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133rd General Assembly
Regular Session
2019-2020

Sub. H. B. No. 436

A BILL

To amend sections 3314.03, 3317.26, 3323.11, 1
3326.11, and 3328.24; to enact new section 2
3323.25 and sections 3319.077, 3319.078, and 3
3323.251; and to repeal section 3323.25 of the 4
Revised Code with regard to screening and 5
intervention for children with dyslexia. 6

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

Section 1. That sections 3314.03, 3317.26, 3323.11, 7
3326.11, and 3328.24 be amended and new section 3323.25 and 8
sections 3319.077, 3319.078, and 3323.251 of the Revised Code be 9
enacted to read as follows: 10

Sec. 3314.03. A copy of every contract entered into under 11
this section shall be filed with the superintendent of public 12
instruction. The department of education shall make available on 13
its web site a copy of every approved, executed contract filed 14
with the superintendent under this section. 15

(A) Each contract entered into between a sponsor and the 16
governing authority of a community school shall specify the 17

following:	18
(1) That the school shall be established as either of the	19
following:	20
(a) A nonprofit corporation established under Chapter	21
1702. of the Revised Code, if established prior to April 8,	22
2003;	23
(b) A public benefit corporation established under Chapter	24
1702. of the Revised Code, if established after April 8, 2003.	25
(2) The education program of the school, including the	26
school's mission, the characteristics of the students the school	27
is expected to attract, the ages and grades of students, and the	28
focus of the curriculum;	29
(3) The academic goals to be achieved and the method of	30
measurement that will be used to determine progress toward those	31
goals, which shall include the statewide achievement	32
assessments;	33
(4) Performance standards, including but not limited to	34
all applicable report card measures set forth in section 3302.03	35
or 3314.017 of the Revised Code, by which the success of the	36
school will be evaluated by the sponsor;	37
(5) The admission standards of section 3314.06 of the	38
Revised Code and, if applicable, section 3314.061 of the Revised	39
Code;	40
(6) (a) Dismissal procedures;	41
(b) A requirement that the governing authority adopt an	42
attendance policy that includes a procedure for automatically	43
withdrawing a student from the school if the student without a	44
legitimate excuse fails to participate in seventy-two	45

consecutive hours of the learning opportunities offered to the student. 46
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(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves; 48
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(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code. 50
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(9) An addendum to the contract outlining the facilities to be used that contains at least the following information: 56
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(a) A detailed description of each facility used for instructional purposes; 58
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(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school; 60
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(c) The annual mortgage principal and interest payments that are paid by the school; 62
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(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any. 64
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(10) Qualifications of teachers, including a requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours per week pursuant to section 3319.301 of the Revised Code. 67
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(11) That the school will comply with the following 73

requirements: 74

(a) The school will provide learning opportunities to a 75
minimum of twenty-five students for a minimum of nine hundred 76
twenty hours per school year. 77

(b) The governing authority will purchase liability 78
insurance, or otherwise provide for the potential liability of 79
the school. 80

(c) The school will be nonsectarian in its programs, 81
admission policies, employment practices, and all other 82
operations, and will not be operated by a sectarian school or 83
religious institution. 84

(d) The school will comply with sections 9.90, 9.91, 85
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 86
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3313.472, 87
3313.50, 3313.536, 3313.539, 3313.5310, 3313.608, 3313.609, 88
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 89
3313.6024, 3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 90
3313.662, 3313.666, 3313.667, 3313.668, 3313.67, 3313.671, 91
3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 92
3313.719, 3313.7112, 3313.721, 3313.80, 3313.814, 3313.816, 93
3313.817, 3313.818, 3313.86, 3313.89, 3313.96, 3319.073, 94
3319.077, 3319.078, 3319.321, 3319.39, 3319.391, 3319.41, 95
3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.13, 96
3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 97
3323.251, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 98
117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. 99
of the Revised Code as if it were a school district and will 100
comply with section 3301.0714 of the Revised Code in the manner 101
specified in section 3314.17 of the Revised Code. 102

(e) The school shall comply with Chapter 102. and section 103
2921.42 of the Revised Code. 104

(f) The school will comply with sections 3313.61, 105
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 106
Revised Code, except that for students who enter ninth grade for 107
the first time before July 1, 2010, the requirement in sections 108
3313.61 and 3313.611 of the Revised Code that a person must 109
successfully complete the curriculum in any high school prior to 110
receiving a high school diploma may be met by completing the 111
curriculum adopted by the governing authority of the community 112
school rather than the curriculum specified in Title XXXVIII of 113
the Revised Code or any rules of the state board of education. 114
Beginning with students who enter ninth grade for the first time 115
on or after July 1, 2010, the requirement in sections 3313.61 116
and 3313.611 of the Revised Code that a person must successfully 117
complete the curriculum of a high school prior to receiving a 118
high school diploma shall be met by completing the requirements 119
prescribed in division (C) of section 3313.603 of the Revised 120
Code, unless the person qualifies under division (D) or (F) of 121
that section. Each school shall comply with the plan for 122
awarding high school credit based on demonstration of subject 123
area competency, and beginning with the 2017-2018 school year, 124
with the updated plan that permits students enrolled in seventh 125
and eighth grade to meet curriculum requirements based on 126
subject area competency adopted by the state board of education 127
under divisions (J) (1) and (2) of section 3313.603 of the 128
Revised Code. Beginning with the 2018-2019 school year, the 129
school shall comply with the framework for granting units of 130
high school credit to students who demonstrate subject area 131
competency through work-based learning experiences, internships, 132
or cooperative education developed by the department under 133

division (J) (3) of section 3313.603 of the Revised Code. 134

(g) The school governing authority will submit within four 135
months after the end of each school year a report of its 136
activities and progress in meeting the goals and standards of 137
divisions (A) (3) and (4) of this section and its financial 138
status to the sponsor and the parents of all students enrolled 139
in the school. 140

(h) The school, unless it is an internet- or computer- 141
based community school, will comply with section 3313.801 of the 142
Revised Code as if it were a school district. 143

(i) If the school is the recipient of moneys from a grant 144
awarded under the federal race to the top program, Division (A), 145
Title XIV, Sections 14005 and 14006 of the "American Recovery 146
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 147
the school will pay teachers based upon performance in 148
accordance with section 3317.141 and will comply with section 149
3319.111 of the Revised Code as if it were a school district. 150

(j) If the school operates a preschool program that is 151
licensed by the department of education under sections 3301.52 152
to 3301.59 of the Revised Code, the school shall comply with 153
sections 3301.50 to 3301.59 of the Revised Code and the minimum 154
standards for preschool programs prescribed in rules adopted by 155
the state board under section 3301.53 of the Revised Code. 156

(k) The school will comply with sections 3313.6021 and 157
3313.6023 of the Revised Code as if it were a school district 158
unless it is either of the following: 159

(i) An internet- or computer-based community school; 160

(ii) A community school in which a majority of the 161
enrolled students are children with disabilities as described in 162

division (A) (4) (b) of section 3314.35 of the Revised Code.	163
(12) Arrangements for providing health and other benefits to employees;	164 165
(13) The length of the contract, which shall begin at the beginning of an academic year. No contract shall exceed five years unless such contract has been renewed pursuant to division (E) of this section.	166 167 168 169
(14) The governing authority of the school, which shall be responsible for carrying out the provisions of the contract;	170 171
(15) A financial plan detailing an estimated school budget for each year of the period of the contract and specifying the total estimated per pupil expenditure amount for each such year.	172 173 174
(16) Requirements and procedures regarding the disposition of employees of the school in the event the contract is terminated or not renewed pursuant to section 3314.07 of the Revised Code;	175 176 177 178
(17) Whether the school is to be created by converting all or part of an existing public school or educational service center building or is to be a new start-up school, and if it is a converted public school or service center building, specification of any duties or responsibilities of an employer that the board of education or service center governing board that operated the school or building before conversion is delegating to the governing authority of the community school with respect to all or any specified group of employees provided the delegation is not prohibited by a collective bargaining agreement applicable to such employees;	179 180 181 182 183 184 185 186 187 188 189
(18) Provisions establishing procedures for resolving disputes or differences of opinion between the sponsor and the	190 191

governing authority of the community school;	192
(19) A provision requiring the governing authority to	193
adopt a policy regarding the admission of students who reside	194
outside the district in which the school is located. That policy	195
shall comply with the admissions procedures specified in	196
sections 3314.06 and 3314.061 of the Revised Code and, at the	197
sole discretion of the authority, shall do one of the following:	198
(a) Prohibit the enrollment of students who reside outside	199
the district in which the school is located;	200
(b) Permit the enrollment of students who reside in	201
districts adjacent to the district in which the school is	202
located;	203
(c) Permit the enrollment of students who reside in any	204
other district in the state.	205
(20) A provision recognizing the authority of the	206
department of education to take over the sponsorship of the	207
school in accordance with the provisions of division (C) of	208
section 3314.015 of the Revised Code;	209
(21) A provision recognizing the sponsor's authority to	210
assume the operation of a school under the conditions specified	211
in division (B) of section 3314.073 of the Revised Code;	212
(22) A provision recognizing both of the following:	213
(a) The authority of public health and safety officials to	214
inspect the facilities of the school and to order the facilities	215
closed if those officials find that the facilities are not in	216
compliance with health and safety laws and regulations;	217
(b) The authority of the department of education as the	218
community school oversight body to suspend the operation of the	219

school under section 3314.072 of the Revised Code if the 220
department has evidence of conditions or violations of law at 221
the school that pose an imminent danger to the health and safety 222
of the school's students and employees and the sponsor refuses 223
to take such action. 224

(23) A description of the learning opportunities that will 225
be offered to students including both classroom-based and non- 226
classroom-based learning opportunities that is in compliance 227
with criteria for student participation established by the 228
department under division (H) (2) of section 3314.08 of the 229
Revised Code; 230

(24) The school will comply with sections 3302.04 and 231
3302.041 of the Revised Code, except that any action required to 232
be taken by a school district pursuant to those sections shall 233
be taken by the sponsor of the school. However, the sponsor 234
shall not be required to take any action described in division 235
(F) of section 3302.04 of the Revised Code. 236

(25) Beginning in the 2006-2007 school year, the school 237
will open for operation not later than the thirtieth day of 238
September each school year, unless the mission of the school as 239
specified under division (A) (2) of this section is solely to 240
serve dropouts. In its initial year of operation, if the school 241
fails to open by the thirtieth day of September, or within one 242
year after the adoption of the contract pursuant to division (D) 243
of section 3314.02 of the Revised Code if the mission of the 244
school is solely to serve dropouts, the contract shall be void. 245

(26) Whether the school's governing authority is planning 246
to seek designation for the school as a STEM school equivalent 247
under section 3326.032 of the Revised Code; 248

(27) That the school's attendance and participation policies will be available for public inspection;	249 250
(28) That the school's attendance and participation records shall be made available to the department of education, auditor of state, and school's sponsor to the extent permitted under and in accordance with the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any regulations promulgated under that act, and section 3319.321 of the Revised Code;	251 252 253 254 255 256 257
(29) If a school operates using the blended learning model, as defined in section 3301.079 of the Revised Code, all of the following information:	258 259 260
(a) An indication of what blended learning model or models will be used;	261 262
(b) A description of how student instructional needs will be determined and documented;	263 264
(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;	265 266
(d) The school's attendance requirements, including how the school will document participation in learning opportunities;	267 268 269
(e) A statement describing how student progress will be monitored;	270 271
(f) A statement describing how private student data will be protected;	272 273
(g) A description of the professional development activities that will be offered to teachers.	274 275

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

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

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

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

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

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

(2) The management and administration of the school;

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

(4) The instructional program and educational philosophy	304
of the school;	305
(5) Internal financial controls.	306
When submitting the plan under this division, the school	307
shall also submit copies of all policies and procedures	308
regarding internal financial controls adopted by the governing	309
authority of the school.	310
(C) A contract entered into under section 3314.02 of the	311
Revised Code between a sponsor and the governing authority of a	312
community school may provide for the community school governing	313
authority to make payments to the sponsor, which is hereby	314
authorized to receive such payments as set forth in the contract	315
between the governing authority and the sponsor. The total	316
amount of such payments for monitoring, oversight, and technical	317
assistance of the school shall not exceed three per cent of the	318
total amount of payments for operating expenses that the school	319
receives from the state.	320
(D) The contract shall specify the duties of the sponsor	321
which shall be in accordance with the written agreement entered	322
into with the department of education under division (B) of	323
section 3314.015 of the Revised Code and shall include the	324
following:	325
(1) Monitor the community school's compliance with all	326
laws applicable to the school and with the terms of the	327
contract;	328
(2) Monitor and evaluate the academic and fiscal	329
performance and the organization and operation of the community	330
school on at least an annual basis;	331
(3) Report on an annual basis the results of the	332

evaluation conducted under division (D) (2) of this section to 333
the department of education and to the parents of students 334
enrolled in the community school; 335

(4) Provide technical assistance to the community school 336
in complying with laws applicable to the school and terms of the 337
contract; 338

(5) Take steps to intervene in the school's operation to 339
correct problems in the school's overall performance, declare 340
the school to be on probationary status pursuant to section 341
3314.073 of the Revised Code, suspend the operation of the 342
school pursuant to section 3314.072 of the Revised Code, or 343
terminate the contract of the school pursuant to section 3314.07 344
of the Revised Code as determined necessary by the sponsor; 345

(6) Have in place a plan of action to be undertaken in the 346
event the community school experiences financial difficulties or 347
closes prior to the end of a school year. 348

(E) Upon the expiration of a contract entered into under 349
this section, the sponsor of a community school may, with the 350
approval of the governing authority of the school, renew that 351
contract for a period of time determined by the sponsor, but not 352
ending earlier than the end of any school year, if the sponsor 353
finds that the school's compliance with applicable laws and 354
terms of the contract and the school's progress in meeting the 355
academic goals prescribed in the contract have been 356
satisfactory. Any contract that is renewed under this division 357
remains subject to the provisions of sections 3314.07, 3314.072, 358
and 3314.073 of the Revised Code. 359

(F) If a community school fails to open for operation 360
within one year after the contract entered into under this 361

section is adopted pursuant to division (D) of section 3314.02 362
of the Revised Code or permanently closes prior to the 363
expiration of the contract, the contract shall be void and the 364
school shall not enter into a contract with any other sponsor. A 365
school shall not be considered permanently closed because the 366
operations of the school have been suspended pursuant to section 367
3314.072 of the Revised Code. 368

Sec. 3317.26. (A) As used in this section, "student 369
wellness and success funds" means the following: 370

(1) For a city, local, or exempted village school 371
district, the funds received under section 3317.0219 of the 372
Revised Code; 373

(2) For a joint vocational school district, the funds 374
received under section 3317.163 of the Revised Code. 375

(3) For a community school established under Chapter 3314. 376
of the Revised Code, the funds received under section 3314.088 377
of the Revised Code. 378

(4) For a STEM school established under Chapter 3326. of 379
the Revised Code, the funds received under section 3326.42 of 380
the Revised Code. 381

(B) In any fiscal year, a city, local, exempted village, 382
or joint vocational school district, community school, or STEM 383
school shall spend the student wellness and success funds it 384
receives for any of the following initiatives or a combination 385
of any of the following initiatives: 386

(1) Mental health services; 387

(2) Services for homeless youth; 388

(3) Services for child welfare involved youth; 389

(4) Community liaisons;	390
(5) Physical health care services;	391
(6) Mentoring programs;	392
(7) Family engagement and support services;	393
(8) City connects programming;	394
(9) Professional development regarding the provision of trauma informed care;	395 396
(10) Professional development regarding cultural competence;	397 398
(11) Student services provided prior to or after the regularly scheduled school day or any time school is not in session;	399 400 401
<u>(12) Dyslexia screening, intervention, and remediation services and multi-sensory structured literacy certification provided in accordance with sections 3319.077, 3319.078, and 3323.251 of the Revised Code, including any teacher professional development costs necessary to provide those services.</u>	402 403 404 405 406
(C) Each city, local, exempted village, and joint vocational school district, community school, and STEM school that is subject to the requirements of this section shall develop a plan for utilizing the student wellness and success funds it receives in coordination with at least one of the following community partners:	407 408 409 410 411 412
(1) A board of alcohol, drug, and mental health services established under Chapter 340. of the Revised Code;	413 414
(2) An educational service center;	415
(3) A county board of developmental disabilities;	416

(4) A community-based mental health treatment provider;	417
(5) A board of health of a city or general health district;	418 419
(6) A county department of job and family services;	420
(7) A nonprofit organization with experience serving children;	421 422
(8) A public hospital agency.	423
(D) After the end of each fiscal year, each city, local, exempted village, or joint vocational school district, community school, and STEM school shall submit a report to the department of education, in a manner prescribed by the department, describing the initiative or initiatives on which the district's or school's student wellness and success funds were spent during that fiscal year.	424 425 426 427 428 429 430
<u>Sec. 3319.077.</u> (A) As used in this section:	431
<u>(1) "Dyslexia" has the same meaning as in section 3323.25 of the Revised Code.</u>	432 433
<u>(2) "Ohio dyslexia committee" means the committee established under section 3325.25 of the Revised Code.</u>	434 435
<u>(3) "Special education" has the same meaning as in section 3323.01 of the Revised Code.</u>	436 437
<u>(B)(1) The department of education, in collaboration with the Ohio dyslexia committee, shall maintain a list of courses that fulfill the professional development requirements prescribed in division (C) of this section. The list may consist of online or classroom learning models.</u>	438 439 440 441 442
<u>(2) Each approved course shall align with the guidebook</u>	443

developed under section 3323.25 of the Revised Code, be 444
evidence-based, and require instruction and training for 445
identifying characteristics of dyslexia and understanding the 446
pedagogy for instructing students with dyslexia. 447

(3) The Ohio dyslexia committee shall prescribe a total 448
number of clock hours of instruction in courses approved under 449
this section for a teacher to complete to satisfy the 450
professional development requirements prescribed in division (C) 451
of this section. The Ohio dyslexia committee shall prescribe a 452
total number of clock hours that is not less than six clock 453
hours and not more than eighteen clock hours. 454

(C) (1) Not later than the beginning of the 2023-2024 455
school year, each teacher employed by a local, city, or exempted 456
village school district who provides instruction for students in 457
kindergarten and first grade, including those providing special 458
education instruction, shall complete the number of 459
instructional hours in approved professional development courses 460
required by the committee under this section. 461

(2) Not later than the beginning of the 2024-2025 school 462
year, each teacher employed by a school district who provides 463
instruction for students in grades two and three, including 464
those providing special education instruction, shall complete 465
the number of instructional hours in approved professional 466
development courses required by the committee under this 467
section. 468

(3) Not later than the beginning of the 2025-2026 school 469
year, each teacher employed by a school district who provides 470
special education instruction for students in grades four 471
through twelve shall complete a professional development course 472
approved under division (B) of this section. 473

(D) Any professional development course completed by a 474
teacher prior to the effective date of this section that is then 475
included on the list of courses approved under division (B) (1) 476
of this section shall count toward the number of instructional 477
hours in approved professional development courses required 478
under division (C) of this section. 479

Sec. 3319.078. Beginning in the 2022-2023 school year, 480
each city, local, and exempted village school district shall 481
establish a multi-sensory structured literacy certification 482
process for teachers providing instruction for students in 483
grades kindergarten through three employed by the district. Each 484
process shall align with the guidebook developed under section 485
3323.25 of the Revised Code. 486

Sec. 3323.11. Each school district shall employ, as 487
necessary, the personnel to meet the needs of the children with 488
disabilities enrolled in its schools. Personnel shall possess 489
appropriate qualifications and certificates or licenses as 490
prescribed in section 3319.077 of the Revised Code and in rules 491
of the state board of education. 492

Sec. 3323.25. (A) As used in this section and section 493
3323.251 of the Revised Code: 494

(1) "Dyslexia" means a specific learning disorder that is 495
neurological in origin and that is characterized by unexpected 496
difficulties with accurate or fluent word recognition and by 497
poor spelling and decoding abilities not consistent with the 498
person's intelligence, motivation, and sensory capabilities, 499
which difficulties typically result from a deficit in the 500
phonological component of language. 501

(2) "Appropriate certification" means either of the 502

<u>following:</u>	503
<u>(a) Certification at a certified level, or higher, from a research-based, multi-sensory structured literacy program;</u>	504 505
<u>(b) Any other certification as recognized by a majority vote of the Ohio dyslexia committee.</u>	506 507
<u>(B)(1) The department of education shall establish the Ohio dyslexia committee which shall consist of the following members:</u>	508 509 510
<u>(a) A school district superintendent appointed by the superintendent of public instruction;</u>	511 512
<u>(b) An elementary school principal appointed by the state superintendent;</u>	513 514
<u>(c) A classroom teacher appointed by the state superintendent. The teacher shall have an appropriate certification and at least two years of experience teaching in a multi-sensory structured literacy program.</u>	515 516 517 518
<u>(d) An educational service center employee appointed by the state superintendent. The employee shall have an appropriate certification.</u>	519 520 521
<u>(e) An employee of the department of education appointed by the state superintendent;</u>	522 523
<u>(f) A parent of a child with dyslexia or an adult with dyslexia appointed by the international dyslexia association in Ohio;</u>	524 525 526
<u>(g) An individual with experience in higher education and teacher preparation programs appointed by the chancellor of higher education. The individual appointed by the chancellor</u>	527 528 529

shall have an appropriate certification. 530

(h) A board member of the international dyslexia 531
association in Ohio appointed by the international dyslexia 532
association in Ohio. The board member shall have an appropriate 533
certification. 534

(i) A school psychologist appointed by the state board of 535
psychologists; 536

(j) A reading intervention specialist appointed by the 537
state superintendent. The reading intervention specialist shall 538
have an appropriate certification. 539

(k) A speech-language pathologist appointed by the state 540
speech and hearing professionals board. The speech-language 541
pathologist shall have an appropriate certification. 542

(2) Each appointing authority shall determine a selection 543
process for the appointments under this section. Each appointing 544
authority that is not the state superintendent shall make and 545
submit to the department each appointment prescribed under this 546
section not later than thirty days after the effective date of 547
this section. The state superintendent also shall make each 548
appointment prescribed to the state superintendent under this 549
section not later than that date. Members of the committee shall 550
serve at the pleasure of their appointing authority. 551

(3) An individual may be appointed to the committee 552
without appropriate certification or experience if two-thirds of 553
the committee members approve the change at a meeting with all 554
current committee members present. 555

(4) The state superintendent shall convene the first 556
meeting of the committee within thirty days after nine members 557
have been appointed to the committee. At the first meeting, 558

members of the committee shall elect one of the members as 559
chairperson. 560

(5) The department shall provide facilities for the 561
meetings of the committee. 562

(C) (1) Not later than December 31, 2021, the Ohio dyslexia 563
committee shall develop a guidebook regarding the best practices 564
and methods for universal screening, intervention, and 565
remediation for children with dyslexia or children displaying 566
dyslexic characteristics and tendencies using a multi-sensory 567
structured literacy program. 568

(2) The committee shall provide an opportunity for public 569
input when developing the guidebook, in the manner determined by 570
the committee. 571

(3) Prior to its distribution, the guidebook shall be 572
subject to final approval by the state board of education. 573

(4) The guidebook shall be developed and issued to 574
districts and schools in an electronic format. After the initial 575
development of the guidebook, the Ohio dyslexia committee shall 576
update the guidebook as necessary. 577

(D) Not later than December 31, 2021, the department, in 578
collaboration with the Ohio dyslexia committee, shall do all of 579
the following: 580

(1) Provide multi-sensory structured literacy program 581
professional development for teachers in evidence-based dyslexia 582
screening and intervention practices for the purposes of section 583
3319.077 of the Revised Code. 584

(2) Assist school districts and other public schools in 585
establishing multidisciplinary teams to support the 586

identification, intervention, and remediation of dyslexia; 587

(3) Develop reporting mechanisms for districts and schools 588
to submit to the department the information and data required in 589
the guidebook developed under this section; 590

(4) Develop academic standards for kindergarten in reading 591
and writing that incorporate a multi-sensory structured literacy 592
program. 593

(E) The department, in collaboration with the Ohio 594
dyslexia committee, shall identify reliable, valid, universal, 595
and evidence-based screening and intervention measures that 596
evaluate the literacy skills of students enrolled in grades 597
kindergarten through five using a multi-sensory structured 598
literacy program. 599

(F) The Ohio dyslexia committee may do any of the 600
following: 601

(1) Recommend appropriate ratios in school buildings for 602
students to teachers who have received certification in 603
identifying and addressing dyslexia; 604

(2) Recommend which other school personnel, including 605
school psychologists or speech-language pathologists, should 606
receive certification in identifying and addressing dyslexia; 607

(3) Consider and make recommendations regarding whether 608
professional development required under section 3319.077 of the 609
Revised Code should require the completion of a practicum. 610

Sec. 3323.251. (A) Each school district and other public 611
school shall do all of the following: 612

(1) For the 2022-2023 school year, administer a tier one 613
dyslexia screening measure to a student to whom either of the 614

following applies: 615

(a) The student is enrolled in any of grades kindergarten through three. A screening measure shall be administered to a student enrolled in kindergarten after January 1, 2023, but prior to January 1, 2024. 616
617
618
619

(b) The student is enrolled in any of grades four through six and either of the following applies: 620
621

(i) The student's parent, guardian, or custodian requests that the screening measure be administered to the student. 622
623

(ii) A classroom teacher requests that the screening measure be administered to the student and the student's parent, guardian, or custodian grants permission for the screening measure to be administered. 624
625
626
627

(2) For the 2023-2024 school year and each school year thereafter, administer a tier one dyslexia screening measure to a student to whom either of the following applies: 628
629
630

(a) A student enrolled in kindergarten. A screening measure shall be administered to a student after the first day of January of the school year in which the student is enrolled in kindergarten and prior to the first day of January of the following school year. 631
632
633
634
635

(b) A student enrolled in any of grades one through six if either of the following applies: 636
637

(i) The student's parent, guardian, or custodian requests that the screening measure be administered to the student. 638
639

(ii) A classroom teacher requests that the screening measure be administered to the student and the student's parent, guardian, or custodian grants permission for the screening 640
641
642

measure to be administered. 643

A district or school may administer a tier two dyslexia 644
screening measure to a student to whom the district or school 645
administers a tier one screening measure under division (A)(1) 646
or (2) of this section. In that case, a district or school shall 647
not be required to complete division (A)(4) of this section. 648

(3) Identify each student that is at risk of dyslexia 649
based on the student's results on the tier one screening measure 650
and notify the student's parent, guardian, or custodian that the 651
student has been identified as being at risk. 652

(4) Monitor the progress of each at-risk student toward 653
attaining grade-level reading and writing skills for up to six 654
weeks. The district or school shall check each at-risk student's 655
progress on at least the second week, fourth week, and sixth 656
week after the student is identified as being at risk. If no 657
progress is observed during the monitoring period, the district 658
or school shall notify the parent, guardian, or custodian of the 659
student and administer a tier two dyslexia screening measure to 660
the student. 661

(5) Report to a student's parent or guardian the student's 662
results on a tier two screening measure approved by the Ohio 663
dyslexia committee within thirty days after the measure's 664
administration. If, as determined by the tier two screening 665
measure, the student is identified as having dyslexia 666
tendencies, the student's parent or guardian shall be provided 667
with information about reading development, the risk factors for 668
dyslexia, and descriptions for evidenced-based interventions. 669

(6) If a student demonstrates markers for dyslexia, 670
provide the student's parents or guardian with a written 671

explanation of the district or school's multi-sensory structured 672
literacy program. 673

(B)(1) Beginning in the 2022-2023 school year, each 674
district or school shall: 675

(a) Administer a tier one dyslexia screening measure to 676
each kindergarten student that transfers into the district or 677
school midyear during the school's regularly scheduled screening 678
of the kindergarten class or within thirty days after the 679
student's enrollment if the screening already has been 680
completed; 681

(b) Administer a tier one dyslexia screening measure to 682
each student in grades one through six that transfers into the 683
district or school midyear within thirty days after the 684
student's enrollment. 685

(2) If a student is identified as being at risk of 686
dyslexia under division (B)(1) of this section, the district or 687
school shall administer a tier two screening measure in a timely 688
manner. 689

(C) Each district or school shall do all of the following: 690

(1) Comply with the guidebook developed under division (C) 691
of section 3323.25 of the Revised Code; 692

(2) Select screening and intervention measures to 693
administer to students from the measures identified under 694
division (E) of section 3323.25 of the Revised Code; 695

(3) Establish a multidisciplinary team to administer 696
screening and intervention measures and analyze the results of 697
the measures. The team shall include trained and certified 698
personnel and a stakeholder with expertise in the 699

identification, intervention, and remediation of dyslexia. 700

(4) Report to the department of education the results of 701
screening measures administered under this section. 702

Sec. 3326.11. Each science, technology, engineering, and 703
mathematics school established under this chapter and its 704
governing body shall comply with sections 9.90, 9.91, 109.65, 705
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 706
3301.0714, 3301.0715, 3301.0729, 3301.948, 3313.14, 3313.15, 707
3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 708
3313.481, 3313.482, 3313.50, 3313.536, 3313.539, 3313.5310, 709
3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 710
3313.6021, 3313.6024, 3313.61, 3313.611, 3313.614, 3313.615, 711
3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 712
3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 713
3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 714
3313.716, 3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 715
3313.801, 3313.814, 3313.816, 3313.817, 3313.818, 3313.86, 716
3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.21, 717
3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 718
3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.05, 719
3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 720
3323.251, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 721
102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 722
4123., 4141., and 4167. of the Revised Code as if it were a 723
school district. 724

Sec. 3328.24. A college-preparatory boarding school 725
established under this chapter and its board of trustees shall 726
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 727
3301.0714, 3301.0729, 3301.948, 3313.536, 3313.6013, 3313.6021, 728
3313.6024, 3313.617, 3313.618, 3313.6114, 3313.6411, 3313.668, 729

3313.7112, 3313.721, 3313.89, 3319.077, 3319.078, 3319.39, 730
3319.391, 3319.46, 3320.01, 3320.02, and 3320.03, and 3323.251 731
and Chapter 3365. of the Revised Code as if the school were a 732
school district and the school's board of trustees were a 733
district board of education. 734

Section 2. That existing sections 3314.03, 3317.26, 735
3323.11, 3326.11, and 3328.24 of the Revised Code are hereby 736
repealed. 737

Section 3. That section 3323.25 of the Revised Code is 738
hereby repealed. 739

Section 4. The General Assembly, applying the principle 740
stated in division (B) of section 1.52 of the Revised Code that 741
amendments are to be harmonized if reasonably capable of 742
simultaneous operation, finds that the following sections, 743
presented in this act as composites of the sections as amended 744
by the acts indicated, are the resulting versions of the 745
sections in effect prior to the effective date of the sections 746
as presented in this act: 747

Section 3314.03 of the Revised Code as amended by both 748
H.B. 164 and H.B. 166 of the 133rd General Assembly. 749

Section 3326.11 of the Revised Code as amended by both 750
H.B. 164 and H.B. 166 of the 133rd General Assembly. 751

Section 3328.24 of the Revised Code as amended by both 752
H.B. 164 and H.B. 166 of the 133rd General Assembly. 753