



## Ohio Revised Code Section 3313.976 Registering school.

Effective: October 3, 2023

Legislation: House Bill 33

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(A) No private school may receive scholarship payments from parents pursuant to section 3317.022 of the Revised Code until the chief administrator of the private school registers the school with the director of education and workforce. The director shall register any school that meets the following requirements:

- (1) The school indicates in writing its commitment to follow all requirements for a state-sponsored scholarship program specified under sections 3313.974 to 3313.979 of the Revised Code, including, but not limited to, the requirements for admitting students pursuant to section 3313.977 of the Revised Code;
- (2) The school meets all state minimum standards for chartered nonpublic schools in effect on July 1, 1992, except that the director at the director's discretion may register nonchartered nonpublic schools meeting the other requirements of this division;
- (3) The school does not discriminate on the basis of race, religion, or ethnic background;
- (4) The school enrolls a minimum of ten students per class or a sum of at least twenty-five students in all the classes offered;
- (5) The school does not advocate or foster unlawful behavior or teach hatred of any person or group on the basis of race, ethnicity, national origin, or religion;
- (6) The school does not provide false or misleading information about the school to parents, students, or the general public;
- (7) For students in grades kindergarten through eight with family incomes at or below two hundred per cent of the federal poverty guidelines, as defined in section 5101.46 of the Revised Code, the school agrees not to charge any tuition in excess of the scholarship amount established pursuant to



division (A)(11)(a) of section 3317.022 of the Revised Code, excluding any increase described in that division.

(8) For students in grades kindergarten through eight with family incomes above two hundred per cent of the federal poverty guidelines, whose scholarship amounts are less than the actual tuition charge of the school, the school agrees not to charge any tuition in excess of the difference between the actual tuition charge of the school and the scholarship amount established pursuant to division (A)(11)(a) of section 3317.022 of the Revised Code, excluding any increase described in that division. The school shall permit such tuition, at the discretion of the parent, to be satisfied by the family's provision of in-kind contributions or services.

(9) The school agrees not to charge any tuition to families of students in grades nine through twelve receiving a scholarship in excess of the actual tuition charge of the school less the scholarship amount established pursuant to division (A)(11)(a) of section 3317.022 of the Revised Code, excluding any increase described in that division.

(10) It annually administers the applicable assessments prescribed by section 3301.0710, 3301.0712, or 3313.619 of the Revised Code to each scholarship student enrolled in the school in accordance with section 3301.0711 or 3301.0712 of the Revised Code and reports to the department of education the results of each such assessment administered to each scholarship student, unless one of the following applies to the student:

(a) The student is excused from taking that assessment under federal law, the student's individualized education program, or division (C)(1)(c)(i) of section 3301.0711 of the Revised Code.

(b) The student is enrolled in a chartered nonpublic school that meets the conditions specified in division (K)(2) or (L)(4) of section 3301.0711 of the Revised Code.

(c) The student is enrolled in any of grades three to eight and takes an alternative standardized assessment under division (K)(1) of section 3301.0711 of the Revised Code.

(d) The student is excused from taking the assessment prescribed under division (B)(1) of section 3301.0712 of the Revised Code pursuant to division (C)(1)(c)(ii) of section 3301.0711 of the



Revised Code.

(B) The director shall revoke the registration of any school if, after a hearing, the director determines that the school is in violation of any of the provisions of division (A) of this section.

(C) Any public school located in a school district adjacent to the pilot project school district may receive scholarship payments on behalf of parents pursuant to section 3317.022 of the Revised Code if the superintendent of the district in which such public school is located notifies the director prior to the first day of March that the district intends to admit students from the pilot project school district for the ensuing school year pursuant to section 3327.06 of the Revised Code.

(D) Any parent wishing to purchase tutorial assistance from any person or governmental entity pursuant to the pilot project program under sections 3313.974 to 3313.979 of the Revised Code shall apply to the director. The director shall approve providers who appear to possess the capability of furnishing the instructional services they are offering to provide.

(E) On and after July 1, 2024, the director shall not require the parent of a student to submit a complete copy of the parent's federal income tax return, or a return filed under section 5747.08 of the Revised Code, to determine a student's family income for the purposes of the pilot project scholarship program. Rather, the director may require a parent to submit a partial federal income tax return, or a return filed under section 5747.08 of the Revised Code, that only contains the minimum amount of information necessary to determine a student's family income.

(F) Not later than the thirtieth day of June of each year, each private school registered under this section shall submit to the director of education and workforce, in a form and manner prescribed by the director, the tuition rates charged by the school for the following school year.