public.

School counselor liaison

(R.C. 3301.137)

The bill requires the Superintendent of Public Instruction 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 Superintendent must give preference to individuals holding a valid pupil services license in school counseling.

⁷¹ R.C. 149.43.

Autism Scholarship intervention services providers

(R.C. 3310.41 and 3310.43)

The bill qualifies registered behavior technicians and certified Ohio behavior analysts as providers that may offer intervention services under the Autism Scholarship Program.

Under current law, intervention services under the Autism Scholarship Program may be provided by a qualified, credentialed provider. The providers expressly qualified include certified behavior analysts, licensed psychologists, licensed school psychologists, individuals employed and supervised by such psychologists or school psychologists, unlicensed individuals holding a doctoral degree in psychology or special education from a program approved by the State Board, and other qualified individuals as determined by the State Board.

The bill 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. Under current law, the Department issues one-year instructional assistant permits to individuals who meet qualifications and have been hired by a registered private provider under the Autism Scholarship Program.

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.⁷²

⁷² For more information on the computation, see the [LSC Department of Education Redbook \(PDF\)](#), available at: lsc.ohio.gov/budget.

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 and Independent STEM School Support Program

(Section 265.430)

Continuation

The bill continues the Quality Community School Support Program. Under the program, the Department must 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.

However the bill changes the payment determination for a fiscal year based on current student enrollment instead of the final adjusted enrollment for the prior fiscal year.

“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 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 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. Furthermore, a school that was designated as a Community School of Quality for the first time for the 2019-2020 school year maintains that designation for the 2022-2023 school year and may renew its designation each year.

Merged community schools

The bill 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 bill qualifies a school dissolved under the merger that otherwise qualified for the program to receive and retain funds received under the program prior to the bill's effective date.

Expansion to include independent STEM schools

The bill expands the Quality Community Schools Support program to include a STEM school that:

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.

E-Rate matching grants pilot project

(Sections 265.10, 265.140, and 733.30)

The bill requires the Department to establish and administer a pilot project to provide state matching grants in FY 2024 and FY 2025 to eligible school districts, educational service centers, other public schools, or libraries.

To be eligible for a matching grant under the pilot project, a school district, educational service center, school, or library must first be approved by the Federal Communications Commission (FCC) or other entity authorized to grant approval for (1) E-Rate funding and (2) special construction broadband expansion meeting the FCC's long term targets for E-Rate.

"E-Rate" is the commonly used name for the federal Universal Service Fund's School and Libraries program, which provides discounts to eligible schools and libraries for certain services, such as telecommunications, internet access, and internal connections. E-Rate provides

qualifying schools and libraries with a discount from the pre-discount price for eligible services that ranges from 20% to 90% of the price, depending on indicators of poverty and high cost.⁷³

The Department must begin accepting applications for the pilot project through its website or other publicly available platform not later than 90 days after the effective date of the provision establishing the pilot project. Additionally, the Department must establish processes for accepting pilot project applications and making eligibility determinations that are consistent with E-Rate, but not more stringent than the pilot project requirements discussed immediately above.

The Department is permitted to establish rules to carry out the pilot project pursuant to the Administrative Procedure Act, which are exempt from the regulatory restrictions limitation in current law.

Financial Literacy and Workforce Readiness Programming Initiative

(Section 265.560)

The bill establishes the Financial Literacy and Workforce Readiness Programming Initiative within the Department to operate in FY 2024 and FY 2025. The purpose of the Initiative is “to ensure the next generation’s preparedness in financial literacy, workforce or career readiness, entrepreneurship, and other relevant skills to enter and be competitive in Ohio’s future workforce economy.”

The bill requires the Department to distribute funds to the Junior Achievements of North Central Ohio, Greater Cleveland, and Mahoning Valley. Each of those organizations must collaborate with local schools, institutions of higher education, local, regional, and statewide employers and businesses, subject matter experts, community-based organizations, and other public-private entities or agencies to implement the Programming Initiative.

The Programming Initiative must do all of the following:

1. Place specific emphasis on engagement with students, teachers, and schools primarily located in underserved communities, under-resourced urban and rural areas, or those with populations considered economically disadvantaged;
2. Increase capacity and resources that expand each of the participating organizations collective ability to offer more financial literacy, workforce readiness and entrepreneurship, or related programming such as work-based learning experiences designed to engage more students in the geographic areas to which the participating organizations provide services;
3. Increase the number of students measurably impacted by the participating organizations’ services to up to 110,000 students in any of grades K through 12 in FY 2024 and 2025;

⁷³ 47 C.F.R. 54.502 and 54.505, not in the bill.

4. Assist students enrolled in any of grades 9 through 12 with direct entry into the workforce, access to higher education, or in-demand job training;

5. Increase each participating organization's ability to provide teacher-focused programming and support to assist in the greater integration of the organization's programming into up to 300 schools located within its service area;

6. Strengthen each participating organization's capacity and resources to collectively provide up to ten student-focused engagement events involving students and teachers from multiple schools and communities in northeast and central portions of the state. The engagement events must do both of the following:

a. Enhance and deepen participating students' ability to demonstrate mastery of financial literacy, workforce or career readiness, entrepreneurship, or related skills and knowledge vital to equipping and preparing students with the requisite skills, competencies, and knowledge to be competitive for in-demand jobs within the state and global workforce economy, particularly those that are considered high-growth jobs in the state of Ohio;

b. Be offered to all partnering schools and respective students, with emphasis on engaging students and schools that are primarily located in underserved communities, under-resourced urban and rural areas, or those with populations considered economically disadvantaged.

Department studies

(Section 265.420)

The bill requires the Department to conduct several studies regarding prescribed topics. It requires the Department, in consultation with the Department of Mental Health and Addiction Services, to conduct an evaluation of student wellness and success funds on student measures such as school climate, attendance, discipline, and academic achievement.

The bill also requires the Department to conduct a study regarding access to all-day kindergarten across the state, including barriers to offering all-day kindergarten and age cut-off dates. In conducting that study, the Department must engage with superintendents and treasurers from school districts that charge tuition for all-day kindergarten or that do not offer it. The Department must submit recommendations to the Governor on the feasibility of requiring all-day kindergarten.

Finally, the bill 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.

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.⁷⁴

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. 110.⁷⁵

State share of local property taxes in five-year forecasts

(R.C. 5705.391)

Beginning with FY 2024, the bill requires the Department of Education 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.⁷⁶

⁷⁴ R.C. 3302.10, not in the bill.

⁷⁵ See [H.B. 110 of the 134th General Assembly Final Analysis \(PDF\)](#) at pp. 211-213, also accessible at: legislature.ohio.gov.

⁷⁶ See [How to Read a Five-Year Forecast \(PDF\)](#), which is also available at the Department's website: education.ohio.gov.

BOARD OF EMBALMERS AND FUNERAL DIRECTORS

Crematory operators

- Reestablishes the requirement that an individual obtain a crematory operator permit to perform cremations.
- Corrects a drafting error within the existing law that prohibits the unauthorized removal of items from a body before or after cremation.

Unlicensed funeral directing

- Requires the executive director of the Board of Embalmers and Funeral Directors to notify law enforcement of persons engaged in unlicensed funeral directing.

Crematory operators

Reinstate permit

(R.C. 4717.01, 4717.02, 4717.03, 4717.04, 4717.06, 4717.07, 4717.08, 4717.09, 4717.11, 4717.13, 4717.15, 4717.36, and 4717.41; Sections 2, 3, and 8 of H.B. 509 of the 134th G.A., amended in Sections 125.11 to 125.13)

The bill reestablishes the requirement that an individual obtain a crematory operator permit in order to perform cremations in Ohio. H.B. 509 of the 134th General Assembly repealed the permit, effective December 31, 2024, and instead required that a crematory operator maintain, and file with the Board of Embalmers and Funeral Directors, an active certification from a national crematory operator certification program. The bill reverses that future repeal and the associated national certification requirement. It extends application of current law, which requires a prospective crematory operator to apply to the Board, submit an initial permit fee, prove that they are at least 18 years old, and provide evidence of completing a Board-approved crematory operation certification program.

Removal of items before or after cremation

(R.C. 4717.26)

Continuing law prohibits a crematory facility from removing dental gold, body parts, organs, or other items of value from a body before or after cremation, unless the removal is authorized by the cremation authorization form. The bill corrects a drafting error in the law by reinserting a missing word.

Unlicensed funeral directing

(R.C. 4717.04)

The bill requires the Board's executive director to notify law enforcement if the executive director is aware of a person engaged in funeral directing without a license or in any place other than a licensed funeral home. Under current law, the executive director must investigate the alleged violation and, upon finding probable cause, direct an attorney under

contract with the Board, a county prosecutor, or the Attorney General to prosecute the offender. The bill eliminates those duties and leaves the investigation and, if appropriate, referral for prosecution to local law enforcement.