

HB 114 -- Redline

As Passed by the House to Enrolled -- Regards age requirements for kindergarten admission

Deletions ~~struck~~ · Insertions underlined

~~As (136th Passed General Assembly) by (Amended House Bill Number 114) ANACT To amend section 3321.01 of the House Revised 136th Code General regarding Assembly age Regular requirements Session for Am- kindergarten admission and to correct a scoring error on the 2024-2025 science end-of-course exam.~~

~~H- Be it enacted by the General Assembly of the State of Ohio:~~

~~B- SECTION 1.~~

~~No- That section 3321.01 of the Revised Code be amended to read as follows:~~

~~114 Sec. -2025-2026 Representatives Bird, Ritter Cosponsors:~~

~~Representatives Williams, Young, King, Daniels, Fowler Arthur, Hiner, Odioso, Brennan, Click, Barhorst, Brewer, Brownlee, Cockley, Deeter, Denson, Dovilla, Grim, Gross, Hall, D., Hall, T., Isaacsohn, Jarrells, John, Jones, Lawson-Rowe, Lett, Mathews, T., Mohamed, Newman, Piccolantonio, Rader, Richardson, Robb Blasdel, Robinson, Roemer, Rogers, Salvo, Sigrist, Somani, Thomas, C., Troy, Upchurch, White, E., Willis A BILL To amend section 3321.01 of the Revised Code 1 regarding age requirements for kindergarten 2 admission.~~

~~3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:~~

~~Section 1-~~

~~That section 3321.01 of the Revised Code be 4 amended to read as follows:~~

~~5 Sec-~~

(A)(1) As used in this chapter, "parent," ~~6-~~ "guardian," or "other person having charge or care of a child" ~~7-~~ means either parent unless the parents are separated or divorced ~~8-~~ or their marriage has been dissolved or annulled, in which case ~~9-~~ "parent" means the parent who is the residential parent and ~~10-~~ legal custodian of the child.

If the child is in the legal or ~~11-~~ permanent custody of a person or government agency, "parent" ~~12-~~ means that person or government agency.

When a child is a ~~13-~~ resident of a home, as defined in section 3313.64 of the Revised ~~14-~~ Code, and the child's parent is not a resident of this state, ~~15-~~ "parent," ~~Am-~~ "guardian," or "other person having charge or care of a child" means the head of the home.

A child between six and eighteen years of age is "of compulsory school age" for the purpose of sections 3321.01 to 3321.13 of the Revised Code.

A child under six years of age who has been enrolled in kindergarten also shall be considered "of compulsory school age" for the purpose of sections 3321.01 to 3321.13 of the Revised Code unless at any time the child's parent or guardian, at the parent's or guardian's discretion and in consultation with the child's teacher and principal, formally withdraws the child from kindergarten.

The compulsory school age of a child shall not commence until the beginning of the term of such schools, or other time in the school year fixed by the rules of the board of the district in which the child resides.

(2) Each school district board of education shall admit to kindergarten any student who is five or, for a student who has not completed first grade, six years of age by the first day of instruction of the school year of admittance.

In a district in which all children are admitted to kindergarten and the first grade in August or September, a child shall be admitted if the child is five or six years of age, respectively, by the thirtieth day of September of the year of admittance, or by the first day of a term or semester other than one beginning in August or September in school districts granting admittance at the beginning of such term or semester.

A A child who does not meet the age requirements of this section for admittance to kindergarten or first grade, but who will be five or six years old, respectively, prior to the first day of January of the school year in which admission is requested, shall be evaluated for early Am.

~~114 Page 136th 2G.A. As Passed by the House "parent," "guardian," or "other person having charge or care of 16 a child" means the head of the home.~~

~~17 admittance A in child accordance between with six district and policy eighteen upon years referral of by age the is child's "of parent 18 or compulsory guardian, school an age" educator foremployed by the purpose district, of a sections preschool 3321.01 educator to who 19 knows 3321.13 the of child, the or Revised a Code- pediatrician or psychologist who knows the child.~~

~~A Following child an under evaluation six years of age who 20 has been enrolled in kindergarten accordance also with shall a be referral considered under "of this 21 section, compulsory school age" for the purpose district of board sections shall 3321.01 decide whether to 22 admit 3321.13 of the Revised child. Code unless at any time the child's 23 parent or guardian, at the parent's or guardian's discretion and 24 in~~

~~consultation with the child's teacher and principal, formally 25 withdraws the child from kindergarten. The If compulsory a schoolchild age for 26 whom of admission to child kindergarten shall or first grade is requested will not commence until five or six years of the age, term respectively, of prior 27 to such the schools, first or day other of time January in of the school year fixed in by which admission is requested, the 28 child rules shall of be the admitted board only of in accordance with the district's district's in acceleration which policy adopted under section 3324.10 of the child Revised Code.~~

~~29(3) (2) Notwithstanding Each division school (A)(2) district board of education this shall section, admit beginning to with 30 the kindergarten school any year student that who starts is in five 2001 or, and for continuing at thereafter student the who board has of 31 education not of completed any first district grade, may six adopt years a of resolution age establishing by the first day of 32 August instruction in lieu of the school thirtieth year day of admittance, September as the required date by which students must have attained the age specified in that division for admittance to first grade.~~

~~33(4) In After a district student in has which been all children are admitted to 34 kindergarten and the first grade in August or September, a child school 35 district shall be admitted if the child is five or six chartered years nonpublic of school, age, no 36 board respectively, by the thirtieth day of September education of the a year school of district 37 to admittance, which or by the first student day transfers of shall deny term that or student semester admission other based than on 38 one beginning in August or September in school districts 39 granting admittance at the beginning student's of age. such term or semester.~~

~~A(B) 40 As A used child in who division does (C) not meet the age requirements of this 41 section, successfully for completed admittance kindergarten" to means kindergarten that or the first child grade, has but completed who 42 will be five or six years old, respectively respectively, prior to 43 the first kindergarten day requirements of at January one of the school following: year in which admission 44 is requested, shall be evaluated for early admittance in 45 Am.~~

~~(1) A public or chartered nonpublic school;~~

~~(2) A kindergarten class that is both of the following:~~

~~(a) Offered by a child care provider licensed under Chapter 5104.~~

~~of the Revised Code;~~

~~(b) If offered after July 1, 1991, is directly taught by a teacher who holds one of the following:~~

~~(i) A valid educator license issued under section 3319.22 of the Revised Code;~~

~~(ii) A Montessori preprimary credential or age-appropriate diploma granted by the American Montessori society or the association Montessori internationale;~~

~~(iii) Certification determined under division (F) of this section to be equivalent to that described in division (B)(2)(b)(ii) of this section;~~

~~(iv) Certification for teachers in nontax-supported schools pursuant to section 3301.071 of the Revised Code.~~

~~(C)(1) Except as provided in division (A)(2) of this section, no school district shall admit to the first grade any child who has not successfully completed kindergarten.~~

~~(2) Notwithstanding division (A)(2) of this section, any student who has successfully completed kindergarten in accordance with section (B) of this section shall be admitted to first grade.~~

~~(D) The scheduling of times for kindergarten classes and length of the school day for kindergarten shall be determined by the board of education of a city, exempted village, or local school district.~~

~~(E) Any kindergarten class offered by a child care provider or school described by division Am.~~

~~114 Page 136th 36.A. As Passed by the House accordance with district policy upon referral by the child's 46 parent or guardian, an educator employed by the district, a 47 preschool educator who knows the child, or a pediatrician or 48 psychologist who knows the child.~~

~~Following (B)(1) an or evaluation (B)(2)(a) in of 49 accordance with a referral under this section, section the district 50 board shall decide be whether developmentally to appropriate. admit the child.~~

~~If (F) a Upon child written for request 51 of whom a admission child to care kindergarten provider or described first by grade division is (B)(2)(a) requested will 52 not be five or six years of age, this respectively, section, prior to the 53 department first of day education of and January workforce of shall the determine school whether year certification in held which by admission a is teacher 54 employed requested, by the child provider shall meets be the admitted requirement only of in division accordance (B)(2)(b)(iii) with of 55 this the section district's and, acceleration if policy so, adopted shall under furnish section the 3324.10 provider 56 a of statement the to Revised that Code effect.~~

~~57(G) (3) As Notwithstanding used division in (A)(2) of this section, division, 58 "all-day beginning kindergarten" with has the school same year meaning that as starts in 2001 section and 3321.05 59 continuing thereafter the board of education of any district may 60 adopt a resolution establishing the first Revised day Code, of August in lieu 61 of the thirtieth day of September as the required date by which 62 students must have attained the age specified in that division 63 for admittance to first grade.~~

~~64(1) (4) A After school a district student that has been offering admitted all-day to kindergarten in for
at the 65 first school time district or chartered that nonpublic charged school, fees nor board tuition or for
66 all-day education kindergarten of in at the 2012-2013 school district year to may which charge the fees or
tuition for a student transfers enrolled 67 in shall all-day deny kindergarten that in student any
admission school based year on following the student's 2012-2013 age school year.~~

~~68 The (B) department A shall used adjust in the division district's (C) average of daily this membership
section, certification "successfully under 69 section completed 3317.03 kindergarten" of means the that Revised
the Code child by has one-half completed of the 70 full-time kindergarten equivalency requirements for at each
one student of charged the fees following or tuition for all-day kindergarten under this division.~~

~~71 If (1) a A district public charges fees or chartered tuition nonpublic for school, all-day kindergarten
under this division, the district shall develop a sliding fee scale based on family incomes.~~

~~72 (2) A The kindergarten department class shall that conduct is an both annual survey of each school district
described in division (G)(1) of this section to determine the following:~~

~~73 (a) Offered whether by the a district child charges care fees provider or licensed tuition under for
74 students Am. enrolled in all-day kindergarten;~~

~~(b) The amount of the fees or tuition charged;~~

~~(c) How many of the students for whom tuition is charged are eligible for free lunches under the
"National School Lunch Act," 60 Stat.~~

~~230 (1946), 42 U.S.C.~~

~~1751, as amended, and the "Child Nutrition Act of 1966," 80 Stat.~~

~~885, 42 U.S.C.~~

~~1771, as amended, and how many of the students for whom tuition is charged are eligible for reduced
price lunches under those acts;~~

~~(d) How many students are enrolled in traditional half-day kindergarten rather than all-day kindergarten.~~

~~Each district shall report to the department, in the manner prescribed by the department, the
information described in divisions (G)(2)(a) to (d) of this section.~~

~~The department shall issue an annual report on the results of the survey and shall post the report on
its web site.~~

~~The department shall issue the first report not later than April 30, 2008, and shall issue a report not
later than the thirtieth day of April each year thereafter.~~

SECTION 2.

That existing section 3321.01 of the Revised Code is hereby repealed.

SECTION 3.

As used in this section, "school" means a community school established under Chapter 3314.

of the Revised Code, a STEM school established under Chapter 3326.

of the Revised Code, or a chartered nonpublic school that grants a high school diploma based on meeting
the requirements of section 3313.618 of the Revised Code.

The Department of Education and Workforce shall review the scores of students who took Am.

~~114 Page 136th 4G.A. As Passed by the House Chapter 5104.~~

the science end-of-course examination prescribed under division (B)(2) of section 3301.0712 of the
Revised Code; Code during the 2024-2025 school year to determine those students who were affected by an
error in the scoring of a single, one-point question on that examination.

~~75 For (b) any If student offered who after would July have 1, achieved 1001, a is higher directly score taught on
by the a examination 76 had teacher the who question holds been one scored of correctly, the
following: Department shall increase the student's score accordingly.~~

~~77 If (i) the A increase valid in educator the license student's issued score qualifies the student for a
science seal or an honors diploma seal under section 3319.223313.6114 78 of the Revised Code; Code, the
school district or school in which the student was enrolled during the 2024-2025 school year shall award
the applicable seal.~~

~~79 The (ii) Department A shall Montessori not preprimary decrease credential any or student's age-
appropriate score 80 on diploma granted by the American science Montessori end-of-course society examination
or due to the 81 scoring association error. Montessori internationale;~~

~~82 Am. (iii) Certification determined under division (F) of this 83 section to be equivalent to that
described in division (B)(2)(b) 84 (ii) of this section;~~

~~85 (iv) Certification for teachers in nontax-supported 86 schools pursuant to section 3301.071 of the
Revised Code.~~

~~87 (C)(1) Except as provided in division (A)(2) of this 88 section, no school district shall admit to
the first grade any 89 child who has not successfully completed kindergarten.~~

~~90 (2) Notwithstanding division (A)(2) of this section, any 91 student who has successfully completed
kindergarten in 92 accordance with section (B) of this section shall be admitted to 93 first grade.~~

~~94 (D) The scheduling of times for kindergarten classes and 95 length of the school day for kindergarten shall be determined by 96 the board of education of a city, exempted village, or local 97 school district.~~

~~98 (E) Any kindergarten class offered by a child care 99 provider or school described by division (B)(1) or (B)(2)(a) of 100 this section shall be developmentally appropriate.~~

~~101 Am.~~

~~114 Page136th 5G.A. As Passed by the House (F) Upon written request of a child care provider 102 described by division (B)(2)(a) of this section, the department 103 of education and workforce shall determine whether certification 104 held by a teacher employed by the provider meets the requirement 105 of division (B)(2)(b)(iii) of this section and, if so, shall 106 furnish the provider a statement to that effect.~~

~~107Speaker (G) _____ Asof used in this division, "all-day kindergarten" has 108 the sameHouse meaning as in section 3321.05 of theRepresentatives. Revised Code.~~

~~109President (1) _____ Aof school district that is offering all-day 110 kindergarten for the firstSenate. time or that charged fees or tuition 111 for all-day kindergarten in the 2012-2013 school year may charge 112 fees or tuition for a student enrolled in all-day kindergarten 113 in any school year following the 2012-2013 school year.~~

~~ThePassed 114 _____, department20 shallApproved adjust _____, the20 district'sGovernor. average daily membership 115 certification under section 3317.03 of the Revised Code by one- 116 half of the full-time equivalency for each student charged fees 117 or tuition for all-day kindergarten under this division.~~

~~IfAm. a 118 district charges fees or tuition for all-day kindergarten under 119 this division, the district shall develop a sliding fee scale 120 based on family incomes.~~

~~121 (2) The department shall conduct an annual survey of each 122 school district described in division (G)(1) of this section to 123 determine the following:~~

~~124 (a) Whether the district charges fees or tuition for 125 students enrolled in all-day kindergarten;~~

~~126 (b) The amount of the fees or tuition charged;~~

~~127 (c) How many of the students for whom tuition is charged 128 are eligible for free lunches under the "National School Lunch 129 Act," 60 Stat.~~

~~230 (1946), 42 U.S.C.~~

~~1751, as amended, and the 130 Am.~~

~~114 Page136th 6G.A. As Passed by the House "Child Nutrition Act of 1966," 80 Stat.~~

~~885,The 42section U.S.C. numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.~~

~~1771,Director, asLegislative 131Service amended,Commission. and how many of the students for whom tuition is 132 charged are eligible for reduced price lunches under those acts;~~

~~133Filed (d)in Howthe manyoffice studentsof arethe enrolledSecretary inof traditionalState half-dayat 134Columbus, kindergartenOhio, ratheron thanthe all-day _____ kindergarten.day of _____,A.~~

~~135D. Each district shall report to the department, in the 136 manner prescribed by the department, the information described 137 in divisions (G)(2)(a) to (d) of this section.~~

~~13820 _____. The department shall issue an annual report on the results 139 of the survey and shall post the report on its web site.~~

~~TheSecretary 140 department shall issue the first report not later than April 30, 141 2008, and shall issue a report not later than the thirtieth day 142 of AprilState. each year thereafter.~~

~~143File SectionNo.-2-~~

~~That _____ existingEffective sectionDate 3321.01 _____ of the Revised 144 Code is hereby repealed.~~

~~145~~