

“Exempt Status” and its Impact on Qualifying School Districts

I. **How does a school district qualify for “exempt” status under 3302.151 of the Ohio Revised Code?**

A school district shall have met all the following benchmarks on the most recently issued Ohio School Report Card to be considered exempt:

- Received at least 85 percent of the total possible points for their Performance Index score; **and**
- Have a four-year adjusted cohort graduation rate of at least 93 percent and a five- year adjusted cohort graduation rate of at least 95 percent.¹

II. **How long does the “exempt” status apply to the qualifying school district?**

A school district that meets these requirements shall be qualified for the exemptions listed in R.C. 3302.151 for three school years beginning with the school year in which the qualifying report card is issued.²

III. **What requirements no longer apply to qualifying districts during its “exempt” status?**

A school district that qualifies shall be exempt from **all** the following:

- Teacher qualification requirements under the Third-Grade Reading Guarantee;
- The Ohio Resident Educator Program’s mentoring component, as long as the district utilizes a local approach to train and support new teachers;
- Provisions prescribing a minimum or maximum class size; and
- Any provision requiring teachers to be licensed specifically in the grade level in which they are teaching, unless federal law mandates otherwise.
 - This exemption does not apply to special education teachers.
 - Each teacher must hold a valid Ohio license in the appropriate subject area.³

IV. **Who can an exempt district hire to teach?**

Teacher licensing rules for exempt schools:

- The superintendent of an exempt school district may employ an individual who is not licensed as required by sections [3319.22 to 3319.30 of the Ohio Revised Code](#), but who is otherwise qualified based on experience so long as approved by the district’s board of education.
 1. Exempt district employees must complete a criminal records check and register with the Ohio Department of Education (“Department”).
 2. If the Department receives notification of the arrest or conviction of an individual employed under R.C. 3302.151, the Department shall notify the employing district.⁴

V. **How does exempt status impact school funding?**

An “exempt” school district under 3302.151 of the Revised Code still remains eligible to receive funds under [Chapter 3317](#) of the Ohio Revised Code even if the school district fails to comply with any of the requirements listed in divisions (A) or (B) in 3302.151 of the Ohio Revised Code.⁵

¹ Ohio Revised Code, Sec. 3302.151(D)

² Ohio Revised Code, Sec. 3302.151(E)

³ Ohio Revised Code, Sec. 3302.151(A)

⁴ Ohio Revised Code, Sec. 3302.151(B)

⁵ Ohio Revised Code, Sec. 3302.151(C)

Frequently Asked Questions

1Q. Under ORC 3302.151, how does a school district qualify as “exempt”?

1A. *To be considered “exempt,” a district must meet all the following criteria on the most recent Ohio School Report Card:*

- (1) Received at least 85 percent of the total possible points for the Performance Index score;*
- (2) Have a four-year cohort graduation rate of 93 percent or higher; and*
- (3) Have a five-year cohort graduation rate of 95 percent or higher.*

2Q. What types of districts are eligible for “exempt district” status?

2A. *Only city, local and exempted village districts are eligible for “exempt district” status. Therefore, community schools, education service centers, career-technical centers and joint vocational schools are not eligible for exempt district status.*

3Q. Which office at the Ohio Department of Education determines “exempt district” status?

3A. *The Department’s Office of Accountability determines exempt district status based on the criteria as outlined above in 1A. When identified, local superintendents will be notified of exempt status and will then receive guidance materials and support.*

4Q. How long can a district be “exempt”?

4A. *A school district that qualifies is “exempt” for three school years. Thus, if district “A” qualifies as exempt in 2022/2023 school year based on the 2021/2022 report card, the district is exempt through the 2024/2025 school year.*

5Q. When does the three-year exempt status begin?

5A. *The three (3) year exemption period starts the school year in which the qualifying report card is issued. Thus, the 2022-2023 school year is the first year that the three-year period could begin if the school district’s 2021-2022 report card met the requirements of R.C. 3302.151(D).*

6Q. What if a school district continues to meet R.C. 3302.151’s requirements each year?

6A. *In this scenario, the three-school year period would reset each school year that the school district meets the requirements on that given year’s report card. In other words, the qualifying district can continue to push out the three-year period if it continually meets the requirements set-forth in R.C. 3302.151(D). Therefore, it is theoretically possible that once a district qualifies as exempt, it could remain within an*

exempt status for three more school years should it continue to meet the statutory requirements each school year thereafter.

7Q. Can a qualifying district lose its exemption status before the three-year period ends?

7A. *No. Once a school district qualifies for exempt status it retains that status for three school years regardless of what scores the district receives on its report cards in the remaining school years while it is under exempt status. In other words, once a district is given exempt status, it cannot be taken away for three school years, even if the subsequent report cards issued in school year two and three would not otherwise meet the exempt requirements in R.C. 3302.151(D).*

8Q. Are teachers holding resident educator or alternative resident educator licenses in an “exempt district” required to participate in the Ohio Resident Educator Program’s mentoring requirements?

8A. *An “exempt district” does not have to administer the Ohio Resident Educator mentoring requirements with newly licensed teachers who hold either resident educator or alternative resident educator licenses as long as the district uses a local approach to train and support new teachers. The local board of education of an “exempt district” will adopt a district policy explaining the district’s approach to train and support these new teachers.*

The district’s Resident Educator Program coordinator must continue annually to:

- (1) register these teachers in the Department’s CORE RE online system;*
- (2) if eligible for RESA, in CORE indicate that these teachers will be taking RESA; and*
- (3) indicate the completion criteria for these teachers at the end of the school year.*

9Q. When an “exempt district” hires non-licensed teachers, must these teachers obtain teaching credentials?

9A. *No. The individuals are to register annually with the Ohio Department of Education, Office of Educator Licensure; these teachers are subject to a criminal records check.*

10Q. When an “exempt district” hires non-licensed teachers, are these teachers required to participate in the Ohio Resident Educator Program or the Ohio Teacher Evaluation System?

10A. *No. Districts are not required to have non-licensed, registered teachers participate in the Ohio Resident Educator Program or to evaluate them under the Ohio Teacher Evaluation System. However, the district must provide mentoring and professional development support for these non-licensed teachers.*

11Q. In “exempt districts,” teachers must teach in their content areas, but they may teach outside the grade band identified on their credential. How should districts code these teachers in the Educational Management Information System so that they will not appear unqualified or out-of-field in this reporting system?

11A. *The Department will make adjustments within the Educational Management Information System to account for this possible deviation in grade bands; however, this system still will verify that teachers are providing instruction in the content areas identified on their credentials.*