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# OHIO LEGISLATIVE SERVICE COMMISSION

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Legislative Budget  
Office

H.B. 455\*  
136<sup>th</sup> General Assembly

## Bill Analysis

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**Version:** As Reported by House Education

**Primary Sponsors:** Reps. Manning and Bird

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### SUMMARY

- Revises or eliminates a series of programs, requirements, and provisions related to the Department of Education and Workforce and public and chartered nonpublic schools.
- Revises the performance measures used to calculate performance ratings for the state report card's College, Career, Workforce, and Military Readiness, Graduation, and Early Literacy components.
- Eliminates obsolete provisions regarding the state report card and state assessments.

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\* This analysis was prepared before the report of the House Education Committee appeared in the House Journal. Note that the legislative history may be incomplete.

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## DETAILED ANALYSIS

### Department of Education and Workforce

#### State report card

The bill modifies how the Department of Education and Workforce must determine performance ratings for the state report card's College, Career, Workforce, and Military Readiness (CCWMR), Graduation, and Early Literacy components.

For additional information on state report card ratings, see the [Guide to 2024-2025 Ohio School Report Cards \(PDF\)](#), which is accessible on the Department's report card resources page: [education.ohio.gov/Topics/Data/Report-Card-Resources](https://education.ohio.gov/Topics/Data/Report-Card-Resources).

#### CCWMR component

Under continuing law, the state report card's CCWMR component's performance rating is based on the post-secondary readiness measure. That measure is the percentage of students in a school district's or school's four-year adjusted graduation cohort who demonstrate readiness by meeting at least one of several different conditions.

Under one of those conditions, a student demonstrates readiness by attaining a remediation-free score on a nationally standardized assessment (ACT or SAT). The bill modifies this option by requiring a student to attain both:

1. A remediation-free score in English Language Arts on a nationally standardized assessment or a score of accomplished or advanced on the English Language Arts II end-of-course exam; and
2. A remediation-free score in math on a nationally standardized assessment or a score of accomplished or advanced on the Algebra I and Geometry end-of-course exams.<sup>1</sup>

Under another one of those conditions, a student demonstrates readiness by earning 12 college credits through an advanced standing program, such as the College Credit Plus Program.

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<sup>1</sup> R.C. 3302.03(A)(10)(a).

The bill permits a student to also earn college credit toward that goal through AP or IB exams. The bill equates a score of three or better on an AP exam or a score of four or more on an IB exam as three college credits.<sup>2</sup>

### **Graduation component**

The bill also revises the performance measures that the Department uses to determine performance ratings for the state report card's Graduation component. Specifically, the bill replaces the four-year and five-year adjusted cohort graduation rates as performance measures with new four-year and five-year adjusted cohort graduation measures.

The Department must calculate the new four-year and five-year adjusted cohort graduation measures in the same manner as the four-year and five-year adjusted cohort graduation rates, respectively, except that both measures must include as "graduates" any students with an individualized education program (IEP) who have satisfied the conditions for a high school diploma but opted not to receive a diploma when the conditions were met, but will receive a diploma prior to the student's 22<sup>nd</sup> birthday, and are still receiving services. Under the bill, instead of serving as performance measures, a district's or school's four-year and five-year adjusted cohort graduation rates become report-only data on the state report card.<sup>3</sup>

### **State report card – Early Literacy component**

The bill eliminates, as a performance measure for the Early Literacy component, the percentage of students who are promoted based on their scores on the third grade English Language Arts achievement assessment or an alternative assessment. Instead, the bill restores former law eliminated in H.B. 96 of the 136<sup>th</sup> General Assembly, effective September 30, 2025, that uses the percentage of students who are not subject to retention under the Third Grade Reading Guarantee as a performance measure.<sup>4</sup>

### **EMIS guidelines**

The bill modifies which Education Management Information System (EMIS) instructional documents are subject to the public review and comment procedure established under continuing law. Specifically, the bill subjects the Department's EMIS manual to that procedure. That manual contains the uniform and consistent instructions for reporting the student, staff, and financial information to be collected and includes data-element definitions, procedures, and requirements for the submission, review, validation, and correction of data. Under current law, any Department-issued guidance on student, staff, and financial information to be collected and reported, and any guidelines necessary to implement EMIS, is subject to that procedure.

Additionally, the bill expressly exempts the Department from using the public review and comment procedure when it:

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<sup>2</sup> R.C. 3302.03(A)(10)(c).

<sup>3</sup> R.C. 3302.03(A)(5) and (6); conforming changes in R.C. 3302.151(D)(2).

<sup>4</sup> R.C. 3302.03(A)(9).

- Issues any supplemental documents designed to assist school districts and schools in understanding and using EMIS or the EMIS manual;
- Creates or updates the EMIS manual to implement a newly enacted state or federal law that takes effect within 90 days after the date of the new law's enactment; and
- Removes data items from the EMIS manual to reduce the reporting burden on districts and schools.<sup>5</sup>

## **DPIA reporting**

The bill eliminates the requirement that public schools annually report to the Department a description of their initiatives funded by disadvantage pupil impact aid (DPIA). It also eliminates the requirement that the Department issue a report with that information to the General Assembly by December 1 of each odd-numbered year.

Instead, the bill requires the Department to develop a uniform mechanism for each public school to annually report its total DPIA funding and the expenditure of that funding. The Department must, by October 31 of each year, publish that expenditure data on its website.<sup>6</sup>

## **Innovative education programs**

Continuing law permits a school district, educational service center (ESC), or chartered nonpublic school to request approval from the Department to establish an innovative education pilot program that exempts the district, ESC, or school from specified requirements established in state statute or rule. However, the law also identifies certain requirements from which a district, ESC, or school may *not* be exempted, such as providing special education services. The bill adds the implementation of the Science of Reading to the list of requirements from which a district, ESC, or school may not be exempted.<sup>7</sup>

The bill also requires the Department to promote innovative educational programs designed to increase student achievement and engagement, improve student wellness, and prepare students for the workforce and post-secondary education. The Department must:

1. Provide technical assistance and support to districts and schools in designing and implementing innovative ideas for education;
2. Publicize model projects of educational innovation, including projects that use artificial intelligence in instruction; and
3. Promote the availability of waivers from education laws and rules to implement innovative educational programs.<sup>8</sup>

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<sup>5</sup> R.C. 3301.0730(A)(2) and (E).

<sup>6</sup> R.C. 3317.25(D).

<sup>7</sup> R.C. 3302.07(A). Also see R.C. 3313.6028.

<sup>8</sup> R.C. 3302.07(D).

## **Districts and schools**

### **Required postings**

The bill permits a district to post the following notices on its website instead of physically doing so in its schools:

- The student code of conduct (applies to community schools and STEM schools as well);<sup>9</sup>
- If the district adopts one, its policy requiring parents of a student suspended, expelled, truant, or habitually truant to attend an education or training program;<sup>10</sup>
- If the district adopts one, its policy authorizing the district superintendent, other district administrative personnel, or personnel employed by the district to direct, supervise, or coach a pupil activity program to prohibit a student from participating in any or all extracurricular activities;<sup>11</sup>
- If the district adopts one, its policy prohibiting students from carrying an electronic communications device in any school building or on any school grounds or premises of the district;<sup>12</sup>
- If the district adopts one, its policy regarding the suspension of a student's school bus riding privileges.<sup>13</sup>

### **City civil service commission exemption**

The bill permits a city school district and a city to enter a written agreement that exempts the district, in whole or in part, from the jurisdiction of the city's civil service commission.<sup>14</sup>

### **Education records commission**

The bill permits the members of a school district's or ESC's education records commission to appoint designees to serve in their place. Under continuing law, the members of an education records commission are the district's board of education president, treasurer, and superintendent.<sup>15</sup>

### **Board of education vacancies**

The bill revises the period within which a school district board of education must vote on whether to declare a board member's reason for a 90-day absence as insufficient. The board

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<sup>9</sup> R.C. 3313.661(A).

<sup>10</sup> R.C. 3313.663.

<sup>11</sup> R.C. 3313.664.

<sup>12</sup> R.C. 3313.753(B).

<sup>13</sup> R.C. 3327.014.

<sup>14</sup> R.C. 124.011(D).

<sup>15</sup> R.C. 149.41.

must vote not *more* than 60 days after such absence, instead of not *less* than 30 days after, as under current law.

The bill also requires a board to fill a vacancy at any regular or special meeting held within 60 days of the vacancy. Current law requires the vacancy be filled at the next meeting held.<sup>16</sup>

### **School district of attendance**

The bill entitles a child whose parents have never been married to attend the school district in which the child's residential parent and legal custodian resides.<sup>17</sup>

### **Limits on school district administrative expenses**

The bill excludes educational service center governing boards from the prohibition on any school district board of education from spending more than 15% of its annual operating budget on administrative expenses.<sup>18</sup>

## **Other**

### **Montgomery County Pupil Transportation Pilot Program**

The bill permits the educational service center (ESC) serving the Montgomery County Pupil Transportation Pilot Program to transport a student to and from that student's workplace learning experiences, in addition to a student's place of residence as under continuing law.

H.B. 96 of the 136<sup>th</sup> General Assembly, effective September 30, 2025, extended the operation of the Montgomery County Pupil Transportation Pilot Program to the 2025-2026 and 2026-2027 school years. Under the pilot program, an educational service center provides transportation to qualifying students in lieu of the students receiving transportation from their resident school district.<sup>19</sup>

### **Early Childhood Education Grant Program**

The bill requires an early learning and development program, in consultation with the county department of job and family services, to determine if a preschool-aged child is eligible to participate in the Early Childhood Education (ECE) Grant Program. Current law requires just the county department to determine a child's eligibility. The bill also expressly permits the family of an eligible child to elect to use the Early Childhood Education Grant Program instead of another source of state funding for childcare.

The bill adds two grounds for which a child whose family income exceeds 200% FPL is eligible to participate in the ECE Program:

1. The child has exited Ohio's early intervention services program; and

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<sup>16</sup> R.C. 3313.11.

<sup>17</sup> R.C. 3313.64.

<sup>18</sup> R.C. 3315.063.

<sup>19</sup> Section 265.550 of H.B. 33 of the 135<sup>th</sup> General Assembly.

2. The child is a Medicaid recipient or part of a household or assistance group that receives SNAP benefits or participates in Ohio Works First (TANF cash assistance).<sup>20</sup>

The bill requires an early learning and development program that utilized EMIS to track a child's attendance for the Early Childhood Education Grant Program prior to the bill's effective date to continue to use that system for attendance.<sup>21</sup>

The bill requires that funds, other than those used for program support and assistance, be targeted for high-need areas and used to provide early learning and development services and that any remaining funds be used to allow more children to participate in the program or support program expansion, improvement, innovation, or new pilot programs.<sup>22</sup>

Lastly, the bill prohibits an Early Childhood Education grant from being considered publicly funded child care or a family services program.<sup>23</sup>

### **License revocation for domestic violence offenders**

The bill requires the State Board of Education to automatically revoke or deny the renewal of any certificate, license, permit, or registration it has issued to an individual who pleads guilty to, is found guilty of, or is convicted of domestic violence.<sup>24</sup>

### **Eliminated programs or requirements**

The table below lists a series of programs, requirements, and other provisions related to public and chartered nonpublic schools and the Department of Education and Workforce that the bill eliminates.

| Eliminated programs and requirements |                                                                                                                                          |                                                                                                                 |
|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| Topic                                | Summary                                                                                                                                  | Sections                                                                                                        |
| School districts of innovation       | Eliminates all laws regarding school district of innovation designations.                                                                | R.C. 3302.06, 3302.061, 3302.062, 3302.063, 3302.064, 3302.065, 3302.066, 3302.067, and 3302.068. all repealed. |
| Diabetes reporting                   | Eliminates annual reporting requirements for public and chartered nonpublic schools and the Department regarding students with diabetes. | R.C. 3313.7112(K).                                                                                              |

<sup>20</sup> R.C. 5104.53(D)(1)(d) and (e).

<sup>21</sup> R.C. 5104.53 (D), (E), and (F).

<sup>22</sup> R.C. 5104.53(G).

<sup>23</sup> R.C. 5104.53(I).

<sup>24</sup> R.C. 3319.31(C). See also R.C. 2919.25.

| Eliminated programs and requirements                                     |                                                                                                                                                                                                                                                                                                                                 |                                                                                                            |
|--------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| Topic                                                                    | Summary                                                                                                                                                                                                                                                                                                                         | Sections                                                                                                   |
| School district report on investment of interim moneys to the Department | Eliminates the requirement for the district treasurer to annually report to the Department and the Auditor of State on the investment of interim moneys.<br><br>Maintains reporting requirements to the board of education.                                                                                                     | R.C. 135.142(C).                                                                                           |
| Department's physical education coordinator                              | Eliminates the requirement that the Department employ a full-time physical education coordinator.                                                                                                                                                                                                                               | R.C. 3301.079.                                                                                             |
| Department's ranking on school performance growth                        | Eliminates the requirement that the Department annually rank public schools by student performance growth using the value-added progress dimension or other related measures.                                                                                                                                                   | R.C. 3302.21(A)(2).                                                                                        |
| Preliminary state report card data                                       | Eliminates the requirement that the Department annually submit preliminary state report card data for overall academic performance and for each separate performance measure for each public school.                                                                                                                            | R.C. 3302.03, 3314.017(F), and 3314.354, repealed; conforming changes in R.C. 3314.016(E) and 3314.351(F). |
| Compliance with state mandates annual report                             | Eliminates the requirement that school districts annually submit a report to the Department indicating their compliance with various state mandates.                                                                                                                                                                            | R.C. 3301.68, repealed; conforming change in R.C. 3313.814.                                                |
| Physical education and BMI reporting on report cards                     | Eliminates the requirement for the Department to include in each district and school report card a report on students' success in meeting state physical education benchmarks; compliance with federal Women, Infant, and Children (WIC) health and nutrition policies; and participation in a physical activity pilot program. | R.C. 3302.032, repealed.                                                                                   |



| Eliminated programs and requirements                                                         |                                                                                                                                                                                                                                                             |                                                                                     |
|----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| Topic                                                                                        | Summary                                                                                                                                                                                                                                                     | Sections                                                                            |
| Columbus Pilot Program                                                                       | Eliminates the Columbus Pilot Program, under which parents may petition the board of education to restructure a poorly performing school.                                                                                                                   | R.C. 3302.042, repealed; conforming changes in R.C. 3302.12(C) and 3302.14.         |
| Tutor Ohio Kids Program                                                                      | Eliminates the tutoring and remedial education program (commonly called the Tutor Ohio Kids Program), under which participating ESCs provided tutoring and remedial education services to students in participating public and chartered nonpublic schools. | R.C. 3301.28. repealed; conforming changes in R.C. 3313.7118, 3309.01, and 3307.01. |
| Annual report to reduce academic remediation and developmental courses at state institutions | Eliminates the requirement that the Chancellor of Higher Education and the Department annually report recommended policies and strategies to reduce the need for academic remediation and developmental courses at state institutions of higher education.  | R.C. 3345.061(H).                                                                   |
| Annual report on the Department's activities and education in the state                      | Eliminates the requirement that the Department prepare an annual report on its activities and the status, problems, and needs of education in the state.                                                                                                    | R.C. 3301.12(A)(4).                                                                 |
| College-preparatory boarding schools                                                         | Eliminates college-preparatory boarding schools, of which none exist in the state. Eliminates all related provisions regarding college-preparatory boarding schools.                                                                                        | Chapter 3328. repealed; conforming changes in numerous sections.                    |

## Obsolete provisions

The bill eliminates various obsolete provisions regarding the state report card and state assessments and makes conforming changes. The table below summarizes those changes.

| Elimination of obsolete provisions |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                            |
|------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Topic                              | Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Sections                                                                                                                                                                                                                                                                                                                   |
| State report cards                 | <ul style="list-style-type: none"> <li>▪ Eliminates obsolete law that prescribes the state report card for the 2012-2013 through 2020-2021 school years.</li> <li>▪ Eliminates provisions of law contingent on letter grades assigned under the former state report card.</li> <li>▪ Eliminates the March 31, 2022, deadline for the Department of Education and Workforce to adopt rules to implement the current state report card.</li> <li>▪ Eliminates a safe harbor that prohibited the Department from assigning an overall letter grade under the state report card to a school district or building for the 2014-2015 through 2016-2017 school years.</li> <li>▪ Eliminates an obsolete provision that maintained the College, Career, Workforce, and Military Readiness component as report-only data if the Joint Committee on Agency Rule Review (JCARR) disapproved the Department's method to assign a performance rating to it. JCARR approved the method for state report cards for the 2024-2025 school year.</li> </ul> | R.C. 3302.03, 3302.02, and 3302.05; R.C. 3302.036, repealed; conforming changes in R.C. 3301.0714, 3301.0715, 3301.52, 3302.01, 3302.021, 3302.036, 3302.04, 3302.10, 3302.12, 3302.13, 3302.151, 3302.21, 3311.741, 3311.80, 3313.6028, 3313.6113, 3314.02, 3314.034, 3314.05, 3314.35, 3314.353, 3333.041, and 3333.048. |
| Ohio Graduation Test               | <ul style="list-style-type: none"> <li>▪ Eliminates obsolete law related to the establishment and administration of the Ohio Graduation Tests (OGTs).</li> <li>▪ Eliminates obsolete provisions of law related to the use of the OGTS to meet high school</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | R.C. 3301.0710, 3301.0711, 3301.0712, 3313.61, 3313.611, and 3313.612, 3313.614, 3313.615, repealed, 3314.017, 3325.08, and 3328.25; conforming changes in R.C. 3301.079, 3301.0716, 3301.16, 3302.01, 3302.03, 3310.03, 3310.14, 3310.522, 3313.603,                                                                      |

| Elimination of obsolete provisions                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                      |
|---------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Topic                                                   | Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Sections                                                                                                                                                                                                             |
|                                                         | <p>graduation requirements and receive a diploma.</p> <ul style="list-style-type: none"> <li>▪ Eliminates obsolete law related to the phase-in of the end-of-course exams that replaced the OGTs.</li> </ul>                                                                                                                                                                                                                                                                                                             | 3313.813, 3313.976, 3314.017, 3314.18, and 3326.11.                                                                                                                                                                  |
| End-of-course exams                                     | <ul style="list-style-type: none"> <li>▪ Eliminates an exemption from end-of-course exams for students who earned high school credit prior to July 1, 2015.</li> <li>▪ Eliminates a provision that permitted the class of 2018 to take either the physical science or biology end-of-course exam.</li> </ul>                                                                                                                                                                                                             | R.C. 3301.0712; conforming changes in R.C. 3313.61 and 3313.618.                                                                                                                                                     |
| Challenged school districts                             | <ul style="list-style-type: none"> <li>▪ Eliminates an obsolete definition of “challenged school district,” which under prior law was used to determine where a start-up community school could be established.</li> </ul>                                                                                                                                                                                                                                                                                               | R.C. 3314.02; conforming changes in 3314.031, 3314.05, 3314.05, and 3314.353.                                                                                                                                        |
| School districts incurring debt from commercial lenders | <ul style="list-style-type: none"> <li>▪ Eliminates obsolete provisions that (1) required school districts, under certain circumstances, to borrow money from commercial lenders to cover an operating deficit that would prevent the district from remaining open for all of the days in its school calendar, (2) prohibited the approval of such loans after March 1, 1998, and (3) required the Department of Education and Workforce to pay a subsidy to help offset the cost of interest for such loans.</li> </ul> | R.C. 3313.483, 3313.484, 3313.487, 3313.488, 3313.489, and 3313.4810; conforming changes in R.C. 133.06, 135.143, 3301.0714, 3315.42, 3316.04, 3316.041, 3316.06, 3316.14, 3317.023, 3317.18, 5705.212, and 5705.213 |

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## HISTORY

| Action                 | Date     |
|------------------------|----------|
| Introduced             | 09-17-25 |
| Reported, H. Education | --       |

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