



OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Legislative Budget
Office

Synopsis of Conference Committee Amendments

S.B. 89 of the 133rd General Assembly

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The Conference Committee on S.B. 89 recommends the bill as passed by the House of Representatives with the following changes:

Senate Version	House Version	Conference Committee Recommendation
CAREER-TECHNICAL EDUCATION		
Joint vocational school district operations		
Specifies that the board of education of a joint vocational school district (JVSD) must hold its annual organizational meeting anytime in January (rather than by January 15 as under current law). (<i>R.C. 3313.14.</i>)	Same as Senate.	Same as Senate.

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<p>Permits the district board of a JVSD to include in its calamity day plan the use of additional online lessons, student internships, student projects, or other options to make up any number of hours missed as the result of school closures among JVSD member districts. (R.C. 3313.482(C).)</p>	<p>Same as Senate.</p>	<p>Same as Senate.</p>
<p>Provides that, when a city, local, or exempted village school district negotiates to receive compensation for property tax revenue foregone due to an enterprise zone tax exemption, any JVSD located in the enterprise zone also must receive similar compensation. (R.C. 5709.62, 5709.63, 5709.632, 5709.82, and 5709.83; Section 3.)</p>	<p>Same as Senate. (R.C. 5709.62, 5709.63, 5709.632, 5709.82, and 5709.83; Section 11.)</p>	<p>Same as Senate. (R.C. 5709.62, 5709.63, 5709.632, 5709.82, and 5709.83; Section 3.)</p>
<p>Business advisory council</p>		
<p>Specifies that a city, local, or exempted village school district is not required to appoint a business advisory “council” if the district has entered into an agreement with the business advisory “committee” of a JVSD to represent the district. (R.C. 3313.82(D).)</p>	<p>Same as Senate.</p>	<p>Same as Senate.</p>

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Technical assessments		
Requires the Department of Education to consider the possibility of attaining college credit as a factor when identifying an acceptable measure of technical skill. <i>(R.C. 3313.903, fourth and fifth paragraphs.)</i>	Same as Senate.	Same as Senate.
Specifies that the Department, in consultation with career-technical stakeholders, must update a list of technical assessments by May 31 of each year. <i>(R.C. 3313.903, fourth and fifth paragraph.)</i>	Same as Senate, except corrects references to “Ohio Association of Comprehensive and Compact Career Technical Schools.”	Same as House.
CTPD attendance records and full-time equivalency		
Requires a student’s “home” school district to provide the student’s attendance records to the district providing career-technical education services (either a Career-Technical Planning District (CTPD) lead district or another district under a contract) when the education services are provided in facilities operated by the home district. <i>(R.C. 3317.037(A) and (B).)</i>	Same as Senate.	Same as Senate.
Permits the lead district of a CTPD to enter into an agreement with a school district within the CTPD regarding a method of determining the full-time equivalency of a student enrolled in both districts for state funding purposes. <i>(R.C. 3317.037(C).)</i>	Same as Senate.	Same as Senate.

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Career-technical educator licensure and evaluation		
<p>Specifies that, subject to approval of the district superintendent, an individual holding a substitute career-technical teaching license may work outside the individual's career field for up to 60 days. (R.C. 3319.226(C).)</p>	<p>Same as Senate but permits such an individual to work outside the individual's career field for up to one semester. (R.C. 3319.226(C).)</p>	<p>Same as House.</p>
<p>Specifies that an individual holding an adult education permit may be employed by any district and not just the district that recommended and employed the individual at the time of the permit's issuance. (R.C. 3319.2211(A).)</p>	<p>Same as Senate.</p>	<p>Same as Senate.</p>
<p>Permits an individual holding an adult education permit to work as a substitute career-technical teacher in high school courses offered by the individual's employing district. (R.C. 3319.2211(B).)</p>	<p>Same as Senate.</p>	<p>Same as Senate.</p>
<p>Specifies that a 12-hour or 40-hour teaching permit issued by the State Board of Education must be renewable and that the qualifications for a permit must include career-technical experience for individuals assigned to a career-technical class. (R.C. 3319.301(B).)</p>	<p>Same as Senate.</p>	<p>Same as Senate.</p>

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Requires the State Board to issue a 40-hour teaching permit to an individual teaching a career-technical course in which a student may earn an industry-recognized credential at a dropout prevention and recovery community school. <i>(R.C. 3319.301(B); conforming changes in R.C. 3314.03 and 3314.19.)</i>	Same as Senate.	Same as Senate.
No provision.	Specifies that data for the value-added progress dimension or any other form of value-added data may not be used as a measure of “high-quality student data” in relation to the evaluation of individuals teaching career-technical education courses at any school district or teaching any subject at a joint vocational school district. <i>(R.C. 3319.112.)</i>	No provision.
Industry-recognized credentials		
Requires the Governor’s Office of Workforce Transformation, the Department of Education, and the Chancellor of Higher Education, in consultation with career-technical and other appropriate stakeholders, to develop “model guidance” regarding maintaining a statewide inventory of industry-recognized credentials by July 1, 2020. <i>(R.C. 6301.23(B).)</i>	Same as Senate.	Same as Senate, except requires the model guidance to be developed by July 1, 2021. <i>(R.C. 6301.23(B).)</i>

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<p>Specifies the “model guidance” must include (1) methods for state agencies to organize categories of industry-recognized credentials, (2) the potential creation of a public, inter-agency database of information regarding credentials, (3) methods to streamline the process of adding career-technical programs to approved credentialing lists, and (4) methods to increase transparency in the approval process of credentials. <i>(R.C. 6301.23(B)(1) through (4).)</i></p>	<p>Same as Senate.</p>	<p>Same as Senate.</p>
STEM AND STEAM SCHOOLS AND EQUIVALENTS		
<p>Beginning with the 2019-2020 school year, limits the requirement to combine the academic performance data of students enrolled in STEM or STEAM schools with comparable data from the students’ resident school districts to just the students in schools that are not sponsored by a single school district. <i>(R.C. 3326.17(B).)</i></p>	<p>Same as Senate.</p>	<p>Same as Senate, except specifies that the provision does not begin to apply until the 2020-2021 school year. <i>(R.C. 3326.17(B).)</i></p>
<p>Permits CTPDs to receive a STEM school equivalent designation in the same manner as a community school or a chartered nonpublic school. <i>(R.C. 3326.032.)</i></p>	<p>Permits a career center (rather than a CTPD as under the Senate version) to receive a STEM school equivalent designation in the same manner as a community school or a chartered nonpublic school. <i>(R.C. 3326.032.)</i></p>	<p>Same as House.</p>

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EDUCATION MANAGEMENT INFORMATION SYSTEM		
<p>Requires the Department of Education, by June 1, 2020, to develop a procedure for use beginning in the 2019-2020 school year to (1) solicit comments from users of the Education Management Information System (EMIS) regarding proposed new or updated EMIS guidance, (2) respond to user comments, and (3) permit users to review the finalized guidance before it takes effect. (R.C. 3301.0730(A), (B), and (D).)</p>	<p>Same as Senate.</p>	<p>Same as Senate, but changes the due date to June 1, 2021, and specifies its use begins for the 2020-2021 school year. (R.C. 3301.0730(B).)</p>
<p>For any new or updated guidelines proposed to be effective for the 2021-2022 school year, requires the Department to initiate the procedures by May 15, 2021. (R.C. 3301.0730(C).)</p>	<p>Same as Senate.</p>	<p>Same as Senate, except requires those procedures be initiated by June 15, 2021. (R.C. 3301.0730(C).)</p>
<p>Specifies the Department does not have to initiate the procedure when issuing supplement documents regarding EMIS or updated guidance that addresses either unforeseen technical errors or issues that are not substantive. (R.C. 3301.0730(E).)</p>	<p>Same as Senate.</p>	<p>Same as Senate.</p>
<p>Requires the Department to establish uniform training for Department personnel administering EMIS and uniform guidance for CTPDs and information technology centers regarding EMIS and EMIS guidance for CTPDs. (R.C. 3301.0730(F).)</p>	<p>Same as Senate.</p>	<p>Same as Senate.</p>

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K-12 SCHOLARSHIPS		
Income-based Ed Choice Scholarship Program		
No provision.	Renames the income-based expansion of the Educational Choice (Ed Choice) Scholarship Program to the Buckeye Opportunity Scholarship Program. <i>(R.C. 3310.032; conforming changes in R.C. 3310.08 and Sections 265.10 and 265.260 of H.B. 166 of the 133rd General Assembly.)</i>	No provision.
No provision.	Extends eligibility for a Buckeye Opportunity scholarship to the siblings of a student who received a scholarship in the prior school year. <i>(R.C. 3310.032(A)(2).)</i>	No provision.
No provision.	Increases the family income eligibility threshold to receive first-time a Buckeye Opportunity scholarship to 250% of the federal poverty line (FPL), rather than 200% FPL as under current law, and reduces to 300% FPL the threshold above which a student is no longer eligible for a scholarship, rather than 400% FPL as under current law. <i>(R.C. 3310.032(A) and (E); conforming change in R.C. 3310.01.)</i>	Increases the base family income eligibility criteria of the income-based Educational Choice Expansion program to 250% of the federal poverty line (FPL), rather than 200% FPL as under current law. <i>(R.C. 3310.032(E).)</i>
No provision.	Specifies that families with incomes between 250 to 275% FPL and 275 to 300% FPL must receive pro-rated Buckeye Opportunity scholarship amounts, rather	Specifies that families with incomes between 250% to 300% FPL qualify for a scholarship that is 75% of the full scholarship amount, rather than 200% to

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No provision.	than 200 to 300% FPL and 300 to 400% FPL as under current law. <i>(R.C. 3310.032(E).)</i>	300% FPL as under current law and maintains other prorated levels under current law. <i>(R.C. 3310.032(E).)</i>
No provision.	Applies the pro-rated amounts to some first-time recipients and students with rising family incomes who are renewing scholarships, rather than solely to students with rising family incomes as under current law. <i>(R.C. 3310.032(A) and (E).)</i>	No provision.
No provision.	Requires the Department of Education to prioritize awarding Buckeye Opportunity scholarships to students who received them in the prior school year and their siblings, and then to award scholarships to other eligible students in order of family income according to FPL, with lower income students given priority over higher income students. <i>(R.C. 3310.032(D).)</i>	No provision.
No provision.	Beginning in the 2021-2022 school year, disqualifies a student from renewing a performance-based Ed Choice scholarship if the student meets the income eligibility requirements of the Buckeye Opportunity scholarship and instead generally makes that student eligible for the maximum amount of the Buckeye Opportunity scholarship until the student completes 12 th grade. <i>(R.C. 3310.03(K) and 3310.032(A) and (E).)</i>	No provision.

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Performance-based Ed Choice scholarships		
<p>No provision.</p>	<p>Prohibits the Department from awarding a first-time performance-based Ed Choice scholarship, unless one of two exceptions apply to the student: (1) the student meets certain conditions under continuing law enacted in S.B. 120 of the 133rd General Assembly, or (2) the student’s sibling received a performance-based scholarship for the 2019-2020 school year and the school building to which the student would be assigned meets certain conditions. <i>(R.C. 3310.03(J); conforming changes in R.C. 3310.031, 3310.032(A), and repealed R.C. 3310.035.)</i></p>	<p>Specifies that a student is eligible for a first-time Educational Choice Scholarship for the 2021-2022 school year and any school year thereafter if the student’s school satisfies both of the following conditions:</p> <p>(1) The student is enrolled in a building operated by the student’s resident district that was ranked in the lowest 20% of all school district buildings according to performance index score as follows:</p> <ul style="list-style-type: none"> - For a scholarship sought for the 2021-2022 or 2022-2023 school year, each of the 2017-2018 and 2018-2019 school years; - For a scholarship sought for the 2023-2024 school year, each of the 2020-2021 and 2021-2022 school years; and - For a scholarship sought for the 2024-2025 school year and for each school year thereafter, at least two of the three most recent consecutive rankings issued prior to the first day of July of the school year for which the scholarship is sought. <p>(2) The building is operated by a school district in which, for the three consecutive school years prior to the school year for which a scholarship is sought, an average of 20% or more of the students entitled to attend school in the district were qualified</p>

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		<p>to be included in the formula to distribute funds under Title I of the federal “Elementary and Secondary Education Act of 1965.” (R.C. 3310.03; conforming changes in R.C. 3310.02, 3310.031, 3310.032, and 3310.035.)</p> <p>Prohibits these rankings from including buildings operated by a school district in which the pilot project scholarship program is operating (Cleveland). (R.C. 3310.03.)</p> <p>Specifies that a student is eligible for an Educational Choice Scholarship for the 2021-2022 school year only, if the student satisfies all of the following conditions:</p> <ul style="list-style-type: none"> (1) The student was enrolled in a public or nonpublic school in any of grades kindergarten through twelve, or was homeschooled for the equivalent of those grades, in the 2020-2021 school year; (2) The student was eligible for a scholarship for the 2020-2021 school year under the provisions of H.B. 197 of the 133rd General Assembly; and (3) For the school year for which a scholarship is sought, the student would be enrolled in a building that, in the 2019-2020 school year, met one of the conditions in current law for receiving an Educational Choice Scholarship (other than the condition regarding enrollment in a nonpublic school

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<p>No provision.</p>	<p>Specifies that a student who received a performance-based Ed Choice scholarship for the 2019-2020 school year may continue receiving that scholarship until the student completes 12th grade, provided the student meets certain criteria prescribed under continuing law. <i>(R.C. 3310.03, second paragraph, (F), and (K); conforming change repeals R.C. 3310.05.)</i></p>	<p>at the time the school was granted a charter by the state). <i>(Section 5.)</i></p> <p>Eliminates eligibility for an Educational Choice Scholarship based solely on the report card grades of a student’s school (and graduation rate if a school serves only grades ten through twelve). <i>(R.C. 3310.03.)</i></p> <p>Eliminates eligibility for an Educational Choice Scholarship for a student enrolled in grades kindergarten through three based on the K-3 literacy score on the report card of the student’s school. <i>(R.C. 3310.03.)</i></p> <p>Requires that any student who received a performance-based Educational Choice Scholarship for the 2020-2021 school year continue to receive the scholarship until the student completes grade twelve, provided the student maintains eligibility to receive a scholarship. <i>(R.C. 3310.03.)</i></p>
<p>“Sibling” defined</p>		
<p>No provision.</p>	<p>For purposes of the Buckeye Opportunity and Ed Choice Scholarship programs, defines “sibling” as a brother, half-brother, sister, or half-sister, by birth, adoption, or marriage, without regard to residence or custodial status, or a child residing in the same household as a foster child or under a</p>	<p>No provision.</p>

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	guardianship or custodial order. <i>(R.C. 3310.01(F).)</i>	
Application period		
No provision.	Specifies that the application period for the Ed Choice and Buckeye Opportunity programs runs from February 1 until April 1 prior to the school year for which the scholarship is sought. <i>(R.C. 3310.16.)</i>	No provision.
No provision.	Eliminates provisions of current law providing for (1) a priority application period, (2) a rolling application period that runs from the closure of the priority period to the end of the school year for which a scholarship is sought, and (3) pro-rated scholarship amounts for a scholarship awarded after the beginning of the school year for which a scholarship is sought. <i>(R.C. 3310.16.)</i>	Specifies that the priority application period for Educational Choice performance-based scholarships awarded for the 2021-2022 school year must open on March 1, 2021 (rather than February 1, 2021, as required under existing law). <i>(Section 4.)</i>
Emergency clause		
No provision.	Declares that the changes to the Ed Choice program, the Buckeye Opportunity program, the School Transformation Board, academic distress commissions, and the creation of the State Educational Assessments Study Committee are an emergency. <i>(Section 14.)</i>	No provision.

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OTHER PROVISIONS		
School Transformation Board		
No provision.	Establishes the School Transformation Board (STB), a nine-member board responsible for overseeing other actions related to school district academic performance improvement. <i>(R.C. 3301.28.)</i>	No provision.
No provision.	Requires the STB to submit a report to the General Assembly regarding the STB’s recommendations for replacing academic distress commissions and improving teacher and principal preparation programs. <i>(R.C. 3302.103.)</i>	No provision.
School improvement process		
No provision.	Requires the Department to review the current state-level improvement process for Ohio schools and the budgetary requirements supporting that process; make recommendations to the State Board of Education to improve the process by December 31, 2020; and provide progress reports on the improvement process to the STB by October 31 of each year. <i>(R.C. 3301.29.)</i>	No provision.

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Academic distress commissions		
No provision.	Requires academic distress commissions (ADCs) established prior to the bill's effective date to transition control of the district from the ADC and chief executive officer (CEO) back to the district board by June 30, 2020. <i>(R.C. 3302.102(A) and (B).)</i>	No provision.
No provision.	Requires the Department to pay the remainder of each CEO's contract upon dissolution of the ADC. <i>(R.C. 3302.102(C).)</i>	No provision.
No provision.	Permits a district board of a district for which an ADC had been established to employ as district superintendent the individual who previously served as CEO for the district. Such an individual does not need an educator license issued by the State Board of Education to be employed as district superintendent. <i>(R.C. 3302.102(D).)</i>	No provision.
No provision.	Places a moratorium on the creation of new ADCS between October 17, 2019, and December 31, 2023, and requires the Superintendent of Public Instruction to resume establishing new ADCs, beginning on January 1, 2024. <i>(R.C. 3302.101 and repealed Section 265.520 of H.B. 166 of the 133rd General Assembly.)</i>	No provision.

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School district territory transfer		
No provision.	Repeals a provision of current law that permits the transfer of school district territory located within a township that is split between two or more school districts to an adjacent school district through a petition and vote of electors residing in the territory. <i>(Repealed R.C. 3311.242.)</i>	Same as House. <i>(Repealed R.C. 3311.242; see Section 6.)</i>
No provision.	Specifies the repeal takes effect on September 1, 2020, but permits a transfer ongoing at the time of the repeal to continue in accordance with the provision as it existed prior to the repeal. <i>(Sections 4 and 5.)</i>	Same as House, but specifies the repeal takes effect on September 1, 2021. <i>(Sections 7 and 8.)</i>
School treasurers and fiscal officers		
No provision.	Includes community school fiscal officers in the current protection from strict liability for school treasurers. <i>(R.C. 3313.25 and 3314.011(C).)</i>	No provision.
School financing studies		
No provision.	Makes changes regarding school financing studies of economically disadvantaged students by the Department of Education. <i>(R.C. 3317.60(A)(1) and (B)(1).)</i>	No provision.

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No provision.	Requires the Department to conduct an evaluation of topics regarding special education and submit a report of its findings and recommendations by December 31, 2021. <i>(R.C. 3317.60(A)(3) and (B)(1).)</i>	No provision.
No provision.	Requires the Department to evaluate the funding amounts and required services for all categories of English language learners and submit a report of its findings by December 31, 2021. <i>(R.C. 3317.60(A)(4) and (B)(1).)</i>	No provision.
State Educational Assessments Study Committee		
No provision.	Establishes the State Educational Assessments Study Committee and requires it to submit to the General Assembly by October 1, 2020, a report that evaluates certain topics regarding testing under state and federal law. <i>(Section 12.)</i>	No provision.
Repealed provisions		
No provision.	Repeals the pilot project in the Columbus City School District, under which parents may petition the district to make reforms in certain poorly performing schools. <i>(Repealed R.C. 3302.042.)</i>	No provision.

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No provision.	Repeals a provision that requires a school district to restructure any school building that is ranked in the lowest 5% of all public schools by performance index score for three consecutive years and that meets additional criteria. <i>(Repealed R.C. 3302.12.)</i>	No provision.
No provision.	Repeals on obsolete provision requiring the state Superintendent to review all policies and procedures regarding ADCs and to prepare and submit a report on the findings. <i>(Repealed R.C. 3302.101.)</i>	No provision.
No provision.	Repeals an obsolete provision requiring the Joint Education Oversight Committee to review the ADC report submitted by the state Superintendent and hold at least one public hearing on it. <i>(Repealed R.C. 3302.102.)</i>	No provision.
Student degree completion at state institutions of higher education		
No provision.	No provision.	Requires the Chancellor of Higher Education to develop an electronic equivalency management tool to assist in the transfer of coursework and degrees between state institutions of higher education. <i>(R.C. 3333.16(B).)</i>
No provision.	No provision.	Requires each state university to inform a student about the university's transfer appeals process and the Department of Higher Education's student complaint

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No provision.	No provision.	<p>portal, when the university refuses to accept and grant credit for certain general education coursework completed by the student at another state institution of higher education. <i>(R.C. 3333.16(E).)</i></p> <p>Requires the Ohio Articulation and Transfer Network Oversight Board to conduct a study of, and prepare a report about, rules regarding the transfer of college credit, and submit the report to the General Assembly. <i>(R.C. 3333.16(F).)</i></p>
No provision.	No provision.	<p>Requires each state university to review its student records every two years to determine if certain disenrolled students who did not complete a bachelor's degree are eligible, or close to being eligible, for an associate degree. <i>(R.C. 3345.351.)</i></p>
No provision.	No provision.	<p>Specifies that a state university must inform any eligible students of their potential eligibility for an associate degree and that each university must report the findings of each review to the Chancellor. <i>(R.C. 3345.351.)</i></p>
No provision.	No provision.	<p>Requires a state institution of higher education, under certain circumstances, to waive an eligible student's tuition and general fees for a course that is necessary to</p>

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No provision.	No provision.	complete a bachelor's degree. (R.C. 3345.481.) Requires each state institution of higher education to include in its strategic completion plan required under continuing law a report about its collaboration through an initiative of the Chancellor to assist students who have some college experience, but no degree, in earning an associate degree, certificate, or credential. (R.C. 3345.81.)