

I_136_2215-4

136th General Assembly
Regular Session
2025-2026

Sub. S. B. No. 311

To amend sections 2151.354, 2152.19, 2919.24, 1
3313.11, 3313.41, 3313.411, 3313.413, 3313.536, 2
3318.08, 3319.2210, 3319.24, 3319.31, 3319.316, 3
3319.391, and 3327.10; to enact new section 4
3314.25 and sections 303.216, 519.216, 713.083, 5
2307.59, 3313.174, 3314.252, and 3319.3110; and 6
to repeal sections 3313.85 and 3314.25 of the 7
Revised Code regarding the operation of public 8
and chartered nonpublic schools. 9

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

Section 1. That sections 2151.354, 2152.19, 2919.24, 10
3313.11, 3313.41, 3313.411, 3313.413, 3313.536, 3318.08, 11
3319.2210, 3319.24, 3319.31, 3319.316, 3319.391, and 3327.10 be 12
amended and new section 3314.25 and sections 303.216, 519.216, 13
713.083, 2307.59, 3313.174, 3314.252, and 3319.3110 of the 14
Revised Code be enacted to read as follows: 15

Sec. 303.216. (A) As used in this section: 16

"Nonpublic school" means a chartered nonpublic school as 17
defined in section 3310.01 of the Revised Code. 18



vpzm469dyst7xc2k2eznp7

"Public school" means a city, local, exempted village, or joint vocational school district or any other public school as defined in section 3301.0711 of the Revised Code. 19
20
21

(B) Sections 303.01 to 303.25 of the Revised Code do not confer on any county rural zoning commission, board of county commissioners, or board of zoning appeals the authority to prohibit or restrict the location of a public school or a nonpublic school in any district or zone in the county. 22
23
24
25
26

(C) A county rural zoning commission, board of county commissioners, or board of zoning appeals shall not deny an application related to land use for the sole reason that the requesting entity is seeking to establish a public school or a nonpublic school. 27
28
29
30
31

Sec. 519.216. (A) As used in this section: 32

"Nonpublic school" means a chartered nonpublic school as defined in section 3310.01 of the Revised Code. 33
34

"Public school" means a city, local, exempted village, or joint vocational school district or any other public school as defined in section 3301.0711 of the Revised Code. 35
36
37

(B) Sections 519.01 to 519.25 of the Revised Code do not confer on any township zoning commission, board of township trustees, or board of zoning appeals the authority to prohibit or restrict the location of a public school or a nonpublic school in any district or zone in the township. 38
39
40
41
42

(C) A township zoning commission, board of township trustees, or board of zoning appeals shall not deny an application related to land use for the sole reason that the requesting entity is seeking to establish a public school or a nonpublic school. 43
44
45
46
47

Sec. 713.083. (A) As used in this section: 48

"Nonpublic school" means a chartered nonpublic school as 49
defined in section 3310.01 of the Revised Code. 50

"Public school" means a city, local, exempted village, or 51
joint vocational school district or any other public school as 52
defined in section 3301.0711 of the Revised Code. 53

(B) A municipal corporation shall not prohibit or restrict 54
the location of a public school or a nonpublic school in any 55
district or zone in the municipal corporation. 56

(C) A municipal corporation shall not deny an application 57
related to land use for the sole reason that the requesting 58
entity is seeking to establish a public school or a nonpublic 59
school. 60

Sec. 2151.354. (A) If the child is adjudicated an unruly 61
child, the court may: 62

(1) Make any of the dispositions authorized under section 63
2151.353 of the Revised Code; 64

(2) Place the child on community control under any 65
sanctions, services, and conditions that the court prescribes, 66
as described in division (A)(4) of section 2152.19 of the 67
Revised Code, provided that, if the court imposes a period of 68
community service upon the child, the period of community 69
service shall not exceed one hundred seventy-five hours; 70

(3) Suspend the driver's license, probationary driver's 71
license, or temporary instruction permit issued to the child for 72
a period of time prescribed by the court and suspend the 73
registration of all motor vehicles registered in the name of the 74
child for a period of time prescribed by the court. A child 75

whose license or permit is so suspended is ineligible for 76
issuance of a license or permit during the period of suspension. 77
At the end of the period of suspension, the child shall not be 78
reissued a license or permit until the child has paid any 79
applicable reinstatement fee and complied with all requirements 80
governing license reinstatement. 81

(4) Commit the child to the temporary or permanent custody 82
of the court; 83

(5) Make any further disposition the court finds proper 84
that is consistent with sections 2151.312 and 2151.56 to 2151.59 85
of the Revised Code; 86

(6) If, after making a disposition under division (A) (1), 87
(2), or (3) of this section, the court finds upon further 88
hearing that the child is not amenable to treatment or 89
rehabilitation under that disposition, make a disposition 90
otherwise authorized under divisions (A) (1), (4), (5), and (8) 91
of section 2152.19 of the Revised Code that is consistent with 92
sections 2151.312 and 2151.56 to 2151.59 of the Revised Code. 93

(B) If a child is adjudicated an unruly child for 94
committing any act that, if committed by an adult, would be a 95
drug abuse offense, as defined in section 2925.01 of the Revised 96
Code, or a violation of division (B) of section 2917.11 of the 97
Revised Code, in addition to imposing, in its discretion, any 98
other order of disposition authorized by this section, the court 99
shall do both of the following: 100

(1) Require the child to participate in a drug abuse or 101
alcohol abuse counseling program; 102

(2) Suspend the temporary instruction permit, probationary 103
driver's license, or driver's license issued to the child for a 104

period of time prescribed by the court. The court, in its 105
discretion, may terminate the suspension if the child attends 106
and satisfactorily completes a drug abuse or alcohol abuse 107
education, intervention, or treatment program specified by the 108
court. During the time the child is attending a program as 109
described in this division, the court shall retain the child's 110
temporary instruction permit, probationary driver's license, or 111
driver's license, and the court shall return the permit or 112
license if it terminates the suspension. 113

(C) (1) If a child is adjudicated an unruly child for being 114
an habitual truant, in addition to or in lieu of imposing any 115
other order of disposition authorized by this section, the court 116
may do any of the following: 117

(a) Order the board of education of the child's school 118
district or the governing board of the educational service 119
center in the child's school district to require the child to 120
attend an alternative school if an alternative school has been 121
established pursuant to section 3313.533 of the Revised Code in 122
the school district in which the child is entitled to attend 123
school; 124

(b) Require the child to participate in any academic 125
program or community service program; 126

(c) Require the child to participate in a drug abuse or 127
alcohol abuse counseling program; 128

(d) Require that the child receive appropriate medical or 129
psychological treatment or counseling; 130

(e) Maintain jurisdiction over the child during the 131
subsequent school year for the purpose of monitoring the child's 132
attendance. 133

(f) Make any other order that the court finds proper to address the child's habitual truancy, including an order requiring the child to not be absent without legitimate excuse from the public school the child is supposed to attend for thirty or more consecutive hours, forty-two or more hours in one school month, or seventy-two or more hours in a school year and including an order requiring the child to participate in a truancy prevention mediation program.

(2) If a child is adjudicated an unruly child for being an habitual truant and the court determines that the parent, guardian, or other person having care of the child has failed to cause the child's attendance at school in violation of section 3321.38 of the Revised Code, in addition to any order of disposition authorized by this section, all of the following apply:

(a) The court may require the parent, guardian, or other person having care of the child to participate in any community service program, preferably a community service program that requires the involvement of the parent, guardian, or other person having care of the child in the school attended by the child.

(b) The court may require the parent, guardian, or other person having care of the child to participate in a truancy prevention mediation program.

(c) The court shall warn the parent, guardian, or other person having care of the child that any subsequent adjudication of the child as an unruly or delinquent child for being an habitual truant or for violating a court order regarding the child's prior adjudication as an unruly child for being an habitual truant, may result in a criminal charge against the

parent, guardian, or other person having care of the child for a 164
violation of division (C) of section 2919.21 or section 2919.24 165
of the Revised Code. 166

(d) Not later than ten days after a child is adjudicated 167
an unruly child for being an habitual truant, the court shall 168
provide notice of that fact to the school district in which the 169
child is entitled to attend school and to the school in which 170
the child was enrolled at the time of the filing of the 171
complaint. 172

Sec. 2152.19. (A) If a child is adjudicated a delinquent 173
child, the court may make any of the following orders of 174
disposition, in addition to any other disposition authorized or 175
required by this chapter: 176

(1) Any order that is authorized by section 2151.353 of 177
the Revised Code for the care and protection of an abused, 178
neglected, or dependent child; 179

(2) Commit the child to the temporary custody of any 180
school, camp, institution, or other facility operated for the 181
care of delinquent children by the county, by a district 182
organized under section 2152.41 or 2151.65 of the Revised Code, 183
or by a private agency or organization, within or without the 184
state, that is authorized and qualified to provide the care, 185
treatment, or placement required, including, but not limited to, 186
a school, camp, or facility operated under section 2151.65 of 187
the Revised Code; 188

(3) Place the child in a detention facility or district 189
detention facility operated under section 2152.41 of the Revised 190
Code, for up to ninety days; 191

(4) Place the child on community control under any 192

sanctions, services, and conditions that the court prescribes. 193
As a condition of community control in every case and in 194
addition to any other condition that it imposes upon the child, 195
the court shall require the child to abide by the law during the 196
period of community control. As referred to in this division, 197
community control includes, but is not limited to, the following 198
sanctions and conditions: 199

(a) A period of basic probation supervision in which the 200
child is required to maintain contact with a person appointed to 201
supervise the child in accordance with sanctions imposed by the 202
court; 203

(b) A period of intensive probation supervision in which 204
the child is required to maintain frequent contact with a person 205
appointed by the court to supervise the child while the child is 206
seeking or maintaining employment and participating in training, 207
education, and treatment programs as the order of disposition; 208

(c) A period of day reporting in which the child is 209
required each day to report to and leave a center or another 210
approved reporting location at specified times in order to 211
participate in work, education or training, treatment, and other 212
approved programs at the center or outside the center; 213

(d) A period of community service of up to five hundred 214
hours for an act that would be a felony or a misdemeanor of the 215
first degree if committed by an adult, up to two hundred hours 216
for an act that would be a misdemeanor of the second, third, or 217
fourth degree if committed by an adult, or up to thirty hours 218
for an act that would be a minor misdemeanor if committed by an 219
adult; 220

(e) A requirement that the child obtain a high school 221

diploma, a certificate of high school equivalence, vocational	222
training, or employment;	223
(f) A period of drug and alcohol use monitoring;	224
(g) A requirement of alcohol or drug assessment or	225
counseling, or a period in an alcohol or drug treatment program	226
with a level of security for the child as determined necessary	227
by the court;	228
(h) A period in which the court orders the child to	229
observe a curfew that may involve daytime or evening hours;	230
(i) A requirement that the child serve monitored time;	231
(j) A period of house arrest without electronic monitoring	232
or continuous alcohol monitoring;	233
(k) A period of electronic monitoring or continuous	234
alcohol monitoring without house arrest, or house arrest with	235
electronic monitoring or continuous alcohol monitoring or both	236
electronic monitoring and continuous alcohol monitoring, that	237
does not exceed the maximum sentence of imprisonment that could	238
be imposed upon an adult who commits the same act.	239
A period of house arrest with electronic monitoring or	240
continuous alcohol monitoring or both electronic monitoring and	241
continuous alcohol monitoring, imposed under this division shall	242
not extend beyond the child's twenty-first birthday. If a court	243
imposes a period of house arrest with electronic monitoring or	244
continuous alcohol monitoring or both electronic monitoring and	245
continuous alcohol monitoring, upon a child under this division,	246
it shall require the child: to remain in the child's home or	247
other specified premises for the entire period of house arrest	248
with electronic monitoring or continuous alcohol monitoring or	249
both except when the court permits the child to leave those	250

premises to go to school or to other specified premises. 251
Regarding electronic monitoring, the court also shall require 252
the child to be monitored by a central system that can determine 253
the child's location at designated times; to report periodically 254
to a person designated by the court; and to enter into a written 255
contract with the court agreeing to comply with all requirements 256
imposed by the court, agreeing to pay any fee imposed by the 257
court for the costs of the house arrest with electronic 258
monitoring, and agreeing to waive the right to receive credit 259
for any time served on house arrest with electronic monitoring 260
toward the period of any other dispositional order imposed upon 261
the child if the child violates any of the requirements of the 262
dispositional order of house arrest with electronic monitoring. 263
The court also may impose other reasonable requirements upon the 264
child. 265

Unless ordered by the court, a child shall not receive 266
credit for any time served on house arrest with electronic 267
monitoring or continuous alcohol monitoring or both toward any 268
other dispositional order imposed upon the child for the act for 269
which was imposed the dispositional order of house arrest with 270
electronic monitoring or continuous alcohol monitoring. As used 271
in this division and division (A)(4)(1) of this section, 272
"continuous alcohol monitoring" has the same meaning as in 273
section 2929.01 of the Revised Code. 274

(1) A suspension of the driver's license, probationary 275
driver's license, or temporary instruction permit issued to the 276
child for a period of time prescribed by the court, or a 277
suspension of the registration of all motor vehicles registered 278
in the name of the child for a period of time prescribed by the 279
court. A child whose license or permit is so suspended is 280
ineligible for issuance of a license or permit during the period 281

of suspension. At the end of the period of suspension, the child 282
shall not be reissued a license or permit until the child has 283
paid any applicable reinstatement fee and complied with all 284
requirements governing license reinstatement. 285

(5) Commit the child to the custody of the court; 286

(6) Require the child to not be absent without legitimate 287
excuse from the public school the child is supposed to attend 288
for thirty or more consecutive hours, forty-two or more hours in 289
one school month, or seventy-two or more hours in a school year; 290

(7) (a) If a child is adjudicated a delinquent child for 291
violating a court order regarding the child's prior adjudication 292
as an unruly child for being a habitual truant, do either or 293
both of the following: 294

(i) Require the child to participate in a truancy 295
prevention mediation program; 296

(ii) Make any order of disposition as authorized by this 297
section, except that the court shall not commit the child to a 298
facility described in division (A) (2) or (3) of this section 299
unless the court determines that the child violated a lawful 300
court order made pursuant to division ~~(C) (1) (e)~~ (C) (1) (f) of 301
section 2151.354 of the Revised Code or division (A) (6) of this 302
section. 303

(b) If a child is adjudicated a delinquent child for 304
violating a court order regarding the child's prior adjudication 305
as an unruly child for being a habitual truant and the court 306
determines that the parent, guardian, or other person having 307
care of the child has failed to cause the child's attendance at 308
school in violation of section 3321.38 of the Revised Code, do 309
either or both of the following: 310

(i) Require the parent, guardian, or other person having 311
care of the child to participate in a truancy prevention 312
mediation program; 313

(ii) Require the parent, guardian, or other person having 314
care of the child to participate in any community service 315
program, preferably a community service program that requires 316
the involvement of the parent, guardian, or other person having 317
care of the child in the school attended by the child. 318

(8) Make any further disposition that the court finds 319
proper, except that the child shall not be placed in a state 320
correctional institution, a county, multicounty, or municipal 321
jail or workhouse, or another place in which an adult convicted 322
of a crime, under arrest, or charged with a crime is held. 323

(B) If a child is adjudicated a delinquent child, in 324
addition to any order of disposition made under division (A) of 325
this section, the court, in the following situations and for the 326
specified periods of time, shall suspend the child's temporary 327
instruction permit, restricted license, probationary driver's 328
license, or nonresident operating privilege, or suspend the 329
child's ability to obtain such a permit: 330

(1) If the child is adjudicated a delinquent child for 331
violating section 2923.122 of the Revised Code, impose a class 332
four suspension of the child's license, permit, or privilege 333
from the range specified in division (A)(4) of section 4510.02 334
of the Revised Code or deny the child the issuance of a license 335
or permit in accordance with division (F)(1) of section 2923.122 336
of the Revised Code. 337

(2) If the child is adjudicated a delinquent child for 338
committing an act that if committed by an adult would be a drug 339

abuse offense or for violating division (B) of section 2917.11 340
of the Revised Code, suspend the child's license, permit, or 341
privilege for a period of time prescribed by the court. The 342
court, in its discretion, may terminate the suspension if the 343
child attends and satisfactorily completes a drug abuse or 344
alcohol abuse education, intervention, or treatment program 345
specified by the court. During the time the child is attending a 346
program described in this division, the court shall retain the 347
child's temporary instruction permit, probationary driver's 348
license, or driver's license, and the court shall return the 349
permit or license if it terminates the suspension as described 350
in this division. 351

(C) The court may establish a victim-offender mediation 352
program in which victims and their offenders meet to discuss the 353
offense and suggest possible restitution. If the court obtains 354
the assent of the victim of the delinquent act committed by the 355
child, the court may require the child to participate in the 356
program. 357

(D) (1) If a child is adjudicated a delinquent child for 358
committing an act that would be a felony if committed by an 359
adult and if the child caused, attempted to cause, threatened to 360
cause, or created a risk of physical harm to the victim of the 361
act, the court, prior to issuing an order of disposition under 362
this section, shall order the preparation of a victim impact 363
statement by the probation department of the county in which the 364
victim of the act resides, by the court's own probation 365
department, or by a victim assistance program that is operated 366
by the state, a county, a municipal corporation, or another 367
governmental entity. The court shall consider the victim impact 368
statement in determining the order of disposition to issue for 369
the child. 370

(2) Each victim impact statement shall identify the victim 371
of the act for which the child was adjudicated a delinquent 372
child, itemize any economic loss suffered by the victim as a 373
result of the act, identify any physical injury suffered by the 374
victim as a result of the act and the seriousness and permanence 375
of the injury, identify any change in the victim's personal 376
welfare or familial relationships as a result of the act and any 377
psychological impact experienced by the victim or the victim's 378
family as a result of the act, and contain any other information 379
related to the impact of the act upon the victim that the court 380
requires. 381

(3) A victim impact statement shall be kept confidential 382
and is not a public record. However, the court may furnish 383
copies of the statement to the department of youth services if 384
the delinquent child is committed to the department or to both 385
the adjudicated delinquent child or the adjudicated delinquent 386
child's counsel and the prosecuting attorney. The copy of a 387
victim impact statement furnished by the court to the department 388
pursuant to this section shall be kept confidential and is not a 389
public record. If an officer is preparing pursuant to section 390
2947.06 or 2951.03 of the Revised Code or Criminal Rule 32.2 a 391
presentence investigation report pertaining to a person, the 392
court shall make available to the officer, for use in preparing 393
the report, a copy of any victim impact statement regarding that 394
person. The copies of a victim impact statement that are made 395
available to the adjudicated delinquent child or the adjudicated 396
delinquent child's counsel and the prosecuting attorney pursuant 397
to this division shall be returned to the court by the person to 398
whom they were made available immediately following the 399
imposition of an order of disposition for the child under this 400
chapter. 401

The copy of a victim impact statement that is made 402
available pursuant to this division to an officer preparing a 403
criminal presentence investigation report shall be returned to 404
the court by the officer immediately following its use in 405
preparing the report. 406

(4) The department of youth services shall work with local 407
probation departments and victim assistance programs to develop 408
a standard victim impact statement. 409

(E) (1) If a child is adjudicated a delinquent child for 410
violating a court order regarding the child's prior adjudication 411
as an unruly child for being a habitual truant and the court 412
determines that the parent, guardian, or other person having 413
care of the child has failed to cause the child's attendance at 414
school in violation of section 3321.38 of the Revised Code, in 415
addition to any order of disposition it makes under this 416
section, the court shall warn the parent, guardian, or other 417
person having care of the child that any subsequent adjudication 418
with regard to truancy may result in a criminal charge against 419
the parent, guardian, or other person having care of the child 420
for a violation of division (C) of section 2919.21 or section 421
2919.24 of the Revised Code. 422

(2) Not later than ten days after a child is adjudicated a 423
delinquent child for violating a court order regarding the 424
child's prior adjudication as an unruly child for being an 425
habitual truant, the court shall provide notice of that fact to 426
the school district in which the child is entitled to attend 427
school and to the school in which the child was enrolled at the 428
time of the filing of the complaint. 429

(F) (1) During the period of a delinquent child's community 430
control granted under this section, authorized probation 431

officers who are engaged within the scope of their supervisory 432
duties or responsibilities may search, with or without a 433
warrant, the person of the delinquent child, the place of 434
residence of the delinquent child, and a motor vehicle, another 435
item of tangible or intangible personal property, or other real 436
property in which the delinquent child has a right, title, or 437
interest or for which the delinquent child has the express or 438
implied permission of a person with a right, title, or interest 439
to use, occupy, or possess if the probation officers have 440
reasonable grounds to believe that the delinquent child is not 441
abiding by the law or otherwise is not complying with the 442
conditions of the delinquent child's community control. The 443
court that places a delinquent child on community control under 444
this section shall provide the delinquent child with a written 445
notice that informs the delinquent child that authorized 446
probation officers who are engaged within the scope of their 447
supervisory duties or responsibilities may conduct those types 448
of searches during the period of community control if they have 449
reasonable grounds to believe that the delinquent child is not 450
abiding by the law or otherwise is not complying with the 451
conditions of the delinquent child's community control. The 452
court also shall provide the written notice described in 453
division (E)(2) of this section to each parent, guardian, or 454
custodian of the delinquent child who is described in that 455
division. 456

(2) The court that places a child on community control 457
under this section shall provide the child's parent, guardian, 458
or other custodian with a written notice that informs them that 459
authorized probation officers may conduct searches pursuant to 460
division (E)(1) of this section. The notice shall specifically 461
state that a permissible search might extend to a motor vehicle, 462

another item of tangible or intangible personal property, or a 463
place of residence or other real property in which a notified 464
parent, guardian, or custodian has a right, title, or interest 465
and that the parent, guardian, or custodian expressly or 466
impliedly permits the child to use, occupy, or possess. 467

(G) If a juvenile court commits a delinquent child to the 468
custody of any person, organization, or entity pursuant to this 469
section and if the delinquent act for which the child is so 470
committed is a sexually oriented offense or is a child-victim 471
oriented offense, the court in the order of disposition shall do 472
one of the following: 473

(1) Require that the child be provided treatment as 474
described in division (A) (2) of section 5139.13 of the Revised 475
Code; 476

(2) Inform the person, organization, or entity that it is 477
the preferred course of action in this state that the child be 478
provided treatment as described in division (A) (2) of section 479
5139.13 of the Revised Code and encourage the person, 480
organization, or entity to provide that treatment. 481

Sec. 2307.59. (A) As used in this section: 482

(1) "Assigned task" means any task assigned, directed, or 483
otherwise given to a learner by a sponsor or its 484
representatives, the performance on which will be evaluated for 485
credit, including any of the following: 486

(a) Writing a term paper, thesis, dissertation, essay, or 487
report; 488

(b) Providing responses to, participating in, or otherwise 489
engaging in an examination; 490

<u>(c) Preparing any other work product in response to an assignment;</u>	491 492
<u>(d) Attending classes or other instructional interactions when the task is assigned, directed, or otherwise given to a learner by a sponsor or its representatives.</u>	493 494 495
<u>(2) "Assignment" means anything in written, electronic, recorded, pictorial, artistic, or any other form issued by a sponsor or its representatives setting forth, conveying, or soliciting learner performance of or on one or more assigned tasks, including materials, whether presented on paper or a computer, setting forth problems for the learner to solve, questions for the learner's response, examination content, scenarios to which the learner is to react, and similar tasks.</u>	496 497 498 499 500 501 502 503
<u>(3) "Confidential examination or assignment" means any assignment, including any examination that a sponsor provides to a learner under confidential conditions.</u>	504 505 506
<u>(4) "For credit" means for evaluation by a sponsor or its representatives in connection with issuance of any grade, evaluation, degree, diploma, certification, certificate, credential, examination score, or professional license.</u>	507 508 509 510
<u>(5) "Organization" means a company, partnership, corporation, institution, association, body, state agency, or other entity.</u>	511 512 513
<u>(6) "Sale" or "sell" means any transfer, exchange, or barter, in any manner, for any consideration or by any agreement.</u>	514 515 516
<u>(7) "Sponsor" means any of the following:</u>	517
<u>(a) Any state institution of higher education, as defined</u>	518

under section 3345.011 of the Revised Code; 519

(b) Any organization that owns, sponsors, grants, awards, 520
or otherwise issues professional licenses to individuals or 521
organizations bearing the organization's name or trademark and 522
signifying completion of a set of requirements associated with 523
that license; 524

(c) Any organization that owns, sponsors, grants, awards, 525
or otherwise issues credentials or certifications bearing the 526
organization's name or trademark to individuals or organizations 527
in this state and signifying completion of a set of requirements 528
associated with that credential or certification; 529

(d) Any organization that owns, sponsors, administers, or 530
otherwise delivers examinations bearing the organization's name 531
or trademark to individuals or organizations in this state. 532

(8) "Learner" means an individual whose performance on one 533
or more assigned tasks will be evaluated for credit and 534
includes, but is not limited to, students, candidates for 535
professional certification and licensure, test takers, 536
examinees, and workforce skills trainees. 537

(9) "Work product" means anything in written, electronic, 538
recorded, pictorial, artistic, or any other form that is 539
submitted to a sponsor showing full or partial completion of an 540
assigned task, including a term paper, thesis, dissertation, 541
essay, report, and response to an examination. 542

(B) No organization or individual shall, for a fee or 543
other compensation, engage in any of the following activities: 544

(1) Prepare, advertise to prepare, offer to prepare, or 545
cause to be prepared, any work product for or on behalf of a 546
learner; 547

(2) Sell, advertise to sell, offer to sell, or cause to be 548
sold any work product to a learner; 549

(3) Complete or otherwise perform an assigned task for or 550
on behalf of a learner, whether in whole or in part, with the 551
knowledge, or under circumstances in which the organization or 552
individual should reasonably have known that the work product or 553
the completion of the assigned task will be submitted by or on 554
behalf of the learner as the learner's own work for credit. 555

(C) No organization or individual shall sell or advertise 556
for sale a confidential examination, a portion thereof, or 557
detailed description of its contents, when the organization or 558
individual reasonably should know that the sale or advertisement 559
is a violation of a provision of this section. 560

(D) An organization or individual shall not issue a 561
disclaimer or draft contractual language attempting to exempt 562
the organization or individual from any provision of this 563
section, including the following statements: 564

(1) That the learner will not use any work product in 565
completing all or part of the assigned tasks; 566

(2) That the learner has not been required to complete the 567
assigned tasks personally; 568

(3) That provision of the work product or completion of 569
the assigned tasks has been approved by the sponsor. 570

(E) Nothing contained in this section shall prevent any 571
individual or organization from providing tutorial assistance, 572
research material, information, or other assistance to learners, 573
provided that it is expressly permitted by the sponsor and the 574
individual or organization providing assistance has reasonable 575
belief that the work product will not be represented as the 576

<u>learner's own work.</u>	577
<u>(F) (1) The attorney general may investigate an alleged</u>	578
<u>violation of this section and may bring in the appropriate court</u>	579
<u>of common pleas of this state a civil action against the alleged</u>	580
<u>violator. In an action brought under this division, an</u>	581
<u>individual or organization that violates any provision of this</u>	582
<u>section shall be subject to a civil penalty of not more than</u>	583
<u>five thousand dollars per violation, to be deposited in the</u>	584
<u>state treasury to the credit of the general revenue fund.</u>	585
<u>(2) Any sponsor aggrieved by a violation of this section</u>	586
<u>may bring a civil action against the individual or organization</u>	587
<u>who violated this section in any court of competent</u>	588
<u>jurisdiction. In any action brought under this division, the</u>	589
<u>plaintiff may recover all the following for each violation:</u>	590
<u>(a) Liquidated damages of two thousand five hundred</u>	591
<u>dollars or actual damages, whichever is greater;</u>	592
<u>(b) Reasonable attorney's fees and costs, including expert</u>	593
<u>witness fees and other litigation expenses;</u>	594
<u>(c) Injunctive relief and punitive damages;</u>	595
<u>(d) Other relief as the court determines appropriate.</u>	596
<u>(3) In any action brought under this section, the court</u>	597
<u>shall preserve the secrecy of an alleged confidential</u>	598
<u>examination or assignment by reasonable means, which may include</u>	599
<u>any of the following:</u>	600
<u>(a) Granting protective orders in connection with</u>	601
<u>discovery proceedings;</u>	602
<u>(b) Holding in-camera hearings;</u>	603

(c) Sealing the records of the action; 604

(d) Ordering any individual involved in the litigation not 605
to disclose an alleged confidential examination or assignment 606
without prior court approval. 607

Sec. 2919.24. (A) As used in this section: 608

(1) "Delinquent child" has the same meaning as in section 609
2152.02 of the Revised Code. 610

(2) "Unruly child" has the same meaning as in section 611
2151.022 of the Revised Code. 612

(B) No person, including a parent, guardian, or other 613
custodian of a child, shall do any of the following: 614

(1) Aid, abet, induce, cause, encourage, or contribute to 615
a child or a ward of the juvenile court becoming an unruly child 616
or a delinquent child; 617

(2) Act in a way tending to cause a child or a ward of the 618
juvenile court to become an unruly child or a delinquent child; 619

(3) Act in a way that contributes to ~~an adjudication of~~ 620
~~the child as a delinquent child based on the child's violation~~ 621
~~of a court order adjudicating the child an unruly a child for~~ 622
being ~~an~~ a habitual truant; 623

(4) If the person is the parent, guardian, or custodian of 624
a child who has the duties under Chapters 2152. and 2950. of the 625
Revised Code to register, register a new residence address, and 626
periodically verify a residence address, and, if applicable, to 627
send a notice of intent to reside, and if the child is not 628
emancipated, as defined in section 2919.121 of the Revised Code, 629
fail to ensure that the child complies with those duties under 630
Chapters 2152. and 2950. of the Revised Code. 631

(C) An adjudication of a child as being unruly or delinquent is unnecessary for a conviction under this section. 632
633

(D) Whoever violates this section is guilty of contributing to the unruliness or delinquency of a child, a misdemeanor of the first degree. Each day of violation of this section is a separate offense. 634
635
636
637

Sec. 3313.11. Notwithstanding division (D) of section 3311.19 and division (D) of section 3311.52 of the Revised Code, this section does not apply to any joint vocational or cooperative education school district. 638
639
640
641

A vacancy in any school district board of education or governing board of an educational service center may be caused by death, nonresidence, resignation, removal from office, failure of a person elected or appointed to qualify within ten days after the organization of the board or of appointment or election, removal from the district, or absence from meetings of the board for a period of ninety days, if such absence is caused by reasons declared insufficient by a two-thirds vote of the remaining members of the board, which vote must be taken and entered upon the records of the board not ~~less~~ more than ~~thirty~~ forty-five days after such absence. 642
643
644
645
646
647
648
649
650
651
652

If the board members are selected by appointment pursuant to division (B) or (F) of section 3311.71 of the Revised Code, the appointing authority responsible for the appointment shall fill any such vacancy by appointment of an individual to serve the remainder of the unexpired term from a slate of at least three persons proposed by the municipal school district nominating panel established under that section. If the member creating the vacancy resides in a municipal school district but not in the municipal corporation containing the greatest portion 653
654
655
656
657
658
659
660
661

of the district's territory, the individuals included on such 662
slate shall also reside in the municipal school district but not 663
in the municipal corporation containing the greatest portion of 664
the district's territory. 665

If the board members are selected by election, the board 666
shall fill any such vacancy at ~~its next~~ any regular or special 667
meeting, ~~not earlier than ten days~~ within forty-five days after 668
~~such the~~ vacancy occurs. A majority vote of all the remaining 669
members of the board may fill any such vacancy. Immediately 670
after such a vote, the treasurer of the board of education or 671
governing board shall give written notice to the board of 672
elections responsible for conducting elections for that school 673
district or educational service center that a vacancy has been 674
filled, and the name of the person appointed to fill the 675
vacancy. ~~Each~~ 676

If the board of education of any city, exempted village, 677
or local school district or the governing board of any 678
educational service center fails to fill a vacancy in that board 679
within a period of forty-five days after the vacancy occurs, the 680
probate court of the county in which the district or service 681
center is located, upon being advised and satisfied of that 682
failure, shall act as that board to fill any vacancy as promptly 683
as possible. 684

Each person selected by the board or probate court to fill 685
a vacancy shall hold office for the shorter of the following 686
periods: until the completion of the unexpired term, or until 687
the first day of January immediately following the next regular 688
board of education or governing board election taking place more 689
than ninety days after a person is selected by the board or 690
probate court to fill the vacancy. At that election, a special 691

election to fill the vacancy shall be held in accordance with 692
laws controlling regular elections for board of education or 693
governing board members, except that no such special election 694
shall be held if the unexpired term ends on or before the first 695
day of January immediately following that regular board of 696
education or governing board election. The term of a person 697
chosen at a special election under this section shall begin on 698
the first day of January immediately following the election, and 699
the person shall serve for the remainder of the unexpired term. 700
Whenever the need for a special election under this section 701
becomes known, the board of education or governing board shall 702
immediately give written notice of this fact to the board of 703
elections responsible for conducting the regular board of 704
education or governing board election for that school district. 705

The term of a board of education or governing board member 706
shall not be lengthened by the member's resignation and 707
subsequent selection by the board or probate court under this 708
section. 709

Sec. 3313.174. A school district or member of a school 710
district board of education is not immune from liability in 711
damages in a civil action if the board of education of the city, 712
exempted village, or local school district or a majority of its 713
members knowingly instructs the superintendent of the district 714
to violate any provision of the Revised Code or common law of 715
this state. This section does not apply to a member of a school 716
district board of education who does not knowingly instruct the 717
district superintendent to violate the Revised Code or common 718
law of this state or who votes against instructing the 719
superintendent to do so. 720

This section does not eliminate, limit, or reduce any 721

other immunity or defense that a school district or member of a 722
school district board of education may be entitled to under 723
Chapter 2744. or any other provision of the Revised Code or 724
under the common law of this state. 725

Sec. 3313.41. (A) Except as provided in divisions (C), 726
(D), and (F) of this section and in sections 3313.412 and 727
3313.413 of the Revised Code, when a board of education decides 728
to dispose of real or personal property that it owns in its 729
corporate capacity and that exceeds in value ten thousand 730
dollars, it shall sell the property at public auction, after 731
giving at least thirty days' notice of the auction by 732
publication in a newspaper of general circulation in the school 733
district, by publication as provided in section 7.16 of the 734
Revised Code, or by posting notices in five of the most public 735
places in the school district in which the property, if it is 736
real property, is situated, or, if it is personal property, in 737
the school district of the board of education that owns the 738
property. The board may offer real property for sale as an 739
entire tract or in parcels. 740

(B) When the board of education has offered real or 741
personal property for sale at public auction at least once 742
pursuant to division (A) of this section, and the property has 743
not been sold, the board may sell it at a private sale. 744
Regardless of how it was offered at public auction, at a private 745
sale, the board shall, as it considers best, sell real property 746
as an entire tract or in parcels, and personal property in a 747
single lot or in several lots. 748

(C) If a board of education decides to dispose of real or 749
personal property that it owns in its corporate capacity and 750
that exceeds in value ten thousand dollars, it may sell the 751

property to the adjutant general; to any subdivision or taxing 752
authority as respectively defined in section 5705.01 of the 753
Revised Code, township park district, board of park 754
commissioners established under Chapter 755. of the Revised 755
Code, or park district established under Chapter 1545. of the 756
Revised Code; to a wholly or partially tax-supported university, 757
university branch, or college; to a nonprofit institution of 758
higher education that has a certificate of authorization under 759
Chapter 1713. of the Revised Code; to the governing authority of 760
a chartered nonpublic school; to the governing board of an 761
educational service center; or to the board of trustees of a 762
school district library, upon such terms as are agreed upon. The 763
sale of real or personal property to the board of trustees of a 764
school district library is limited, in the case of real 765
property, to a school district library within whose boundaries 766
the real property is situated, or, in the case of personal 767
property, to a school district library whose boundaries lie in 768
whole or in part within the school district of the selling board 769
of education. 770

(D) When a board of education decides to trade as a part 771
or an entire consideration, an item of personal property on the 772
purchase price of an item of similar personal property, it may 773
trade the same upon such terms as are agreed upon by the parties 774
to the trade. 775

(E) The president and the treasurer of the board of 776
education shall execute and deliver deeds or other necessary 777
instruments of conveyance to complete any sale or trade under 778
this section. 779

(F) When a board of education has identified a parcel of 780
real property that it determines is needed for school purposes, 781

the board may, upon a majority vote of the members of the board, 782
acquire that property by exchanging real property that the board 783
owns in its corporate capacity for the identified real property 784
or by using real property that the board owns in its corporate 785
capacity as part or an entire consideration for the purchase 786
price of the identified real property. Any exchange or 787
acquisition made pursuant to this division shall be made by a 788
conveyance executed by the president and the treasurer of the 789
board. 790

(G) When a school district board of education has property 791
that the board, by resolution, finds is not needed for school 792
district use, is obsolete, or is unfit for the use for which it 793
was acquired, the board may donate that property in accordance 794
with this division if the fair market value of the property is, 795
in the opinion of the board, two thousand five hundred dollars 796
or less. 797

The property may be donated to an eligible nonprofit 798
organization that is located in this state and is exempt from 799
federal income taxation pursuant to 26 U.S.C. 501(a) and (c)(3). 800
Before donating any property under this division, the board 801
shall adopt a resolution expressing its intent to make unneeded, 802
obsolete, or unfit-for-use school district property available to 803
these organizations. The resolution shall include guidelines and 804
procedures the board considers to be necessary to implement the 805
donation program and shall indicate whether the school district 806
will conduct the donation program or the board will contract 807
with a representative to conduct it. If a representative is 808
known when the resolution is adopted, the resolution shall 809
provide contact information such as the representative's name, 810
address, and telephone number. 811

The resolution shall include within its procedures a requirement that any nonprofit organization desiring to obtain donated property under this division shall submit a written notice to the board or its representative. The written notice shall include evidence that the organization is a nonprofit organization that is located in this state and is exempt from federal income taxation pursuant to 26 U.S.C. 501(a) and (c)(3); a description of the organization's primary purpose; a description of the type or types of property the organization needs; and the name, address, and telephone number of a person designated by the organization's governing board to receive donated property and to serve as its agent. The written notice may be submitted electronically to the board or its representative.

After adoption of the resolution, the board shall continually post in the board's office notice of its intent to donate school district property that is unneeded, obsolete, or unfit for use to eligible nonprofit organizations. If the school district maintains a web site on the internet, the notice shall be posted continually at that web site.

The board or its representatives shall maintain a list of all nonprofit organizations that notify the board or its representative of their desire to obtain donated property under this division and that the board or its representative determines to be eligible, in accordance with the requirements set forth in this section and in the donation program's guidelines and procedures, to receive donated property.

The board or its representative also shall maintain a list of all school district property the board finds to be unneeded, obsolete, or unfit for use and to be available for donation

under this division. The list shall be posted continually in a 842
conspicuous location in the board's office, and, if the school 843
district maintains a web site on the internet, the list shall be 844
posted continually at that web site. An item of property on the 845
list shall be donated to the eligible nonprofit organization 846
that first declares to the board or its representative its 847
desire to obtain the item unless the board previously has 848
established, by resolution, a list of eligible nonprofit 849
organizations that shall be given priority with respect to the 850
item's donation. Priority may be given on the basis that the 851
purposes of a nonprofit organization have a direct relationship 852
to specific school district purposes of programs provided or 853
administered by the board. A resolution giving priority to 854
certain nonprofit organizations with respect to the donation of 855
an item of property shall specify the reasons why the 856
organizations are given that priority. 857

Members of the board shall consult with the Ohio ethics 858
commission, and comply with Chapters 102. and 2921. of the 859
Revised Code, with respect to any donation under this division 860
to a nonprofit organization of which a board member, any member 861
of a board member's family, or any business associate of a board 862
member is a trustee, officer, board member, or employee. 863

Sec. 3313.411. (A) As used in this section: 864

(1) "College-preparatory boarding school" means a college- 865
preparatory boarding school established under Chapter 3328. of 866
the Revised Code. 867

(2) "Community school" means a community school 868
established under Chapter 3314. of the Revised Code. 869

(3) "High-performing community school" has the same 870

meaning as in section 3313.413 of the Revised Code. 871

(4) "STEM school" means a science, technology, 872
engineering, and mathematics school established under Chapter 873
3326. of the Revised Code. 874

(5) "Unused school facilities" means either: 875

(a) Any real property that has been used by a school 876
district for school operations, including, but not limited to, 877
academic instruction or administration, since July 1, 1998, but 878
has not been used in that capacity for one year; 879

(b) Any school building that has been used for direct 880
academic instruction ~~but~~ and, in the two most recent school 881
years, the building's student enrollment is less than sixty per 882
cent of either of the building was used for that purpose in the 883
preceding school year. following: 884

(i) The maximum student enrollment established for the 885
building in its certificate of occupancy; 886

(ii) The greatest student enrollment of the building in 887
the ten most recent school years, including the current school 888
year. 889

(B) (1) Except as provided in section 3313.412 of the 890
Revised Code, on and after June 30, 2011, any school district 891
board of education shall offer any unused school facilities it 892
owns in its corporate capacity for lease or sale to the 893
governing authorities of community schools, the boards of 894
trustees of any college-preparatory boarding schools, ~~and~~ the 895
governing bodies of any STEM schools, and the governing 896
authorities of any chartered nonpublic schools, that are located 897
within the territory of the district. Not later than sixty days 898
after the district board makes the offer, interested governing 899

authorities, boards of trustees, and governing bodies shall 900
notify the district treasurer in writing of the intention to 901
lease or purchase the property. 902

The district board shall give priority to the governing 903
authorities of high-performing community schools that are 904
located within the territory of the district. 905

(2) At the same time that a district board makes the offer 906
required under division (B)(1) of this section, the board also 907
may, but shall not be required to, offer that property for sale 908
or lease to the governing authorities of community schools with 909
plans, stipulated in their contracts entered into under section 910
3314.03 of the Revised Code, either to relocate their operations 911
to the territory of the district or to add facilities, as 912
authorized ~~by division (B)(3) or (4) of~~ under section 3314.05 of 913
the Revised Code, to be located within the territory of the 914
district. 915

(C)(1) If, not later than sixty days after the district 916
board makes the offer, only one governing authority of a high- 917
performing community school offered the property under division 918
(B) of this section notifies the district treasurer in writing 919
of the intention to purchase the property pursuant to that 920
division, the district board shall sell the property to that 921
party for the appraised fair market value of the property for 922
operation as an educational facility as determined in an 923
appraisal of the property that is not more than one year old. 924

If, not later than sixty days after the district board 925
makes the offer, more than one governing authority of a high- 926
performing community school offered the property under division 927
(B) of this section notifies the district treasurer in writing 928
of the intention to purchase the property pursuant to that 929

division, the board shall conduct a public auction in the manner 930
required for auctions of district property under division (A) of 931
section 3313.41 of the Revised Code. Only ~~the~~ those governing 932
authorities of high-performing community schools that notified 933
the district treasurer of the intention to purchase the property 934
pursuant to division (B) of this section are eligible to bid at 935
the auction. The district board is not obligated to accept any 936
bid for the property that is lower than the appraised fair 937
market value of the property for operation as an educational 938
facility, as determined in an appraisal that is not more than 939
one year old. 940

(2) If, not later than sixty days after the district board 941
makes the offer, no governing authority of a high-performing 942
community school notifies the district treasurer of its 943
intention to purchase the property pursuant to division (B) of 944
this section, the board shall then proceed to offer the property 945
for sale or lease to the governing authorities of high- 946
performing community schools located outside of the district. 947
If, not later than sixty days after the district board makes the 948
offer, only one governing authority of a high-performing 949
community school offered the property under division (C) (2) of 950
this section notifies the district treasurer in writing of the 951
intention to purchase the property, the district board shall 952
sell the property to that entity for the appraised fair market 953
value of the property for operation as an educational facility, 954
as determined in an appraisal of the property that is not more 955
than one year old. 956

If, not later than sixty days after the district board 957
makes the offer, more than one governing authority of a high- 958
performing community school offered the property under division 959
(C) (2) of this section notifies the district treasurer in 960

writing of the intention to purchase the property, the district 961
board shall conduct a public auction in the manner required for 962
auctions of district property under division (A) of section 963
3313.41 of the Revised Code. Only those governing authorities 964
that notified the district treasurer of the intention to 965
purchase the property pursuant to division (C)(2) of this 966
section are eligible to bid at the auction. The district board 967
is not obligated to accept any bid for the property that is 968
lower than the appraised fair market value of the property for 969
operation as an educational facility, as determined in an 970
appraisal that is not more than one year old. 971

(3) If, not later than sixty days after the district board 972
makes the offer, no governing authority of a high-performing 973
community school notifies the district treasurer of its 974
intention to purchase the property pursuant to division (C)(2) 975
of this section, the district board shall then proceed with the 976
offers from all other start-up community schools, college- 977
preparatory boarding schools, ~~and~~ STEM schools, and chartered 978
nonpublic schools made pursuant to ~~that division~~ this section. 979

If more than one such entity notifies the district 980
treasurer of its intention to purchase the property pursuant to 981
division ~~(B)~~ (C)(3) of this section, the board shall conduct a 982
public auction in the manner required for auctions of district 983
property under division (A) of section 3313.41 of the Revised 984
Code. Only the entities that notified the district treasurer 985
pursuant to division ~~(B)~~ (C)(3) of this section are eligible to 986
bid at the auction. The district board is not obligated to 987
accept any payment for the property that is lower than the 988
appraised fair market value of the property for operation as an 989
educational facility, as determined in an appraisal that is not 990
more than one year old. 991

~~(3)~~(4) If more than one governing authority of a high- 992
performing community school notifies the district treasurer in 993
writing of the intention to lease the property pursuant to 994
division (B) or (C) of this section, the district board shall 995
conduct a lottery to select from among those governing 996
authorities the one qualified governing authority to which the 997
district board shall lease the property. 998

If no such governing authority of a high-performing 999
community school notifies the district treasurer of its 1000
intention to lease the property pursuant to division (B) or (C) 1001
of this section, the board shall then proceed with the offers 1002
from all other start-up community schools, college-preparatory 1003
boarding schools, ~~and~~ STEM schools, and chartered nonpublic 1004
schools made pursuant to that division. If more than one other 1005
start-up community school, college-preparatory boarding school, 1006
~~or~~ STEM school, or chartered nonpublic school notified the 1007
district treasurer of its intention to lease the property 1008
pursuant to division (B) or (C) of this section, the district 1009
board shall conduct a lottery to select from among those parties 1010
the one qualified party to which the district board shall lease 1011
the property. 1012

~~(4)~~(5) The lease price offered by a district board to a 1013
community school, college-preparatory boarding school, ~~or~~ STEM 1014
school, or chartered nonpublic school under this section shall 1015
not be higher than the fair market value for such a leasehold 1016
for operation as an educational facility, as determined in an 1017
appraisal that is not more than one year old. 1018

~~(5)~~(6) If no qualified party offered the property under 1019
division (B) or (C) of this section accepts the offer to lease 1020
or buy the property within sixty days after the offer is made, 1021

the district board ~~may shall~~ offer the property ~~to any other~~ 1022
~~entity in accordance with divisions~~ for sale at a public auction 1023
in the manner required for auctions of district property under 1024
division (A) ~~to (F)~~ of section 3313.41 of the Revised Code. 1025

(D) Notwithstanding division (B) or (C) of this section, a 1026
school district board may renew any agreement it originally 1027
entered into prior to June 30, 2011, to lease real property to 1028
an entity other than a community school, college-preparatory 1029
boarding school, ~~or~~ STEM school, or chartered nonpublic school. 1030
Nothing in this section shall affect the leasehold arrangements 1031
between the district board and that other entity. 1032

(E) (1) ~~Except as provided in division (E) (2) of this~~ 1033
~~section, the~~ The governing authority of a community school, 1034
board of trustees of a college-preparatory boarding school, ~~or~~ 1035
governing body of a STEM school, or governing authority of a 1036
chartered nonpublic school shall not sell use any property 1037
purchased under division (B) or (C) of this section ~~within five~~ 1038
~~years of~~ as an educational facility for at least ten years after 1039
purchasing that property. 1040

(2) ~~The~~ If a governing authority, board of trustees, or 1041
governing body ~~may sell~~ ceases to use a property purchased under 1042
division (B) or (C) of this section ~~within five years of the~~ 1043
~~purchase, only if the governing authority, board of trustees, or~~ 1044
~~governing body sells or transfers~~ as an educational facility 1045
within ten years of purchasing that property, the governing 1046
authority, board of trustees, or governing body shall sell the 1047
property back to another entity described in that division~~the~~ 1048
seller it purchased the property from at the appraised fair 1049
market value of the property as determined in an appraisal of 1050
the property that is not more than one year old. If the seller 1051

refuses to purchase the property, the governing authority, board 1052
of trustees, or governing body shall offer the property for 1053
lease or sale to other governing authorities of community 1054
schools, boards of trustees of any college-preparatory boarding 1055
schools, governing bodies of any STEM schools, and governing 1056
authorities of any chartered nonpublic schools in the same 1057
manner as a school district under divisions (B) and (C) of this 1058
section. 1059

(F) (1) A school district board of education is not 1060
required to offer any unused school facilities it owns in its 1061
corporate capacity for lease or sale under this section if 1062
either of the following apply: 1063

(a) The facility is less than ten years old. 1064

(b) The facility is located on, or adjacent to, a tract or 1065
parcel of land where other school district facilities are 1066
located. 1067

(c) The facility is a school building described in 1068
division (A) (5) (b) of this section and is the only district 1069
building that provides direct academic instruction to one or 1070
more grade levels. 1071

(d) The facility is a school building described in 1072
division (A) (5) (b) of this section and the building's student 1073
enrollment decreased because it was undergoing repairs or 1074
renovations that caused a significant portion of the building's 1075
instructional space to be unusable. 1076

(e) The facility is a school building that is primarily 1077
used to provide career-technical education. 1078

(2) If a school district board of education believes 1079
extraordinary circumstances should exempt it from offering an 1080

unused facility for lease or sale under this section, the board 1081
may appeal the requirement to the director of education and 1082
workforce. The director shall approve or deny the appeal within 1083
sixty days of receiving the request from the board. 1084

(G) (1) A school district shall not demolish or permit any 1085
other entity, including a municipal corporation, to demolish an 1086
unused school facility unless both of the following conditions 1087
are satisfied: 1088

(a) The district has offered to sell or lease the unused 1089
facility to the governing authorities of community schools, the 1090
boards of trustees of any college-preparatory boarding schools, 1091
the governing bodies of any STEM schools, and the governing 1092
authorities of any chartered nonpublic schools in accordance 1093
with this section. 1094

(b) No community school, college-preparatory boarding 1095
school, STEM school, or chartered nonpublic school that was 1096
offered the property under this section accepts the offer to 1097
lease or buy the unused facility. 1098

(2) If a school district fails to comply with this 1099
division, the Ohio facilities construction commission shall 1100
impose a fine that is not less than the appraised fair market 1101
value of the property, as determined in an appraisal of the 1102
property that was completed before demolition began. 1103

(H) (1) Not later than November 30, 2026, and annually 1104
thereafter, each school district shall report to the department 1105
of education and workforce, in the manner determined by the 1106
department, both of the following: 1107

(a) Any real district property described in division (A) 1108
(5) (a) of this section; 1109

(b) The enrollment data specified in division (A) (5) (b) of this section and the current enrollment for each school building operated by the district. 1110
1111
1112

(2) Not later than December 31, 2026, and annually thereafter, the department shall publish on its web site a list of unused school facilities in each school district. 1113
1114
1115

Sec. 3313.413. (A) As used in this section, "high-performing community school" means a community school established under Chapter 3314. of the ~~Revise~~ Revised Code that meets any of the following conditions: 1116
1117
1118
1119

(1) Except as provided for in division (A) (2) or (3) of this section, the community school does both of the following: 1120
1121

(a) The school has a higher performance index score than the school district in which the school is located on the two most recent report cards issued under section 3302.03 of the Revised Code. 1122
1123
1124
1125

(b) The school either has a performance rating of four stars or higher for progress on the most recent report card issued under section 3302.03 of the Revised Code or is a school described under division (B) (1) of section 3314.35 of the Revised Code and did not receive a rating for progress on the most recent report card. 1126
1127
1128
1129
1130
1131

(2) If the community school serves only grades kindergarten through three, the school received a performance rating of four stars or higher for early literacy on its most recent report card issued under section 3302.03 of the Revised Code. 1132
1133
1134
1135
1136

(3) If the community school has not commenced operations or has been in operation for less than one school year, the 1137
1138

school meets the following conditions: 1139

(a) The school is replicating an operational and 1140
instructional model used by a community school described in 1141
division (A) (1) or (2) of this section. 1142

(b) The school either: 1143

(i) Has an operator that received an overall rating of 1144
three stars or higher, or a "C" or higher, on its most recent 1145
performance report published under section 3314.031 of the 1146
Revised Code; 1147

(ii) Does not have an operator and is sponsored by a 1148
sponsor that was rated "exemplary" or "effective" on its most 1149
recent evaluation conducted under section 3314.016 of the 1150
Revised Code. 1151

(B) When a school district board of education decides to 1152
dispose of real property it owns in its corporate capacity under 1153
section 3313.41 of the Revised Code, the board shall first offer 1154
that property to the governing authorities of all start-up 1155
community schools, the boards of trustees of any college- 1156
preparatory boarding schools, and the governing bodies of any 1157
STEM schools that are located within the territory of the 1158
district. Not later than sixty days after the district board 1159
makes the offer, interested governing authorities, boards of 1160
trustees, and governing bodies shall notify the district 1161
treasurer in writing of the intention to purchase the property. 1162

The district board shall give priority to the governing 1163
authorities of high-performing community schools that are 1164
located within the territory of the district. 1165

(1) If more than one governing authority of a high- 1166
performing community school notifies the district treasurer of 1167

its intention to purchase the property pursuant to division (B) 1168
of this section, the board shall conduct a public auction in the 1169
manner required for auctions of district property under division 1170
(A) of section 3313.41 of the Revised Code. Only the governing 1171
authorities of high-performing community schools that notified 1172
the district treasurer pursuant to division (B) of this section 1173
are eligible to bid at the auction. 1174

(2) If no governing authority of a high-performing 1175
community school notifies the district treasurer of its 1176
intention to purchase the property pursuant to division (B) of 1177
this section, the board shall then proceed with the offers from 1178
all other start-up community schools, college-preparatory 1179
boarding schools, and STEM schools made pursuant to that 1180
division. If more than one such entity notifies the district 1181
treasurer of its intention to purchase the property pursuant to 1182
division (B) of this section, the board shall conduct a public 1183
auction in the manner required for auctions of district property 1184
under division (A) of section 3313.41 of the Revised Code. Only 1185
the entities that notified the district treasurer pursuant to 1186
division (B) of this section are eligible to bid at the auction. 1187

(3) If no governing authority, board of trustees, or 1188
governing body notifies the district treasurer of its intention 1189
to purchase the property pursuant to division (B) of this 1190
section, the district may then offer the property for sale in 1191
the manner prescribed under divisions (A) to (F) of section 1192
3313.41 of the Revised Code. 1193

(C) Notwithstanding anything to the contrary in sections 1194
3313.41 and 3313.411 of the Revised Code, the purchase price of 1195
any real property sold to any of the entities in accordance with 1196
division (B) of this section shall not be more than the 1197

appraised fair market value of that property as determined in an 1198
appraisal of the property that is not more than one year old. 1199

(D) Not later than the first day of October of each year, 1200
the department of education and workforce shall post in a 1201
prominent location on its web site a list of schools that 1202
qualify as high-performing community schools for purposes of 1203
this section and section 3313.411 of the Revised Code. 1204

(E) No district shall offer the property for sale in the 1205
manner prescribed under divisions (A) to (F) of section 3313.41 1206
of the Revised Code to a municipal corporation unless the 1207
conditions under this section are satisfied. 1208

Sec. 3313.536. (A) The superintendent of any school 1209
district may afford a student enrolled in another school 1210
district the opportunity to participate in ice hockey as an 1211
interscholastic athletic activity at a school of the 1212
superintendent's district if all of the following conditions 1213
apply: 1214

(1) The school district in which the student is enrolled 1215
does not offer ice hockey as an interscholastic athletic 1216
activity. 1217

(2) The school district in which the student is enrolled 1218
is located less than twenty miles away from the superintendent's 1219
school district. 1220

(3) The superintendents of both school districts enter 1221
into an agreement approving the student's participation in ice 1222
hockey at the school district in which the student is not 1223
enrolled. 1224

(B) If a student enrolled in the district consents, a 1225
school district superintendent may afford that student the 1226

opportunity to participate in ice hockey as an interscholastic 1227
athletic activity at any school of the district where it is 1228
offered. 1229

(C) A student shall not be required to enroll in the 1230
school district that offers at which the student participates in 1231
ice hockey as an interscholastic athletic activity ~~or~~ under this 1232
section. A student shall not be required to be a resident of 1233
that a school district to participate in ice hockey at the 1234
district under division (A) of this section. 1235

~~(C)~~ (D) To participate in ice hockey under this section, a 1236
student shall be of the appropriate age and grade level for the 1237
school at which the student participates in ice hockey, as 1238
determined by the superintendent of that school district, and 1239
shall fulfill and be subject to the same academic, nonacademic, 1240
and financial requirements as any other participant, including 1241
trying out for a position on the team. 1242

Sec. 3314.25. (A) As used in this section and section 1243
3314.252 of the Revised Code: 1244

(1) "Internet- or computer-based community school" has the 1245
same meaning as in section 3314.02 of the Revised Code. 1246

(2) "State assessment" means statewide achievement 1247
assessments prescribed under sections 3301.0710 and 3301.0712 of 1248
the Revised Code. 1249

(B) Any student enrolled in an internet- or computer-based 1250
community school shall be permitted to complete any of the state 1251
assessments remotely in an online format with a remote proctor 1252
if the following conditions are met: 1253

(1) The student takes the assessment using a device in 1254
which the student will be monitored by the assessment proctor 1255

<u>through video and audio for the duration of the assessment</u>	1256
<u>administration.</u>	1257
<u>(2) The assessment proctor actively monitors each student</u>	1258
<u>completing a remote assessment and is available to respond to</u>	1259
<u>student questions and troubleshoot issues.</u>	1260
<u>(3) The school maintains a ratio of nine to one, or less,</u>	1261
<u>for students taking an assessment to an assessment proctor.</u>	1262
<u>(4) Each teacher or school personnel assigned to proctor a</u>	1263
<u>remote assessment completes a remote proctoring certification</u>	1264
<u>course.</u>	1265
<u>(5) Each teacher, assessment proctor, or other school</u>	1266
<u>staff of each participating school understands the technical</u>	1267
<u>requirements and is familiar with the remote testing features</u>	1268
<u>prior to the remote administration of assessments.</u>	1269
<u>(6) For parents and students, the school does all of the</u>	1270
<u>following prior to administering assessments:</u>	1271
<u>(a) Ensures that all testing equipment functions</u>	1272
<u>correctly;</u>	1273
<u>(b) Provides training and support, including an</u>	1274
<u>opportunity to gain experience with remote testing features;</u>	1275
<u>(c) Communicates test security provisions and procedures.</u>	1276
<u>(C) An internet- or computer-based community school and a</u>	1277
<u>student's parent or guardian shall determine whether a student</u>	1278
<u>takes state assessments remotely under this section in</u>	1279
<u>accordance with section 3314.252 of the Revised Code.</u>	1280
<u>(D) The department of education and workforce shall, by</u>	1281
<u>the fifteenth day of September of each year, publish on its</u>	1282

publicly accessible web site a report that analyzes the results 1283
of assessments that were remotely administered and proctored 1284
under this section in the prior school year to identify whether 1285
there were any signs of cheating or any anomalous results. 1286

Sec. 3314.252. (A) Each internet- or computer-based 1287
community school that administers state assessments using remote 1288
proctoring under section 3314.25 of the Revised Code shall 1289
provide parents with information regarding available testing and 1290
proctoring options for enrolled students. 1291

(B) Not later than two weeks after a student's initial 1292
enrollment, the school shall conduct a meeting or consultation 1293
with the student's parent or guardian, which may occur in 1294
person, by telephone, or through electronic communication, 1295
including electronic mail or other digital means, to discuss the 1296
available testing administration and proctoring options for the 1297
student. 1298

During the meeting or consultation, the school shall 1299
inform the student's parent or guardian of the school's 1300
preferred method of administration and proctoring of state 1301
assessments and any available alternative options. A parent or 1302
guardian may elect an alternative state assessment 1303
administration and proctoring option, and the school shall 1304
accommodate such election to the extent practicable, taking into 1305
consideration the student's educational needs and the 1306
feasibility of available testing options. 1307

If a student's parent or guardian does not respond to the 1308
school's reasonable attempts to conduct the meeting or 1309
consultation within two weeks of the student's initial 1310
enrollment, the school may proceed with the school's preferred 1311
method of administration and proctoring of state assessments. 1312

Notwithstanding anything in this division to the contrary, 1313
if the student has an individualized education program developed 1314
under Chapter 3323. of the Revised Code that includes in-person 1315
administration and proctoring of state assessments, the school 1316
shall provide in-person testing for the student. 1317

(C) If in-person administration and proctoring is 1318
determined to be the appropriate option for the student, the 1319
school shall provide the student with access to a testing 1320
location within a fifty-mile radius of the student's residence 1321
at which the student may complete state assessments. 1322

(D) The school shall review the determination made under 1323
division (B) of this section annually with the student's parent 1324
or guardian and may revise the testing administration method if 1325
the school and parent agree that a different proctoring method 1326
better serves the student's needs. The school shall not revise a 1327
student's testing administration method without the approval of 1328
the student's parent. 1329

(E) Nothing in this section shall be construed to permit a 1330
school to use a method of administration and proctoring of state 1331
assessments for a student that conflicts with the services 1332
included in the student's individualized education program 1333
developed under Chapter 3323. of the Revised Code. 1334

Sec. 3318.08. Except in the case of a joint vocational 1335
school district that receives assistance under sections 3318.40 1336
to 3318.45 of the Revised Code, if the requisite favorable vote 1337
on the election is obtained, or if the school district board has 1338
resolved to apply the proceeds of a property tax levy or the 1339
proceeds of an income tax, or a combination of proceeds from 1340
such taxes, as authorized in section 3318.052 of the Revised 1341
Code, the Ohio facilities construction commission, upon 1342

certification to it of either the results of the election or the
resolution under section 3318.052 of the Revised Code, shall
enter into a written agreement with the school district board
for the construction and sale of the project. In the case of a
joint vocational school district that receives assistance under
sections 3318.40 to 3318.45 of the Revised Code, if the school
district board of education and the school district electors
have satisfied the conditions prescribed in division (D)(1) of
section 3318.41 of the Revised Code, the commission shall enter
into an agreement with the school district board for the
construction and sale of the project. In either case, the
agreement shall include, but need not be limited to, the
following provisions:

(A) The sale and issuance of bonds or notes in
anticipation thereof, as soon as practicable after the execution
of the agreement, in an amount equal to the school district's
portion of the basic project cost, including any securities
authorized under division (J) of section 133.06 of the Revised
Code and dedicated by the school district board to payment of
the district's portion of the basic project cost of the project;
provided, that if at that time the county treasurer of each
county in which the school district is located has not commenced
the collection of taxes on the general duplicate of real and
public utility property for the year in which the controlling
board approved the project, the school district board shall
authorize the issuance of a first installment of bond
anticipation notes in an amount specified by the agreement,
which amount shall not exceed an amount necessary to raise the
net bonded indebtedness of the school district as of the date of
the controlling board's approval to within five thousand dollars
of the required level of indebtedness for the preceding year. In

the event that a first installment of bond anticipation notes is 1374
issued, the school district board shall, as soon as practicable 1375
after the county treasurer of each county in which the school 1376
district is located has commenced the collection of taxes on the 1377
general duplicate of real and public utility property for the 1378
year in which the controlling board approved the project, 1379
authorize the issuance of a second and final installment of bond 1380
anticipation notes or a first and final issue of bonds. 1381

The combined value of the first and second installment of 1382
bond anticipation notes or the value of the first and final 1383
issue of bonds shall be equal to the school district's portion 1384
of the basic project cost. The proceeds of any such bonds shall 1385
be used first to retire any bond anticipation notes. Otherwise, 1386
the proceeds of such bonds and of any bond anticipation notes, 1387
except the premium and accrued interest thereon, shall be 1388
deposited in the school district's project construction fund. In 1389
determining the amount of net bonded indebtedness for the 1390
purpose of fixing the amount of an issue of either bonds or bond 1391
anticipation notes, gross indebtedness shall be reduced by 1392
moneys in the bond retirement fund only to the extent of the 1393
moneys therein on the first day of the year preceding the year 1394
in which the controlling board approved the project. Should 1395
there be a decrease in the tax valuation of the school district 1396
so that the amount of indebtedness that can be incurred on the 1397
tax duplicates for the year in which the controlling board 1398
approved the project is less than the amount of the first 1399
installment of bond anticipation notes, there shall be paid from 1400
the school district's project construction fund to the school 1401
district's bond retirement fund to be applied against such notes 1402
an amount sufficient to cause the net bonded indebtedness of the 1403
school district, as of the first day of the year following the 1404

year in which the controlling board approved the project, to be 1405
within five thousand dollars of the required level of 1406
indebtedness for the year in which the controlling board 1407
approved the project. The maximum amount of indebtedness to be 1408
incurred by any school district board as its share of the cost 1409
of the project is either an amount that will cause its net 1410
bonded indebtedness, as of the first day of the year following 1411
the year in which the controlling board approved the project, to 1412
be within five thousand dollars of the required level of 1413
indebtedness, or an amount equal to the required percentage of 1414
the basic project costs, whichever is greater. All bonds and 1415
bond anticipation notes shall be issued in accordance with 1416
Chapter 133. of the Revised Code, and notes may be renewed as 1417
provided in section 133.22 of the Revised Code. 1418

(B) The transfer of such funds of the school district 1419
board available for the project, together with the proceeds of 1420
the sale of the bonds or notes, except premium, accrued 1421
interest, and interest included in the amount of the issue, to 1422
the school district's project construction fund; 1423

(C) For all school districts except joint vocational 1424
school districts that receive assistance under sections 3318.40 1425
to 3318.45 of the Revised Code, the following provisions as 1426
applicable: 1427

(1) If section 3318.052 of the Revised Code applies, the 1428
earmarking of the proceeds of a tax levied under section 5705.21 1429
of the Revised Code for general permanent improvements or under 1430
section 5705.218 of the Revised Code for the purpose of 1431
permanent improvements, or the proceeds of a school district 1432
income tax levied under Chapter 5748. of the Revised Code, or 1433
the proceeds from a combination of those two taxes, in an amount 1434

to pay all or part of the service charges on bonds issued to pay 1435
the school district portion of the project and an amount 1436
equivalent to all or part of the tax required under division (B) 1437
of section 3318.05 of the Revised Code; 1438

(2) If section 3318.052 of the Revised Code does not 1439
apply, one of the following: 1440

(a) The levy of the tax authorized at the election for the 1441
payment of maintenance costs, as specified in division (B) of 1442
section 3318.05 of the Revised Code; 1443

(b) If the school district electors have approved a 1444
continuing tax for general permanent improvements under section 1445
5705.21 of the Revised Code and that tax can be used for 1446
maintenance, the earmarking of an amount of the proceeds from 1447
such tax for maintenance of classroom facilities as specified in 1448
division (B) of section 3318.05 of the Revised Code; 1449

(c) If, in lieu of the tax otherwise required under 1450
division (B) of section 3318.05 of the Revised Code, the 1451
commission has approved the transfer of money to the maintenance 1452
fund in accordance with section 3318.051 of the Revised Code, a 1453
requirement that the district board comply with the provisions 1454
of that section. The district board may rescind the provision 1455
prescribed under division (C) (2) (c) of this section only so long 1456
as the electors of the district have approved, in accordance 1457
with section 3318.063 of the Revised Code, the levy of a tax for 1458
the maintenance of the classroom facilities acquired under the 1459
district's project and that levy continues to be collected as 1460
approved by the electors. 1461

(D) For joint vocational school districts that receive 1462
assistance under sections 3318.40 to 3318.45 of the Revised 1463

Code, provision for deposit of school district moneys dedicated 1464
to maintenance of the classroom facilities acquired under those 1465
sections as prescribed in section 3318.43 of the Revised Code; 1466

(E) Dedication of any local donated contribution as 1467
provided for under section 3318.084 of the Revised Code, 1468
including a schedule for depositing such moneys applied as an 1469
offset of the district's obligation to levy the tax described in 1470
division (B) of section 3318.05 of the Revised Code as required 1471
under division (D) (2) of section 3318.084 of the Revised Code; 1472

(F) Ownership of or interest in the project during the 1473
period of construction, which shall be divided between the 1474
commission and the school district board in proportion to their 1475
respective contributions to the school district's project 1476
construction fund; 1477

(G) Maintenance of the state's interest in the project 1478
until any obligations issued for the project under section 1479
3318.26 of the Revised Code are no longer outstanding; 1480

(H) The insurance of the project by the school district 1481
from the time there is an insurable interest therein and so long 1482
as the state retains any ownership or interest in the project 1483
pursuant to division (F) of this section, in such amounts and 1484
against such risks as the commission shall require; provided, 1485
that the cost of any required insurance until the project is 1486
completed shall be a part of the basic project cost; 1487

(I) The certification by the director of budget and 1488
management that funds are available and have been set aside to 1489
meet the state's share of the basic project cost as approved by 1490
the controlling board pursuant to either section 3318.04 or 1491
division (B) (1) of section 3318.41 of the Revised Code; 1492

(J) Authorization of the school district board to	1493
advertise for and receive construction bids for the project, for	1494
and on behalf of the commission, and to award contracts in the	1495
name of the state subject to approval by the commission;	1496
(K) Provisions for the disbursement of moneys from the	1497
school district's project account upon issuance by the	1498
commission or the commission's designated representative of	1499
vouchers for work done to be certified to the commission by the	1500
treasurer of the school district board;	1501
(L) Disposal of any balance left in the school district's	1502
project construction fund upon completion of the project;	1503
(M) Limitations upon use of the project or any part of it	1504
so long as any obligations issued to finance the project under	1505
section 3318.26 of the Revised Code are outstanding;	1506
(N) Provision for vesting the state's interest in the	1507
project to the school district board when the obligations issued	1508
to finance the project under section 3318.26 of the Revised Code	1509
are outstanding;	1510
(O) Provision for deposit of an executed copy of the	1511
agreement in the office of the commission;	1512
(P) Provision for termination of the contract and release	1513
of the funds encumbered at the time of the conditional approval,	1514
if the proceeds of the sale of the bonds of the school district	1515
board are not paid into the school district's project	1516
construction fund and if bids for the construction of the	1517
project have not been taken within such period after the	1518
execution of the agreement as may be fixed by the commission;	1519
(Q) A provision that requires the school district to	1520
adhere to a facilities maintenance plan approved by the	1521

commission; 1522

(R) Provision that all state funds reserved and encumbered 1523
to pay the state share of the cost of the project and the funds 1524
provided by the school district to pay for its share of the 1525
project cost, including the respective shares of the cost of a 1526
segment if the project is divided into segments, be spent on the 1527
construction and acquisition of the project or segment 1528
simultaneously in proportion to the state's and the school 1529
district's respective shares of that basic project cost as 1530
determined under section 3318.032 of the Revised Code or, if the 1531
district is a joint vocational school district, under section 1532
3318.42 of the Revised Code. However, if the school district 1533
certifies to the commission that expenditure by the school 1534
district is necessary to maintain the federal tax status or tax- 1535
exempt status of notes or bonds issued by the school district to 1536
pay for its share of the project cost or to comply with 1537
applicable temporary investment periods or spending exceptions 1538
to rebate as provided for under federal law in regard to those 1539
notes or bonds, the school district may commit to spend, or 1540
spend, a greater portion of the funds it provides during any 1541
specific period than would otherwise be required under this 1542
division. 1543

(S) A provision stipulating that the commission may 1544
prohibit the district from proceeding with any project if the 1545
commission determines that the site is not suitable for 1546
construction purposes. The commission may perform soil tests in 1547
its determination of whether a site is appropriate for 1548
construction purposes. 1549

(T) A provision stipulating that, unless otherwise 1550
authorized by the commission, any contingency reserve portion of 1551

the construction budget prescribed by the commission shall be 1552
used only to pay costs resulting from unforeseen job conditions, 1553
to comply with rulings regarding building and other codes, to 1554
pay costs related to design clarifications or corrections to 1555
contract documents, and to pay the costs of settlements or 1556
judgments related to the project as provided under section 1557
3318.086 of the Revised Code; 1558

(U) A provision stipulating that for continued release of 1559
project funds the school district board shall comply with 1560
sections 3313.41, 3313.411, and 3313.413 of the Revised Code 1561
throughout the project and shall notify the department of 1562
education and workforce and the Ohio community school 1563
association when the board plans to dispose of facilities by 1564
sale under that section; 1565

(V) A provision stipulating that the commission shall not 1566
approve a contract for demolition of a facility until the school 1567
district board has complied with sections 3313.41, ~~3313.411~~, and 1568
3313.413 of the Revised Code relative to that facility, unless 1569
demolition of that facility is to clear a site for construction 1570
of a replacement facility included in the district's project; 1571

(W) A provision stipulating that the commission shall not 1572
approve a contract for demolition of a facility until the school 1573
district board has complied with section 3313.411 of the Revised 1574
Code relative to that facility. 1575

Sec. 3319.2210. (A) The state board of education shall 1576
issue a one-year nonrenewable out-of-state educator license, 1577
valid for teaching the grade levels and curriculum areas named 1578
in such license, upon the request of an employing school 1579
district to a qualified applicant who meets all of the following 1580
requirements: 1581

- (1) Is deemed to be of good moral character; 1582
- (2) Is an out-of-state applicant and the holder of a valid 1583
out-of-state teaching license who has completed a baccalaureate 1584
degree, an approved teacher preparation program, and the 1585
examination prescribed by the state in which the licensure is 1586
held, but who has not yet successfully completed the examination 1587
prescribed by the state board for Ohio licensure; 1588
- (3) Except as provided in division (B) of this section, 1589
has completed at least six of the required twelve semester hours 1590
of coursework in the teaching of reading as described in section 1591
3319.24 of the Revised Code for educators requesting an early 1592
childhood, primary, middle childhood, pre-kindergarten through 1593
eight, intervention specialist, early childhood intervention 1594
specialist, or primary intervention specialist license. The 1595
remaining coursework requirement shall be listed as a limitation 1596
on the license and must be completed before the out-of-state 1597
license expires. 1598
- ~~(B)~~ (B) (1) An applicant for a one-year nonrenewable out-of- 1599
state educator license who successfully completes Ohio's 1600
foundations of reading exam on the applicant's first attempt 1601
shall not be required to have completed at least six of the 1602
required twelve semester hours of coursework in the teaching of 1603
reading as described in section 3319.24 of the Revised Code 1604
prior to receipt of the license. 1605
- (2) An applicant for a one-year nonrenewable out-of-state 1606
educator license shall not be required to complete any 1607
coursework in the teaching of reading as described in section 1608
3319.24 of the Revised Code if both of the following apply: 1609
- (a) The applicant successfully completed Ohio's 1610

foundations of reading exam on the applicant's first attempt 1611
prior to receipt of that license. 1612

(b) The applicant holds an educator license in a state 1613
that requires educator candidates who will provide instruction 1614
in literacy to complete pre-service training in the science of 1615
reading that is similar or identical to the training required in 1616
this state, as determined by the state board of education. 1617

Sec. 3319.24. This section does not apply to any applicant 1618
for an educator license that is designed for persons 1619
specializing in teaching children in kindergarten through 1620
twelfth grade, or the equivalent, in the area of dance, drama, 1621
theater, music, visual arts, or physical education or a 1622
specialty area substantially equivalent to any of these when 1623
such applicant will be teaching children in the specialty area 1624
specified in the license. 1625

(A) As used in this section: 1626

(1) "Coursework in the teaching of reading" means 1627
coursework that includes training in a range of instructional 1628
strategies for teaching reading, in the assessment of reading 1629
skills, and in the diagnosis and remediation of reading 1630
difficulties; 1631

(2) "Phonics" means the techniques and strategies used to 1632
teach children to match, blend, and translate letters of the 1633
alphabet into the sounds they represent, which techniques and 1634
strategies are systematically integrated and thoroughly 1635
practiced in a developmentally appropriate instructional program 1636
to assist the child in learning to read, write, and spell; 1637

(3) "Course in the teaching of phonics" means a course 1638
providing the background necessary for effectively teaching and 1639

assessing phonics, phonemic awareness, and word recognition, 1640
including, but not limited to, the following topics: 1641

(a) Phonological and morphological underpinnings of 1642
English spellings and the history thereof; 1643

(b) The nature and role of word recognition in proficient 1644
reading; 1645

(c) Methods and rationale for the instruction of phonemic 1646
awareness, decoding, spelling, and the application thereof in 1647
reading and writing; 1648

(d) Methods and rationale for the assessment of phonemic 1649
awareness, decoding, spelling, and the application thereof in 1650
reading and writing; 1651

(e) The relation of deficits in phonemic awareness, 1652
decoding, spelling, and word recognition to reading 1653
disabilities; 1654

(4) "Phonemic awareness" means the awareness of sounds 1655
that make up spoken words and the ability to use this awareness 1656
of sounds in reading. 1657

(B) ~~The~~ Except as provided in division (C) of this 1658
section, the rules adopted under section 3319.22 of the Revised 1659
Code shall require an applicant for a resident educator license 1660
designated for teaching children in grades kindergarten through 1661
six or the equivalent to have successfully completed at least 1662
six semester hours, or the equivalent, of coursework in the 1663
teaching of reading that includes at least one separate course 1664
of at least three semester hours, or the equivalent, in the 1665
teaching of phonics in the context of reading, writing, and 1666
spelling. In addition, such rules shall require that the 1667
subsequent issuance of a professional educator license be 1668

contingent upon the applicant having completed six additional 1669
semester hours or the equivalent of coursework in the teaching 1670
of reading. The rules shall permit an applicant to apply 1671
undergraduate coursework in order to meet this requirement for 1672
additional coursework. 1673

(C) An applicant for a resident or professional educator 1674
license who holds a one-year nonrenewable out-of-state educator 1675
license issued under section 3319.2210 of the Revised Code shall 1676
not be required to complete the coursework in the teaching of 1677
reading otherwise required under this section to receive a 1678
resident educator license or professional educator license if 1679
both of the following apply: 1680

(1) The applicant successfully completed Ohio's 1681
foundations of reading exam on the applicant's first attempt 1682
prior to receipt of the out-of-state educator license. 1683

(2) The applicant holds an educator license in a state 1684
that requires educator candidates who will provide instruction 1685
in literacy to complete pre-service training in the science of 1686
reading that is similar or identical to the training required in 1687
this state, as determined by the state board of education. 1688

Sec. 3319.31. (A) As used in this section and sections 1689
3123.41 to 3123.50 and 3319.311 of the Revised Code, "license" 1690
means a certificate, license, or permit described in this 1691
chapter or in division (B) of section 3301.071 or in section 1692
3301.074 of the Revised Code or a registration described in 1693
division (B) of section 3302.151, section 3310.411, or section 1694
3319.221 of the Revised Code. 1695

(B) For any of the following reasons, the state board of 1696
education, except as provided in division (H) of this section 1697

and in accordance with Chapter 119. and section 3319.311 of the Revised Code, may refuse to issue a license to an applicant; may limit a license it issues to an applicant; may suspend, revoke, or limit a license that has been issued to any person; or may revoke a license that has been issued to any person and has expired:

(1) Engaging in an immoral act, incompetence, negligence, or conduct that is unbecoming to the applicant's or person's position;

(2) A plea of guilty to, a finding of guilt by a jury or court of, or a conviction of any of the following:

(a) A felony other than a felony listed in division (C) of this section;

(b) An offense of violence other than an offense of violence listed in division (C) of this section;

(c) A theft offense, as defined in section 2913.01 of the Revised Code, other than a theft offense listed in division (C) of this section;

(d) A drug abuse offense, as defined in section 2925.01 of the Revised Code, that is not a minor misdemeanor, other than a drug abuse offense listed in division (C) of this section;

(e) A violation of an ordinance of a municipal corporation that is substantively comparable to an offense listed in divisions (B) (2) (a) to (d) of this section.

(3) A judicial finding of eligibility for intervention in lieu of conviction under section 2951.041 of the Revised Code, or agreeing to participate in a pre-trial diversion program under section 2935.36 of the Revised Code, or a similar

diversion program under rules of a court, for any offense listed 1726
in division (B) (2) or (C) of this section; 1727

(4) Failure to comply with section 3314.40, 3319.313, 1728
3326.24, 3328.19, 5126.253, or 5502.262 of the Revised Code; 1729

(5) Purposely using or intentionally releasing information 1730
that is confidential under state or federal law concerning a 1731
student or student's family members for purposes other than 1732
student instruction in violation of the licensure code of 1733
professional conduct for Ohio educators developed by the state 1734
board of education; 1735

(6) Violating section 3319.3110 of the Revised Code, 1736
unless such violation is at the direction of the 1737
superintendent's employing board of education or a majority of 1738
its members. 1739

(C) Upon learning of a plea of guilty to, a finding of 1740
guilt by a jury or court of, or a conviction of any of the 1741
offenses listed in this division by a person who holds a current 1742
or expired license or is an applicant for renewal of a license, 1743
the state board or the superintendent of public instruction, if 1744
the state board has delegated the duty pursuant to division (D) 1745
of this section, shall by a written order revoke the person's 1746
license or deny renewal of the license to the person. The state 1747
board or the superintendent shall revoke a license that has been 1748
issued to a person to whom this division applies and has expired 1749
in the same manner as a license that has not expired. 1750

Revocation of a license or denial of renewal of a license 1751
under this division is effective immediately at the time and 1752
date that the board or superintendent issues the written order 1753
and is not subject to appeal in accordance with Chapter 119. of 1754

the Revised Code. Revocation of a license or denial of renewal 1755
of license under this division remains in force during the 1756
pendency of an appeal by the person of the plea of guilty, 1757
finding of guilt, or conviction that is the basis of the action 1758
taken under this division. 1759

The state board or superintendent shall take the action 1760
required by this division for a violation of division (B) (1), 1761
(2), (3), or (4) of section 2919.22 of the Revised Code; a 1762
violation of section 2903.01, 2903.02, 2903.03, 2903.04, 1763
2903.041, 2903.11, 2903.12, 2903.15, 2905.01, 2905.02, 2905.05, 1764
2905.11, 2905.32, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 1765
2907.07, 2907.21, 2907.22, 2907.23, 2907.24, 2907.241, 2907.25, 1766
2907.31, 2907.311, 2907.32, 2907.321, 2907.322, 2907.323, 1767
2907.33, 2907.34, 2909.02, 2909.22, 2909.23, 2909.24, 2911.01, 1768
2911.02, 2911.11, 2911.12, 2913.44, 2917.01, 2917.02, 2917.03, 1769
2917.31, 2917.33, 2919.12, 2919.121, 2919.13, 2921.02, 2921.03, 1770
2921.04, 2921.05, 2921.11, 2921.34, 2921.41, 2923.122, 2923.123, 1771
2923.161, 2923.17, 2923.21, 2925.02, 2925.03, 2925.04, 2925.041, 1772
2925.05, 2925.06, 2925.13, 2925.22, 2925.23, 2925.24, 2925.32, 1773
2925.36, 2925.37, 2927.24, or 3716.11 of the Revised Code; a 1774
violation of section 2907.231 of the Revised Code unless the 1775
offender was coerced into committing a violation of that 1776
section; a violation of section 2905.04 of the Revised Code as 1777
it existed prior to July 1, 1996; a violation of section 2919.23 1778
of the Revised Code that would have been a violation of section 1779
2905.04 of the Revised Code as it existed prior to July 1, 1996, 1780
had the violation been committed prior to that date; felonious 1781
sexual penetration in violation of former section 2907.12 of the 1782
Revised Code; or a violation of an ordinance of a municipal 1783
corporation that is substantively comparable to an offense 1784
listed in this paragraph. 1785

(D) The state board may delegate to the superintendent of public instruction the authority to revoke a person's license or to deny renewal of a license to a person under division (C) or (F) of this section.

(E) (1) If the plea of guilty, finding of guilt, or conviction that is the basis of the action taken under division (B) (2) or (C) of this section, or under the version of division (F) of section 3319.311 of the Revised Code in effect prior to September 12, 2008, is overturned on appeal, upon exhaustion of the criminal appeal, the clerk of the court that overturned the plea, finding, or conviction or, if applicable, the clerk of the court that accepted an appeal from the court that overturned the plea, finding, or conviction, shall notify the state board that the plea, finding, or conviction has been overturned. Within thirty days after receiving the notification, the state board shall initiate proceedings to reconsider the revocation or denial of the person's license in accordance with division (E) (2) of this section. In addition, the person whose license was revoked or denied may file with the state board a petition for reconsideration of the revocation or denial along with appropriate court documents.

(2) Upon receipt of a court notification or a petition and supporting court documents under division (E) (1) of this section, the state board, after offering the person an opportunity for an adjudication hearing under Chapter 119. of the Revised Code, shall determine whether the person committed the act in question in the prior criminal action against the person that is the basis of the revocation or denial and may continue the revocation or denial, may reinstate the person's license, with or without limits, or may grant the person a new license, with or without limits. The decision of the board shall

be based on grounds for revoking, denying, suspending, or 1817
limiting a license adopted by rule under division (G) of this 1818
section and in accordance with the evidentiary standards the 1819
board employs for all other licensure hearings. The decision of 1820
the board under this division is subject to appeal under Chapter 1821
119. of the Revised Code. 1822

(3) A person whose license is revoked or denied under 1823
division (C) of this section shall not apply for any license if 1824
the plea of guilty, finding of guilt, or conviction that is the 1825
basis of the revocation or denial, upon completion of the 1826
criminal appeal, either is upheld or is overturned but the state 1827
board continues the revocation or denial under division (E) (2) 1828
of this section and that continuation is upheld on final appeal. 1829

(F) The state board may take action under division (B) of 1830
this section, and the state board or the superintendent shall 1831
take the action required under division (C) of this section, on 1832
the basis of substantially comparable conduct occurring in a 1833
jurisdiction outside this state or occurring before a person 1834
applies for or receives any license. 1835

(G) The state board may adopt rules in accordance with 1836
Chapter 119. of the Revised Code to carry out this section and 1837
section 3319.311 of the Revised Code. 1838

(H) The state board shall not refuse to issue a license to 1839
an applicant because of a conviction of, a plea of guilty to, or 1840
a finding of guilt by a jury or court of an offense unless the 1841
refusal is in accordance with section 9.79 of the Revised Code. 1842

Sec. 3319.316. As used in this section, "participating 1843
public office" and "participating private party" have the same 1844
meanings as in section 109.5721 of the Revised Code. 1845

(A) The state board of education shall be a participating public office for purposes of the retained applicant fingerprint database established under section 109.5721 of the Revised Code and shall receive notification from the bureau of criminal identification and investigation of the arrest or conviction of the following persons:

~~(A)~~ (1) Persons to whom the state board has issued a license, as defined in section 3319.31 of the Revised Code;

~~(B)~~ (2) On behalf of employers described in section 3319.391 or 3327.10 of the Revised Code, persons who are not required to hold a license issued by the state board and are employed in or contracted for a position that the district, service center, or school reasonably determines may involve routine interaction with a child or regular responsibility for the care, custody, or control of a child, including persons who operate a school bus or motor van. Notwithstanding anything to the contrary in division (E) of section 109.5721 of the Revised Code, the state board is authorized to and promptly shall transmit any notification received regarding a person under this division to the person's employer.

(B) An employing school district, educational service center, community school, chartered nonpublic school, or employer may identify a designee serving on its behalf, either as a contractor or agent, to receive notifications for arrests or convictions under this section. Any such designation shall be made in writing to the state board.

(C) An employer or designee receiving notifications under this section shall comply with the applicable requirements of a participating private party or participating public office.

Sec. 3319.3110. No superintendent shall knowingly violate 1875
any provision of Title XXXVIII of the Revised Code or any other 1876
provision of the Revised Code related to school districts, 1877
schools operated by school districts, or students who receive 1878
services from school districts. 1879

Sec. 3319.391. This section applies to any person hired by 1880
a school district, educational service center, or chartered 1881
nonpublic school and any contractor or person hired by a 1882
contractor engaged in providing services that may involve 1883
routine interaction with a child or regular responsibility for 1884
the care, custody, or control of a child to a school district, 1885
educational service center, or chartered nonpublic school in any 1886
position that does not require a "license" issued by the state 1887
board of education, as defined in section 3319.31 of the Revised 1888
Code, or a registration issued by the state board of education 1889
under Chapter 3319. of the Revised Code, and is not for the 1890
operation of a vehicle for pupil transportation. This section 1891
does not apply to any person who volunteers at a school building 1892
within a district, educational service center, or chartered 1893
nonpublic school, including a parent volunteer in a student's 1894
classroom. 1895

(A) (1) For each person to whom this section applies who is 1896
hired on or after November 14, 2007, the employer shall request 1897
a criminal records check in accordance with section 3319.39 of 1898
the Revised Code and shall request a subsequent criminal records 1899
check by the fifth day of September every fifth year thereafter. 1900

(2) For each person to whom this section applies who is 1901
hired prior to November 14, 2007, the employer shall request a 1902
criminal records check by a date prescribed by the state board 1903
and shall request a subsequent criminal records check by the 1904

fifth day of September every fifth year thereafter. 1905

(3) If, on October 3, 2023, the most recent criminal 1906
records check requested for a person under division (A) (1) or 1907
(2) of this section was completed more than one year prior to 1908
that date or does not include information gathered pursuant to 1909
division (A) of section 109.57 of the Revised Code, the employer 1910
shall request a new criminal records check that includes 1911
information gathered pursuant to division (A) of section 109.57 1912
of the Revised Code by a date prescribed by the state board and 1913
shall request a subsequent criminal records check by the fifth 1914
day of September every fifth year thereafter. 1915

(B) (1) Each request for a criminal records check under 1916
this section shall be made to the superintendent of the bureau 1917
of criminal identification and investigation in the manner 1918
prescribed in section 3319.39 of the Revised Code, except that 1919
if both of the following conditions apply to the person subject 1920
to the records check, the employer shall request the 1921
superintendent only to obtain any criminal records that the 1922
federal bureau of investigation has on the person: 1923

(a) The employer previously requested the superintendent 1924
to determine whether the bureau of criminal identification and 1925
investigation has any information, gathered pursuant to division 1926
(A) of section 109.57 of the Revised Code, on the person in 1927
conjunction with a criminal records check requested under 1928
section 3319.39 of the Revised Code or under this section. 1929

(b) The person presents proof that the person has been a 1930
resident of this state for the five-year period immediately 1931
prior to the date upon which the person becomes subject to a 1932
criminal records check under this section. 1933

(2) Upon receipt of a request under division (B) (1) of 1934
this section, the superintendent of the bureau of criminal 1935
identification and investigation shall conduct the criminal 1936
records check in accordance with section 109.572 of the Revised 1937
Code as if the request had been made under section 3319.39 of 1938
the Revised Code. However, as specified in division (B) (2) of 1939
section 109.572 of the Revised Code, if the employer requests 1940
the superintendent only to obtain any criminal records that the 1941
federal bureau of investigation has on the person for whom the 1942
request is made, the superintendent shall not conduct the review 1943
prescribed by division (B) (1) of that section. 1944

(C) Notwithstanding division (D) of section 3319.39 of the 1945
Revised Code, the bureau of criminal identification and 1946
investigation shall make the initial criminal records check of a 1947
person requested by an employer under division (A) of this 1948
section on or after October 3, 2023, available to the state 1949
board. The state board shall use the information received to 1950
enroll the person in the retained applicant fingerprint 1951
database, established under section 109.5721 of the Revised 1952
Code, in the same manner as any teacher licensed under sections 1953
3319.22 to 3319.31 of the Revised Code. If the state board is 1954
unable to enroll the person in the retained applicant 1955
fingerprint database because the person has not satisfied the 1956
requirements for enrollment, the state board shall notify the 1957
employer that the person has not satisfied the requirements for 1958
enrollment. However, the bureau shall not be required to make 1959
available to the state board the criminal records check of any 1960
person who is already enrolled in the retained applicant 1961
fingerprint database on the date the person's employer requests 1962
a records check of the person under division (A) of this 1963
section. 1964

If the state board receives notification of the arrest, 1965
guilty plea, or conviction of a person who is subject to this 1966
section, the state board shall promptly notify the employing 1967
school district, chartered nonpublic school, or educational 1968
service center in accordance with division ~~(B)~~(A) (2) of section 1969
3319.316 of the Revised Code. 1970

(D) Any person who is the subject of a criminal records 1971
check under this section and has been convicted of or pleaded 1972
guilty to any offense described in division (B) (1) of section 1973
3319.39 of the Revised Code shall not be hired or shall be 1974
released from employment, as applicable, unless the person meets 1975
the rehabilitation standards adopted by the state board under 1976
division (E) of that section. 1977

Sec. 3327.10. (A) Except as provided in division (L) of 1978
this section, no person shall be employed as driver of a school 1979
bus or motor van, owned and operated by any school district or 1980
educational service center or privately owned and operated under 1981
contract with any school district or service center in this 1982
state, who has not received a certificate from either the 1983
educational service center governing board that has entered into 1984
an agreement with the school district under section 3313.843 or 1985
3313.845 of the Revised Code or the superintendent of the school 1986
district, certifying that such person is at least eighteen years 1987
of age and is qualified physically and otherwise for such 1988
position. The service center governing board or the 1989
superintendent, as the case may be, shall provide for an annual 1990
physical examination that conforms with rules adopted by the 1991
department of education and workforce of each driver to 1992
ascertain the driver's physical fitness for such employment. The 1993
examination shall be performed by one of the following: 1994

(1) A person licensed under Chapter 4731. or 4734. of the Revised Code or by another state to practice medicine and surgery, osteopathic medicine and surgery, or chiropractic;	1995
	1996
	1997
(2) A physician assistant;	1998
(3) A certified nurse practitioner;	1999
(4) A clinical nurse specialist;	2000
(5) A certified nurse-midwife;	2001
(6) A medical examiner who is listed on the national registry of certified medical examiners established by the federal motor carrier safety administration in accordance with 49 C.F.R. part 390.	2002
	2003
	2004
	2005
Any certificate may be revoked by the authority granting the same on proof that the holder has been guilty of failing to comply with division (D) (1) of this section, or upon a conviction or a guilty plea for a violation, or any other action, that results in a loss or suspension of driving rights. Failure to comply with such division may be cause for disciplinary action or termination of employment under division (C) of section 3319.081, or section 124.34 of the Revised Code.	2006
	2007
	2008
	2009
	2010
	2011
	2012
	2013
(B) Except as provided in division (L) of this section, no person shall be employed as driver of a school bus or motor van not subject to the rules of the department pursuant to division (A) of this section who has not received a certificate from the school administrator or contractor certifying that such person is at least eighteen years of age and is qualified physically and otherwise for such position. Each driver shall have an annual physical examination which conforms to the state highway patrol rules, ascertaining the driver's physical fitness for such employment. The examination shall be performed by one of	2014
	2015
	2016
	2017
	2018
	2019
	2020
	2021
	2022
	2023

the following: 2024

(1) A person licensed under Chapter 4731. or 4734. of the 2025
Revised Code or by another state to practice medicine and 2026
surgery, osteopathic medicine and surgery, or chiropractic; 2027

(2) A physician assistant; 2028

(3) A certified nurse practitioner; 2029

(4) A clinical nurse specialist; 2030

(5) A certified nurse-midwife; 2031

(6) A medical examiner who is listed on the national 2032
registry of certified medical examiners established by the 2033
federal motor carrier safety administration in accordance with 2034
49 C.F.R. part 390. 2035

Any written documentation of the physical examination 2036
shall be completed by the individual who performed the 2037
examination. 2038

Any certificate may be revoked by the authority granting 2039
the same on proof that the holder has been guilty of failing to 2040
comply with division (D) (2) of this section. 2041

(C) Any person who drives a school bus or motor van must 2042
give satisfactory and sufficient bond except a driver who is an 2043
employee of a school district and who drives a bus or motor van 2044
owned by the school district. 2045

(D) No person employed as driver of a school bus or motor 2046
van under this section who is convicted of a traffic violation 2047
or who has had the person's commercial driver's license 2048
suspended shall drive a school bus or motor van until the person 2049
has filed a written notice of the conviction or suspension, as 2050

follows: 2051

(1) If the person is employed under division (A) of this 2052
section, the person shall file the notice with the 2053
superintendent, or a person designated by the superintendent, of 2054
the school district for which the person drives a school bus or 2055
motor van as an employee or drives a privately owned and 2056
operated school bus or motor van under contract. 2057

(2) If employed under division (B) of this section, the 2058
person shall file the notice with the employing school 2059
administrator or contractor, or a person designated by the 2060
administrator or contractor. 2061

(E) In addition to resulting in possible revocation of a 2062
certificate as authorized by divisions (A) and (B) of this 2063
section, violation of division (D) of this section is a minor 2064
misdemeanor. 2065

(F) (1) Not later than thirty days after June 30, 2007, 2066
each owner of a school bus or motor van shall obtain the 2067
complete driving record for each person who is currently 2068
employed or otherwise authorized to drive the school bus or 2069
motor van. An owner of a school bus or motor van shall not 2070
permit a person to operate the school bus or motor van for the 2071
first time before the owner has obtained the person's complete 2072
driving record. Thereafter, the owner of a school bus or motor 2073
van shall obtain the person's driving record not less frequently 2074
than semiannually if the person remains employed or otherwise 2075
authorized to drive the school bus or motor van. An owner of a 2076
school bus or motor van shall not permit a person to resume 2077
operating a school bus or motor van, after an interruption of 2078
one year or longer, before the owner has obtained the person's 2079
complete driving record. 2080

(2) The owner of a school bus or motor van shall not 2081
permit a person to operate the school bus or motor van for ten 2082
years after the date on which the person pleads guilty to or is 2083
convicted of a violation of section 4511.19 of the Revised Code 2084
or a substantially equivalent municipal ordinance. 2085

(3) An owner of a school bus or motor van shall not permit 2086
any person to operate such a vehicle unless the person meets all 2087
other requirements contained in rules adopted by the department 2088
prescribing qualifications of drivers of school buses and other 2089
student transportation. 2090

(G) No superintendent of a school district, educational 2091
service center, community school, or public or private employer 2092
shall permit the operation of a vehicle used for pupil 2093
transportation within this state by an individual unless both of 2094
the following apply: 2095

(1) Information pertaining to that driver has been 2096
submitted to the department, pursuant to procedures adopted by 2097
that department. Information to be reported shall include the 2098
name of the employer or school district, name of the driver, 2099
driver license number, date of birth, date of hire, status of 2100
physical evaluation, and status of training. 2101

(2) The most recent criminal records check required by 2102
division (J) of this section has been completed and received by 2103
the superintendent or public or private employer. 2104

(H) A person, school district, educational service center, 2105
community school, nonpublic school, or other public or nonpublic 2106
entity that owns a school bus or motor van, or that contracts 2107
with another entity to operate a school bus or motor van, may 2108
impose more stringent restrictions on drivers than those 2109

prescribed in this section, in any other section of the Revised Code, and in rules adopted by the department.

(I) For qualified drivers who, on July 1, 2007, are employed by the owner of a school bus or motor van to drive the school bus or motor van, any instance in which the driver was convicted of or pleaded guilty to a violation of section 4511.19 of the Revised Code or a substantially equivalent municipal ordinance prior to two years prior to July 1, 2007, shall not be considered a disqualifying event with respect to division (F) of this section.

(J) (1) This division applies to persons hired by a school district, educational service center, community school, chartered nonpublic school, or science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code to operate a vehicle used for pupil transportation.

(a) For each person to whom this division applies who is hired on or after November 14, 2007, the employer shall request a criminal records check in accordance with section 3319.39 of the Revised Code and every six years thereafter.

(b) For each person to whom this division applies who is hired prior to November 14, 2007, the employer shall request a criminal records check by a date prescribed by the department and every six years thereafter.

(c) If, on October 3, 2023, the most recent criminal records check requested for a person to whom division (J) (1) of this section applies was completed more than one year prior to that date or does not include information gathered pursuant to division (A) of section 109.57 of the Revised Code, the employer shall request a new criminal records check that includes

information gathered pursuant to division (A) of section 109.57 2139
of the Revised Code by a date prescribed by the state board of 2140
education and every six years thereafter. 2141

(2) This division applies to persons hired by a public or 2142
private employer not described in division (J)(1) of this 2143
section to operate a vehicle used for pupil transportation. 2144

(a) For each person to whom this division applies who is 2145
hired on or after November 14, 2007, the employer shall request 2146
a criminal records check prior to the person's hiring and every 2147
six years thereafter. 2148

(b) For each person to whom this division applies who is 2149
hired prior to November 14, 2007, the employer shall request a 2150
criminal records check by a date prescribed by the department 2151
and every six years thereafter. 2152

(c) If, on October 3, 2023, the most recent criminal 2153
records check requested for a person to whom division (J)(2) of 2154
this section applies was completed more than one year prior to 2155
that date or does not include information gathered pursuant to 2156
division (A) of section 109.57 of the Revised Code, the employer 2157
shall request a new criminal records check that includes 2158
information gathered pursuant to division (A) of section 109.57 2159
of the Revised Code by a date prescribed by the state board and 2160
every six years thereafter. 2161

(3) Each request for a criminal records check under 2162
division (J) of this section shall be made to the superintendent 2163
of the bureau of criminal identification and investigation in 2164
the manner prescribed in section 3319.39 of the Revised Code, 2165
except that if both of the following conditions apply to the 2166
person subject to the records check, the employer shall request 2167

the superintendent only to obtain any criminal records that the 2168
federal bureau of investigation has on the person: 2169

(a) The employer previously requested the superintendent 2170
to determine whether the bureau of criminal identification and 2171
investigation has any information, gathered pursuant to division 2172
(A) of section 109.57 of the Revised Code, on the person in 2173
conjunction with a criminal records check requested under 2174
section 3319.39 of the Revised Code or under division (J) of 2175
this section. 2176

(b) The person presents proof that the person has been a 2177
resident of this state for the five-year period immediately 2178
prior to the date upon which the person becomes subject to a 2179
criminal records check under this section. 2180

Upon receipt of a request, the superintendent shall 2181
conduct the criminal records check in accordance with section 2182
109.572 of the Revised Code as if the request had been made 2183
under section 3319.39 of the Revised Code. However, as specified 2184
in division (B) (2) of section 109.572 of the Revised Code, if 2185
the employer requests the superintendent only to obtain any 2186
criminal records that the federal bureau of investigation has on 2187
the person for whom the request is made, the superintendent 2188
shall not conduct the review prescribed by division (B) (1) of 2189
that section. 2190

(4) Notwithstanding anything in the Revised Code to the 2191
contrary, the bureau of criminal identification and 2192
investigation shall make the initial criminal records check 2193
requested of a person by an employer under division (J) (1) or 2194
(2) of this section on or after October 3, 2023, available to 2195
the state board of education. The state board shall use the 2196
information received to enroll the person in the retained 2197

applicant fingerprint database, established under section 2198
109.5721 of the Revised Code, in the same manner as any teacher 2199
licensed under sections 3319.22 to 3319.31 of the Revised Code. 2200
If the state board is unable to enroll the person in the 2201
retained applicant fingerprint database because the person has 2202
not satisfied the requirements for enrollment, the state board 2203
shall notify the employer that the person has not satisfied the 2204
requirements for enrollment. However, the bureau shall not be 2205
required to make available to the state board the criminal 2206
records check of any person who is already enrolled in the 2207
retained applicant fingerprint database on the date the person's 2208
employer requests a records check of the person under division 2209
(J) (1) or (2) of this section. 2210

If the state board receives notification of the arrest, 2211
guilty plea, or conviction of a person who is subject to this 2212
section, the state board shall promptly notify the person's 2213
employer in accordance with division ~~(B)~~ (A) (2) of section 2214
3319.316 of the Revised Code. 2215

(K) (1) Until the effective date of the amendments to rule 2216
3301-83-23 of the Ohio Administrative Code required by the 2217
second paragraph of division (E) of section 3319.39 of the 2218
Revised Code, any person who is the subject of a criminal 2219
records check under division (J) of this section and has been 2220
convicted of or pleaded guilty to any offense described in 2221
division (B) (1) of section 3319.39 of the Revised Code shall not 2222
be hired or shall be released from employment, as applicable, 2223
unless the person meets the rehabilitation standards prescribed 2224
for nonlicensed school personnel by rule 3301-20-03 of the Ohio 2225
Administrative Code. 2226

(2) Beginning on the effective date of the amendments to 2227

rule 3301-83-23 of the Ohio Administrative Code required by the 2228
second paragraph of division (E) of section 3319.39 of the 2229
Revised Code, any person who is the subject of a criminal 2230
records check under division (J) of this section and has been 2231
convicted of or pleaded guilty to any offense that, under the 2232
rule, disqualifies a person for employment to operate a vehicle 2233
used for pupil transportation shall not be hired or shall be 2234
released from employment, as applicable, unless the person meets 2235
the rehabilitation standards prescribed by the rule. 2236

(L) The superintendent of a school district or an 2237
educational service center governing board shall issue a 2238
certificate as a driver of a school bus or motor van or a 2239
certificate to operate a vehicle used for pupil transportation 2240
in accordance with Chapter 4796. of the Revised Code to an 2241
applicant if either of the following applies: 2242

(1) The applicant holds a certificate in another state. 2243

(2) The applicant has satisfactory work experience, a 2244
government certification, or a private certification as 2245
described in that chapter as a school bus or motor van driver or 2246
a pupil transportation vehicle operator in a state that does not 2247
issue one or both of those certificates. 2248

(M) As used in this section, "school bus" includes a 2249
multifunction school activity bus, as defined in section 4511.01 2250
of the Revised Code. 2251

Section 2. That existing sections 2151.354, 2152.19, 2252
2919.24, 3313.11, 3313.41, 3313.411, 3313.413, 3313.536, 2253
3318.08, 3319.2210, 3319.24, 3319.31, 3319.316, 3319.391, and 2254
3327.10 of the Revised Code are hereby repealed. 2255

Section 3. That sections 3313.85 and 3314.25 of the 2256

Revised Code are hereby repealed. 2257

Section 4. Notwithstanding any provision of section 2258
3313.411 of the Revised Code to the contrary, for the 2026 2259
calendar year, a school district may report the information 2260
required under division (H)(1) of that section to the Department 2261
of Education and Workforce not later than February 28, 2027. For 2262
any such school district, the department shall publish the list 2263
of unused school facilities in the district as required under 2264
division (H)(2) of that section not later than thirty days after 2265
receipt of the information. 2266