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133rd General Assembly
Regular Session
2019-2020

Sub. H. B. No. 123

A BILL

To amend sections 149.433, 3313.536, 3313.60, 1
3313.951, 3314.03, 3319.073, 3319.31, 3326.11, 2
3328.24, and 3737.73; to amend, for the purpose 3
of adopting a new section number as indicated in 4
parentheses, section 3313.536 (5502.262); and to 5
enact sections 3301.221, 3313.669, 3313.6610, 6
3313.6611, and 5502.263 of the Revised Code to 7
enact the "Safety and Violence Education 8
Students (SAVE Students) Act" regarding school 9
security and youth suicide awareness education 10
and training. 11

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

Section 1. That sections 149.433, 3313.536, 3313.60, 12
3313.951, 3314.03, 3319.073, 3319.31, 3326.11, 3328.24, and 13
3737.73 be amended; section 3313.536 (5502.262) be amended for 14
the purpose of adopting a new section number as indicated in 15
parentheses; and sections 3301.221, 3313.669, 3313.6610, 16
3313.6611, and 5502.263 of the Revised Code be enacted to read 17
as follows: 18



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Sec. 149.433. (A) As used in this section:	19
"Act of terrorism" has the same meaning as in section 2909.21 of the Revised Code.	20 21
"Express statement" means a written statement substantially similar to the following: "This information is voluntarily submitted to a public office in expectation of protection from disclosure as provided by section 149.433 of the Revised Code."	22 23 24 25 26
"Infrastructure record" means any record that discloses the configuration of critical systems including, but not limited to, communication, computer, electrical, mechanical, ventilation, water, and plumbing systems, security codes, or the infrastructure or structural configuration of a building.	27 28 29 30 31
"Infrastructure record" includes a risk assessment of infrastructure performed by a state or local law enforcement agency at the request of a property owner or manager.	32 33 34
"Infrastructure record" does not mean a simple floor plan that discloses only the spatial relationship of components of the building.	35 36 37
"Security record" means any of the following:	38
(1) Any record that contains information directly used for protecting or maintaining the security of a public office against attack, interference, or sabotage;	39 40 41
(2) Any record assembled, prepared, or maintained by a public office or public body to prevent, mitigate, or respond to acts of terrorism, including any of the following:	42 43 44
(a) Those portions of records containing specific and unique vulnerability assessments or specific and unique response	45 46

plans either of which is intended to prevent or mitigate acts of terrorism, and communication codes or deployment plans of law enforcement or emergency response personnel;

(b) Specific intelligence information and specific investigative records shared by federal and international law enforcement agencies with state and local law enforcement and public safety agencies;

(c) National security records classified under federal executive order and not subject to public disclosure under federal law that are shared by federal agencies, and other records related to national security briefings to assist state and local government with domestic preparedness for acts of terrorism.

(3) An emergency management plan adopted pursuant to section ~~3313.536~~5502.262 of the Revised Code.

(B) (1) A record kept by a public office that is a security record is not a public record under section 149.43 of the Revised Code and is not subject to mandatory release or disclosure under that section.

(2) A record kept by a public office that is an infrastructure record of a public office, public school, or a chartered nonpublic school is not a public record under section 149.43 of the Revised Code and is not subject to mandatory release or disclosure under that section.

(3) A record kept by a public office that is an infrastructure record of a private entity may be exempted from release or disclosure under division (C) of this section.

(C) A record prepared by, submitted to, or kept by a public office that is an infrastructure record of a private

entity, which is submitted to the public office for use by the 76
public office, when accompanied by an express statement, is 77
exempt from release or disclosure under section 149.43 of the 78
Revised Code for a period of twenty-five years after its 79
creation if it is retained by the public office for that length 80
of time. 81

(D) Notwithstanding any other section of the Revised Code, 82
disclosure by a public office, public employee, chartered 83
nonpublic school, or chartered nonpublic school employee of a 84
security record or infrastructure record that is necessary for 85
construction, renovation, or remodeling work on any public 86
building or project or chartered nonpublic school does not 87
constitute public disclosure for purposes of waiving division 88
(B) of this section and does not result in that record becoming 89
a public record for purposes of section 149.43 of the Revised 90
Code. 91

Sec. 3301.221. (A) As used in this section and section 92
3313.60 of the Revised Code, "evidence-based" means a program or 93
practice that does either of the following: 94

(1) Demonstrates a rationale based on high-quality 95
research findings or positive evaluation that such a program or 96
practice is likely to improve relevant outcomes and includes 97
ongoing efforts to examine the effects of the program or 98
practice; 99

(2) Has a statistically significant effect on relevant 100
outcomes based on: 101

(a) Strong evidence from at least one well-designed and 102
well-implemented experimental study; 103

(b) Moderate evidence from at least one well-designed and 104

well-implemented quasi-experimental study; or 105

(c) Promising evidence from at least one well-designed and 106
well-implemented correlation study with statistical controls for 107
selection bias. 108

(B) The department of education, in consultation with the 109
department of public safety and the department of mental health 110
and addiction services, shall maintain a list of not fewer than 111
three approved training programs, to be posted on the department 112
of education's web site, for instruction in suicide awareness 113
and prevention and violence prevention as prescribed under 114
division (A) (5) (h) of section 3313.60 and division (D) of 115
section 3319.073 of the Revised Code. The list of approved 116
training programs shall include at least one option that is free 117
or of no cost to schools. The approved training programs shall 118
be peer-reviewed and evidence-based and include the following: 119

(1) How to instruct school personnel to identify the signs 120
and symptoms of depression, suicide, and self-harm in students; 121

(2) How to instruct students to identify the signs and 122
symptoms of depression, suicide, and self-harm in their peers; 123

(3) How to identify appropriate mental health services 124
within schools and within larger communities, and when and how 125
to refer youth and their families to those services; 126

(4) How to teach students about mental health and 127
depression, warning signs of suicide, and the importance of and 128
processes for seeking help on behalf of self and peers and 129
reporting of these behaviors. 130

(C) The department of education, in consultation with the 131
department of mental health and addiction services, shall 132
maintain a list of not fewer than three approved training 133

programs, to be posted on the department of education's web 134
site, for instruction in social inclusion as prescribed by 135
division (A) (5) (i) of section 3313.60 of the Revised Code. The 136
list of approved training programs shall include at least one 137
option that is free or of no cost to schools. The approved 138
training programs shall be peer-reviewed and evidence-based and 139
include the following: 140

(1) What social isolation is and how to identify it in 141
others; 142

(2) What social inclusion is and the importance of 143
establishing connections with peers; 144

(3) When and how to seek help for peers who may be 145
socially isolated; 146

(4) How to utilize strategies for more social inclusion in 147
classrooms and the school community. 148

Sec. 3313.60. Notwithstanding division (D) of section 149
3311.52 of the Revised Code, divisions (A) to (E) of this 150
section do not apply to any cooperative education school 151
district established pursuant to divisions (A) to (C) of section 152
3311.52 of the Revised Code. 153

(A) The board of education of each city, exempted village, 154
and local school district and the board of each cooperative 155
education school district established, pursuant to section 156
3311.521 of the Revised Code, shall prescribe a curriculum for 157
all schools under its control. Except as provided in division 158
(E) of this section, in any such curriculum there shall be 159
included the study of the following subjects: 160

(1) The language arts, including reading, writing, 161
spelling, oral and written English, and literature; 162

(2) Geography, the history of the United States and of Ohio, and national, state, and local government in the United States, including a balanced presentation of the relevant contributions to society of men and women of African, Mexican, Puerto Rican, and American Indian descent as well as other ethnic and racial groups in Ohio and the United States;	163 164 165 166 167 168
(3) Mathematics;	169
(4) Natural science, including instruction in the conservation of natural resources;	170 171
(5) Health education, which shall include instruction in:	172
(a) The nutritive value of foods, including natural and organically produced foods, the relation of nutrition to health, and the use and effects of food additives;	173 174 175
(b) The harmful effects of and legal restrictions against the use of drugs of abuse, alcoholic beverages, and tobacco;	176 177
(c) Venereal disease education, except that upon written request of the student's parent or guardian, a student shall be excused from taking instruction in venereal disease education;	178 179 180
(d) In grades kindergarten through six, instruction in personal safety and assault prevention, except that upon written request of the student's parent or guardian, a student shall be excused from taking instruction in personal safety and assault prevention;	181 182 183 184 185
(e) In grades seven through twelve, age-appropriate instruction in dating violence prevention education, which shall include instruction in recognizing dating violence warning signs and characteristics of healthy relationships.	186 187 188 189
In order to assist school districts in developing a dating	190

violence prevention education curriculum, the department of 191
education shall provide on its web site links to free curricula 192
addressing dating violence prevention. 193

If the parent or legal guardian of a student less than 194
eighteen years of age submits to the principal of the student's 195
school a written request to examine the dating violence 196
prevention instruction materials used at that school, the 197
principal, within a reasonable period of time after the request 198
is made, shall allow the parent or guardian to examine those 199
materials at that school. 200

(f) Prescription opioid abuse prevention, with an emphasis 201
on the prescription drug epidemic and the connection between 202
prescription opioid abuse and addiction to other drugs, such as 203
heroin; 204

(g) The process of making an anatomical gift under Chapter 205
2108. of the Revised Code, with an emphasis on the life-saving 206
and life-enhancing effects of organ and tissue donation; 207

(h) Beginning with the first day of the next school year 208
that begins at least two years after the effective date of this 209
amendment, in grades six through twelve, at least one hour or 210
one standard class period per school year of evidence-based 211
suicide awareness and prevention and at least one hour per year 212
of safety training and violence prevention; 213

(i) Beginning with the first day of the next school year 214
that begins at least two years after the effective date of this 215
amendment, in grades six through twelve, at least one hour or 216
one standard class period per school year of evidence-based 217
social inclusion instruction. 218

For the instruction required under divisions (A) (5) (h) and 219

<u>(i) of this section, the board shall use a training program</u>	220
<u>approved by the department of education under section 3301.221</u>	221
<u>of the Revised Code.</u>	222
(6) Physical education;	223
(7) The fine arts, including music;	224
(8) First aid, including a training program in	225
cardiopulmonary resuscitation, which shall comply with section	226
3313.6021 of the Revised Code when offered in any of grades nine	227
through twelve, safety, and fire prevention. However, upon	228
written request of the student's parent or guardian, a student	229
shall be excused from taking instruction in cardiopulmonary	230
resuscitation.	231
(B) Except as provided in division (E) of this section,	232
every school or school district shall include in the	233
requirements for promotion from the eighth grade to the ninth	234
grade one year's course of study of American history. A board	235
may waive this requirement for academically accelerated students	236
who, in accordance with procedures adopted by the board, are	237
able to demonstrate mastery of essential concepts and skills of	238
the eighth grade American history course of study.	239
(C) As specified in divisions (B) (6) and (C) (6) of section	240
3313.603 of the Revised Code, except as provided in division (E)	241
of this section, every high school shall include in the	242
requirements for graduation from any curriculum one-half unit	243
each of American history and government.	244
(D) Except as provided in division (E) of this section,	245
basic instruction or demonstrated mastery in geography, United	246
States history, the government of the United States, the	247
government of the state of Ohio, local government in Ohio, the	248

Declaration of Independence, the United States Constitution, and 249
the Constitution of the state of Ohio shall be required before 250
pupils may participate in courses involving the study of social 251
problems, economics, foreign affairs, United Nations, world 252
government, socialism, and communism. 253

(E) For each cooperative education school district 254
established pursuant to section 3311.521 of the Revised Code and 255
each city, exempted village, and local school district that has 256
territory within such a cooperative district, the curriculum 257
adopted pursuant to divisions (A) to (D) of this section shall 258
only include the study of the subjects that apply to the grades 259
operated by each such school district. The curriculums for such 260
schools, when combined, shall provide to each student of these 261
districts all of the subjects required under divisions (A) to 262
(D) of this section. 263

(F) The board of education of any cooperative education 264
school district established pursuant to divisions (A) to (C) of 265
section 3311.52 of the Revised Code shall prescribe a curriculum 266
for the subject areas and grade levels offered in any school 267
under its control. 268

(G) Upon the request of any parent or legal guardian of a 269
student, the board of education of any school district shall 270
permit the parent or guardian to promptly examine, with respect 271
to the parent's or guardian's own child: 272

(1) Any survey or questionnaire, prior to its 273
administration to the child; 274

(2) Any textbook, workbook, software, video, or other 275
instructional materials being used by the district in connection 276
with the instruction of the child; 277

(3) Any completed and graded test taken or survey or questionnaire filled out by the child; 278
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(4) Copies of the statewide academic standards and each model curriculum developed pursuant to section 3301.079 of the Revised Code, which copies shall be available at all times during school hours in each district school building. 280
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Sec. 3313.669. (A) Beginning not later than two years after the effective date of this section, each local, city, exempted village, and joint vocational school district shall create a threat assessment team for each school building in the district serving grades six through twelve. Upon appointment and once every three years thereafter, each team member shall complete an approved threat assessment training program from the list maintained by the department of public safety pursuant to section 5502.263 of the Revised Code. 284
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(B) If a school building has a similarly constituted safety team as of the effective date of this section, that team also may serve as the threat assessment team, provided that the team and each member comply with the requirements of this section. 293
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(C) Each district building shall include proof of completion of an approved training program by each team member in the building's emergency management plan submission to the department of education in accordance with rules adopted under division (F) of section 5502.262 of the Revised Code. Each team shall be multidisciplinary, when possible, and may include school administrators, mental health professionals, school resource officers, and other necessary personnel. 298
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Sec. 3313.6610. (A) Beginning with the first full school 306

year that begins after the effective date of this section, each 307
local, city, exempted village, and joint vocational school 308
district shall enter into a contract with an anonymous tip-line 309
program of the district's choosing. The tip-line shall meet the 310
following requirements: 311

(1) Operate twenty-four hours per day, seven days per 312
week; 313

(2) Forward reported information to and coordinate with 314
the appropriate school threat assessment teams and law 315
enforcement and public safety agencies required under the 316
school's emergency management plan developed under section 317
5502.262 of the Revised Code; 318

(3) Be promoted in each district school to inform students 319
about the tip-line and its reporting methods; 320

(4) Comply with sections 149.433 and 3319.321 of the 321
Revised Code and the "Family Educational Rights and Privacy Act 322
of 1974," 20 U.S.C. 1232g. 323

Each district shall specify in the contract with its 324
chosen tip-line provider that the provider shall annually submit 325
a report to the department of public safety and the department 326
of education of the number of anonymous reports made through the 327
tip-line and the method by which they were received, 328
disaggregated by school. 329

(B) Each district shall submit data to the department of 330
education, in a manner prescribed by the department, and the 331
department of public safety at the end of the first full school 332
year of the district's participation in the tip-line, and at the 333
end of each school year thereafter, disaggregated by school. The 334
data shall include the following: 335

<u>(1) The number and type of disciplinary actions taken in</u>	336
<u>the previous school year as a result of anonymous reports;</u>	337
<u>(2) The number and type of mental wellness referrals as a</u>	338
<u>result of anonymous reports;</u>	339
<u>(3) The race and gender of the students subject to the</u>	340
<u>disciplinary actions and mental wellness referrals as a result</u>	341
<u>of anonymous reports;</u>	342
<u>(4) Any other information the department of education or</u>	343
<u>the department of public safety determines necessary.</u>	344
<u>(C) Any data collected by a tip-line or reported to the</u>	345
<u>department of education or department of public safety pursuant</u>	346
<u>to this section are security records and are not public records</u>	347
<u>pursuant to section 149.433 of the Revised Code.</u>	348
<u>Sec. 3313.6611. (A) Each local, city, exempted village,</u>	349
<u>and joint vocational school district shall designate a student-</u>	350
<u>led violence prevention club for each school building in the</u>	351
<u>district serving grades six through twelve. Each club shall do</u>	352
<u>the following:</u>	353
<u>(1) Be open to all members of the student body;</u>	354
<u>(2) Have at least one identified adult advisor;</u>	355
<u>(3) Implement and sustain suicide and violence prevention</u>	356
<u>and social inclusion training and awareness activities in a</u>	357
<u>manner consistent with section 3301.221 of the Revised Code;</u>	358
<u>(4) Foster opportunities for student leadership</u>	359
<u>development.</u>	360
<u>(B) If a school building already has a student club that</u>	361
<u>satisfies the requirements of division (A) of this section as of</u>	362

the effective date of this section, that club may serve as the 363
violence prevention club, provided that it meets the 364
requirements of this section. 365

Sec. 3313.951. (A) As used in this section: 366

(1) "Law enforcement agency" has the same meaning as in 367
section 149.435 of the Revised Code. 368

(2) "Peace officer" has the same meaning as in division 369
(A) (1) of section 109.71 of the Revised Code. 370

(3) "School resource officer" means a peace officer who is 371
appointed through a memorandum of understanding between a law 372
enforcement agency and a school district to provide services to 373
a school district or school as described in this section. 374

(B) (1) A school resource officer who provides services to 375
a school district or school on or after November 2, 2018, shall, 376
except as described in division (B) (2) of this section, satisfy 377
both of the following conditions: 378

(a) Complete a basic training program approved by the Ohio 379
peace officer training commission, as described in division (B) 380
(1) of section 109.77 of the Revised Code; 381

(b) Complete at least forty hours of school resource 382
officer training within one year after appointment to provide 383
those services through one of the following entities, as 384
approved by the Ohio peace officer training commission: 385

(i) The national association of school resource officers; 386

(ii) The Ohio school resource officer association; 387

(iii) The Ohio peace officer training academy. 388

(2) A school resource officer who is appointed to provide 389

services to a school district or school prior to November 2, 390
2018, shall be exempt from compliance with the training 391
requirements prescribed in division (B) (1) (b) of this section. 392

(3) A certified training program provided by an entity 393
described in division (B) (1) (b) of this section shall include 394
instruction regarding skills, tactics, and strategies necessary 395
to address the specific nature of all of the following: 396

(a) School campuses; 397

(b) School building security needs and characteristics; 398

(c) The nuances of law enforcement functions conducted 399
inside a school environment, including: 400

(i) Understanding the psychological and physiological 401
characteristics consistent with the ages of the students in the 402
assigned building or buildings; 403

(ii) Understanding the appropriate role of school resource 404
officers regarding discipline and reducing the number of 405
referrals to juvenile court; and 406

(iii) Understanding the use of developmentally appropriate 407
interview, interrogation, de-escalation, and behavior management 408
strategies. 409

(d) The mechanics of being a positive role model for 410
youth, including appropriate communication techniques which 411
enhance interactions between the school resource officer and 412
students; 413

(e) Providing assistance on topics such as classroom 414
management tools to provide law-related education to students 415
and methods for managing the behaviors sometimes associated with 416
educating children with special needs; 417

(f) The mechanics of the laws regarding compulsory attendance, as set forth in Chapter 3321. of the Revised Code;	418 419
(g) Identifying the trends in drug use, eliminating the instance of drug use, and encouraging a drug-free environment in schools.	420 421 422
(4) The Ohio peace officer training commission shall adopt rules, in accordance with Chapter 119. of the Revised Code, for the approval of school resource officer training provided by an entity described in division (B) (1) (b) of this section.	423 424 425 426
(C) (1) If a school district decides to utilize school resource officer services, the school district and the appropriate law enforcement agency shall first enter into a memorandum of understanding that clarifies the purpose of the school resource officer program and roles and expectations between the participating entities. If a school district is already utilizing school resource officer services on November 2, 2018, the school district and the law enforcement agency shall enter into a memorandum of understanding within one year after November 2, 2018.	427 428 429 430 431 432 433 434 435 436
(2) Each memorandum of understanding shall address the following items:	437 438
(a) Clearly defined set of goals for the school resource officer program;	439 440
(b) Background requirements or suggested expertise for employing law enforcement in the school setting, including an understanding of child and adolescent development;	441 442 443
(c) Professional development, including training requirements that focus on age-appropriate practices for conflict resolution and developmentally informed de-escalation	444 445 446

and crisis intervention methods; 447

(d) Clearly defined roles, responsibilities, and 448
expectations of the parties involved, including school resource 449
officers, law enforcement, school administrators, staff, and 450
teachers; 451

(e) A protocol for how suspected criminal activity versus 452
school discipline is to be handled; 453

(f) The requirement for coordinated crisis planning and 454
updating of school crisis plans; 455

(g) Any other discretionary items determined by the 456
parties to foster a school resource officer program that builds 457
positive relationships between law enforcement, school staff, 458
and the students, promotes a safe and positive learning 459
environment, and decreases the number of youth formally referred 460
to the juvenile justice system. 461

(3) A school district, through its school administration, 462
may give students an opportunity to provide input during the 463
drafting process of any memorandum of understanding being 464
entered into pursuant to division (C) of this section. 465

(D) (1) In accordance with the requirements prescribed in 466
this section, a school resource officer may work in one or more 467
school districts or schools providing the following services: 468

(a) Assistance with adoption, implementation, and 469
amendment of the comprehensive emergency management plan 470
required under section ~~3313.536~~ 5502.262 of the Revised Code; 471

(b) Carrying out any additional responsibilities assigned 472
to the school resource officer under the employment engagement, 473
contract, or memorandum of understanding, including but not 474

limited to:	475
(i) Providing a safe learning environment;	476
(ii) Providing valuable resources to school staff members;	477
(iii) Fostering positive relationships with students and staff;	478 479
(iv) Developing strategies to resolve problems affecting youth and protecting all students.	480 481
(2) A school resource officer shall consult with local law enforcement officials and first responders when assisting a school district's administrator in the development of a comprehensive emergency management plan.	482 483 484 485
(E) The school district or school administrator shall have final decision-making authority regarding all matters of school discipline.	486 487 488
Sec. 3314.03. A copy of every contract entered into under this section shall be filed with the superintendent of public instruction. The department of education shall make available on its web site a copy of every approved, executed contract filed with the superintendent under this section.	489 490 491 492 493
(A) Each contract entered into between a sponsor and the governing authority of a community school shall specify the following:	494 495 496
(1) That the school shall be established as either of the following:	497 498
(a) A nonprofit corporation established under Chapter 1702. of the Revised Code, if established prior to April 8, 2003;	499 500 501

(b) A public benefit corporation established under Chapter 1702. of the Revised Code, if established after April 8, 2003.	502 503
(2) The education program of the school, including the school's mission, the characteristics of the students the school is expected to attract, the ages and grades of students, and the focus of the curriculum;	504 505 506 507
(3) The academic goals to be achieved and the method of measurement that will be used to determine progress toward those goals, which shall include the statewide achievement assessments;	508 509 510 511
(4) Performance standards, including but not limited to all applicable report card measures set forth in section 3302.03 or 3314.017 of the Revised Code, by which the success of the school will be evaluated by the sponsor;	512 513 514 515
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	516 517 518
(6) (a) Dismissal procedures;	519
(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in seventy-two consecutive hours of the learning opportunities offered to the student.	520 521 522 523 524 525
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	526 527
(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the	528 529

school to be maintained in the same manner as are financial 530
records of school districts, pursuant to rules of the auditor of 531
state. Audits shall be conducted in accordance with section 532
117.10 of the Revised Code. 533

(9) An addendum to the contract outlining the facilities 534
to be used that contains at least the following information: 535

(a) A detailed description of each facility used for 536
instructional purposes; 537

(b) The annual costs associated with leasing each facility 538
that are paid by or on behalf of the school; 539

(c) The annual mortgage principal and interest payments 540
that are paid by the school; 541

(d) The name of the lender or landlord, identified as 542
such, and the lender's or landlord's relationship to the 543
operator, if any. 544

(10) Qualifications of teachers, including a requirement 545
that the school's classroom teachers be licensed in accordance 546
with sections 3319.22 to 3319.31 of the Revised Code, except 547
that a community school may engage noncertificated persons to 548
teach up to twelve hours per week pursuant to section 3319.301 549
of the Revised Code. 550

(11) That the school will comply with the following 551
requirements: 552

(a) The school will provide learning opportunities to a 553
minimum of twenty-five students for a minimum of nine hundred 554
twenty hours per school year. 555

(b) The governing authority will purchase liability 556
insurance, or otherwise provide for the potential liability of 557

the school. 558

(c) The school will be nonsectarian in its programs, 559
admission policies, employment practices, and all other 560
operations, and will not be operated by a sectarian school or 561
religious institution. 562

(d) The school will comply with sections 9.90, 9.91, 563
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 564
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3313.472, 565
3313.50, ~~3313.536~~, 3313.539, 3313.5310, 3313.608, 3313.609, 566
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.643, 567
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 568
3313.667, 3313.668, 3313.669, 3313.6610, 3313.6611, 3313.67, 569
3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 570
3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 3313.814, 571
3313.816, 3313.817, 3313.86, 3313.89, 3313.96, 3319.073, 572
3319.074, 3319.321, 3319.39, 3319.391, 3319.41, 3319.46, 573
3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 574
3321.19, 3321.191, 3327.10, 4111.17, 4113.52, 5502.262, and 575
5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 576
4123., 4141., and 4167. of the Revised Code as if it were a 577
school district and will comply with section 3301.0714 of the 578
Revised Code in the manner specified in section 3314.17 of the 579
Revised Code. 580

(e) The school shall comply with Chapter 102. and section 581
2921.42 of the Revised Code. 582

(f) The school will comply with sections 3313.61, 583
3313.611, and 3313.614 of the Revised Code, except that for 584
students who enter ninth grade for the first time before July 1, 585
2010, the requirement in sections 3313.61 and 3313.611 of the 586
Revised Code that a person must successfully complete the 587

curriculum in any high school prior to receiving a high school diploma may be met by completing the curriculum adopted by the governing authority of the community school rather than the curriculum specified in Title XXXVIII of the Revised Code or any rules of the state board of education. Beginning with students who enter ninth grade for the first time on or after July 1, 2010, the requirement in sections 3313.61 and 3313.611 of the Revised Code that a person must successfully complete the curriculum of a high school prior to receiving a high school diploma shall be met by completing the requirements prescribed in division (C) of section 3313.603 of the Revised Code, unless the person qualifies under division (D) or (F) of that section. Each school shall comply with the plan for awarding high school credit based on demonstration of subject area competency, and beginning with the 2017-2018 school year, with the updated plan that permits students enrolled in seventh and eighth grade to meet curriculum requirements based on subject area competency adopted by the state board of education under divisions (J) (1) and (2) of section 3313.603 of the Revised Code. Beginning with the 2018-2019 school year, the school shall comply with the framework for granting units of high school credit to students who demonstrate subject area competency through work-based learning experiences, internships, or cooperative education developed by the department under division (J) (3) of section 3313.603 of the Revised Code.

(g) The school governing authority will submit within four months after the end of each school year a report of its activities and progress in meeting the goals and standards of divisions (A) (3) and (4) of this section and its financial status to the sponsor and the parents of all students enrolled in the school.

(h) The school, unless it is an internet- or computer- 619
based community school, will comply with section 3313.801 of the 620
Revised Code as if it were a school district. 621

(i) If the school is the recipient of moneys from a grant 622
awarded under the federal race to the top program, Division (A), 623
Title XIV, Sections 14005 and 14006 of the "American Recovery 624
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 625
the school will pay teachers based upon performance in 626
accordance with section 3317.141 and will comply with section 627
3319.111 of the Revised Code as if it were a school district. 628

(j) If the school operates a preschool program that is 629
licensed by the department of education under sections 3301.52 630
to 3301.59 of the Revised Code, the school shall comply with 631
sections 3301.50 to 3301.59 of the Revised Code and the minimum 632
standards for preschool programs prescribed in rules adopted by 633
the state board under section 3301.53 of the Revised Code. 634

(k) The school will comply with sections 3313.6021 and 635
3313.6023 of the Revised Code as if it were a school district 636
unless it is either of the following: 637

(i) An internet- or computer-based community school; 638

(ii) A community school in which a majority of the 639
enrolled students are children with disabilities as described in 640
division (A) (4) (b) of section 3314.35 of the Revised Code. 641

(12) Arrangements for providing health and other benefits 642
to employees; 643

(13) The length of the contract, which shall begin at the 644
beginning of an academic year. No contract shall exceed five 645
years unless such contract has been renewed pursuant to division 646
(E) of this section. 647

- (14) The governing authority of the school, which shall be responsible for carrying out the provisions of the contract;
- (15) A financial plan detailing an estimated school budget for each year of the period of the contract and specifying the total estimated per pupil expenditure amount for each such year.
- (16) Requirements and procedures regarding the disposition of employees of the school in the event the contract is terminated or not renewed pursuant to section 3314.07 of the Revised Code;
- (17) Whether the school is to be created by converting all or part of an existing public school or educational service center building or is to be a new start-up school, and if it is a converted public school or service center building, specification of any duties or responsibilities of an employer that the board of education or service center governing board that operated the school or building before conversion is delegating to the governing authority of the community school with respect to all or any specified group of employees provided the delegation is not prohibited by a collective bargaining agreement applicable to such employees;
- (18) Provisions establishing procedures for resolving disputes or differences of opinion between the sponsor and the governing authority of the community school;
- (19) A provision requiring the governing authority to adopt a policy regarding the admission of students who reside outside the district in which the school is located. That policy shall comply with the admissions procedures specified in sections 3314.06 and 3314.061 of the Revised Code and, at the sole discretion of the authority, shall do one of the following:

(a) Prohibit the enrollment of students who reside outside the district in which the school is located;	677 678
(b) Permit the enrollment of students who reside in districts adjacent to the district in which the school is located;	679 680 681
(c) Permit the enrollment of students who reside in any other district in the state.	682 683
(20) A provision recognizing the authority of the department of education to take over the sponsorship of the school in accordance with the provisions of division (C) of section 3314.015 of the Revised Code;	684 685 686 687
(21) A provision recognizing the sponsor's authority to assume the operation of a school under the conditions specified in division (B) of section 3314.073 of the Revised Code;	688 689 690
(22) A provision recognizing both of the following:	691
(a) The authority of public health and safety officials to inspect the facilities of the school and to order the facilities closed if those officials find that the facilities are not in compliance with health and safety laws and regulations;	692 693 694 695
(b) The authority of the department of education as the community school oversight body to suspend the operation of the school under section 3314.072 of the Revised Code if the department has evidence of conditions or violations of law at the school that pose an imminent danger to the health and safety of the school's students and employees and the sponsor refuses to take such action.	696 697 698 699 700 701 702
(23) A description of the learning opportunities that will be offered to students including both classroom-based and non-	703 704

classroom-based learning opportunities that is in compliance 705
with criteria for student participation established by the 706
department under division (H) (2) of section 3314.08 of the 707
Revised Code; 708

(24) The school will comply with sections 3302.04 and 709
3302.041 of the Revised Code, except that any action required to 710
be taken by a school district pursuant to those sections shall 711
be taken by the sponsor of the school. However, the sponsor 712
shall not be required to take any action described in division 713
(F) of section 3302.04 of the Revised Code. 714

(25) Beginning in the 2006-2007 school year, the school 715
will open for operation not later than the thirtieth day of 716
September each school year, unless the mission of the school as 717
specified under division (A) (2) of this section is solely to 718
serve dropouts. In its initial year of operation, if the school 719
fails to open by the thirtieth day of September, or within one 720
year after the adoption of the contract pursuant to division (D) 721
of section 3314.02 of the Revised Code if the mission of the 722
school is solely to serve dropouts, the contract shall be void. 723

(26) Whether the school's governing authority is planning 724
to seek designation for the school as a STEM school equivalent 725
under section 3326.032 of the Revised Code; 726

(27) That the school's attendance and participation 727
policies will be available for public inspection; 728

(28) That the school's attendance and participation 729
records shall be made available to the department of education, 730
auditor of state, and school's sponsor to the extent permitted 731
under and in accordance with the "Family Educational Rights and 732
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, 733

and any regulations promulgated under that act, and section 734
3319.321 of the Revised Code; 735

(29) If a school operates using the blended learning 736
model, as defined in section 3301.079 of the Revised Code, all 737
of the following information: 738

(a) An indication of what blended learning model or models 739
will be used; 740

(b) A description of how student instructional needs will 741
be determined and documented; 742

(c) The method to be used for determining competency, 743
granting credit, and promoting students to a higher grade level; 744

(d) The school's attendance requirements, including how 745
the school will document participation in learning 746
opportunities; 747

(e) A statement describing how student progress will be 748
monitored; 749

(f) A statement describing how private student data will 750
be protected; 751

(g) A description of the professional development 752
activities that will be offered to teachers. 753

(30) A provision requiring that all moneys the school's 754
operator loans to the school, including facilities loans or cash 755
flow assistance, must be accounted for, documented, and bear 756
interest at a fair market rate; 757

(31) A provision requiring that, if the governing 758
authority contracts with an attorney, accountant, or entity 759
specializing in audits, the attorney, accountant, or entity 760

shall be independent from the operator with which the school has 761
contracted. 762

(32) A provision requiring the governing authority to 763
adopt an enrollment and attendance policy that requires a 764
student's parent to notify the community school in which the 765
student is enrolled when there is a change in the location of 766
the parent's or student's primary residence. 767

(33) A provision requiring the governing authority to 768
adopt a student residence and address verification policy for 769
students enrolling in or attending the school. 770

(B) The community school shall also submit to the sponsor 771
a comprehensive plan for the school. The plan shall specify the 772
following: 773

(1) The process by which the governing authority of the 774
school will be selected in the future; 775

(2) The management and administration of the school; 776

(3) If the community school is a currently existing public 777
school or educational service center building, alternative 778
arrangements for current public school students who choose not 779
to attend the converted school and for teachers who choose not 780
to teach in the school or building after conversion; 781

(4) The instructional program and educational philosophy 782
of the school; 783

(5) Internal financial controls. 784

When submitting the plan under this division, the school 785
shall also submit copies of all policies and procedures 786
regarding internal financial controls adopted by the governing 787
authority of the school. 788

(C) A contract entered into under section 3314.02 of the Revised Code between a sponsor and the governing authority of a community school may provide for the community school governing authority to make payments to the sponsor, which is hereby authorized to receive such payments as set forth in the contract between the governing authority and the sponsor. The total amount of such payments for monitoring, oversight, and technical assistance of the school shall not exceed three per cent of the total amount of payments for operating expenses that the school receives from the state.

(D) The contract shall specify the duties of the sponsor which shall be in accordance with the written agreement entered into with the department of education under division (B) of section 3314.015 of the Revised Code and shall include the following:

(1) Monitor the community school's compliance with all laws applicable to the school and with the terms of the contract;

(2) Monitor and evaluate the academic and fiscal performance and the organization and operation of the community school on at least an annual basis;

(3) Report on an annual basis the results of the evaluation conducted under division (D)(2) of this section to the department of education and to the parents of students enrolled in the community school;

(4) Provide technical assistance to the community school in complying with laws applicable to the school and terms of the contract;

(5) Take steps to intervene in the school's operation to

correct problems in the school's overall performance, declare 818
the school to be on probationary status pursuant to section 819
3314.073 of the Revised Code, suspend the operation of the 820
school pursuant to section 3314.072 of the Revised Code, or 821
terminate the contract of the school pursuant to section 3314.07 822
of the Revised Code as determined necessary by the sponsor; 823

(6) Have in place a plan of action to be undertaken in the 824
event the community school experiences financial difficulties or 825
closes prior to the end of a school year. 826

(E) Upon the expiration of a contract entered into under 827
this section, the sponsor of a community school may, with the 828
approval of the governing authority of the school, renew that 829
contract for a period of time determined by the sponsor, but not 830
ending earlier than the end of any school year, if the sponsor 831
finds that the school's compliance with applicable laws and 832
terms of the contract and the school's progress in meeting the 833
academic goals prescribed in the contract have been 834
satisfactory. Any contract that is renewed under this division 835
remains subject to the provisions of sections 3314.07, 3314.072, 836
and 3314.073 of the Revised Code. 837

(F) If a community school fails to open for operation 838
within one year after the contract entered into under this 839
section is adopted pursuant to division (D) of section 3314.02 840
of the Revised Code or permanently closes prior to the 841
expiration of the contract, the contract shall be void and the 842
school shall not enter into a contract with any other sponsor. A 843
school shall not be considered permanently closed because the 844
operations of the school have been suspended pursuant to section 845
3314.072 of the Revised Code. 846

Sec. 3319.073. (A) The board of education of each city and 847

exempted village school district and the governing board of each 848
educational service center shall adopt or adapt the curriculum 849
developed by the department of education for, or shall develop 850
in consultation with public or private agencies or persons 851
involved in child abuse prevention or intervention programs, a 852
program of in-service training in the prevention of child abuse, 853
violence, and substance abuse and the promotion of positive 854
youth development. Each person employed by any school district 855
or service center to work in a school as a nurse, teacher, 856
counselor, school psychologist, or administrator shall complete 857
at least four hours of the in-service training within two years 858
of commencing employment with the district or center, and every 859
five years thereafter. A person who is employed by any school 860
district or service center to work in an elementary school as a 861
nurse, teacher, counselor, school psychologist, or administrator 862
on March 30, 2007, shall complete at least four hours of the in- 863
service training not later than March 30, 2009, and every five 864
years thereafter. A person who is employed by any school 865
district or service center to work in a middle or high school as 866
a nurse, teacher, counselor, school psychologist, or 867
administrator on October 16, 2009, shall complete at least four 868
hours of the in-service training not later than October 16, 869
2011, and every five years thereafter. 870

(B) Each board shall incorporate training in school safety 871
and violence prevention, including human trafficking content, 872
into the in-service training required by division (A) of this 873
section. For this purpose, the board shall adopt or adapt the 874
curriculum developed by the department or shall develop its own 875
curriculum in consultation with public or private agencies or 876
persons involved in school safety and violence prevention 877
programs. 878

(C) Each board shall incorporate training on the board's harassment, intimidation, or bullying policy adopted under section 3313.666 of the Revised Code into the in-service training required by division (A) of this section. Each board also shall incorporate training in the prevention of dating violence into the in-service training required by that division for middle and high school employees. The board shall develop its own curricula for these purposes.

(D) Each board shall incorporate training in youth suicide awareness and prevention into the in-service training required by division (A) of this section for each person employed by a school district or service center to work in a school as a nurse, teacher, counselor, school psychologist, or administrator, and any other personnel that the board determines appropriate. The board shall require each such person to undergo training in youth suicide awareness and prevention programs once every two years. For this purpose, the board shall adopt or adapt the curriculum developed by the department under section 3301.221 of the Revised Code or shall develop its own curriculum in consultation with public or private agencies or persons involved in youth suicide awareness and prevention programs.

The training completed under this division shall count toward the satisfaction of requirements for professional development required by the school district or service center board, and the training may be accomplished through self-review of suitable suicide prevention materials approved by the board.

Sec. 3319.31. (A) As used in this section and sections 3123.41 to 3123.50 and 3319.311 of the Revised Code, "license" means a certificate, license, or permit described in this chapter or in division (B) of section 3301.071 or in section

3301.074 of the Revised Code.	909
(B) For any of the following reasons, the state board of education, in accordance with Chapter 119. and section 3319.311 of the Revised Code, may refuse to issue a license to an applicant; may limit a license it issues to an applicant; may suspend, revoke, or limit a license that has been issued to any person; or may revoke a license that has been issued to any person and has expired:	910 911 912 913 914 915 916
(1) Engaging in an immoral act, incompetence, negligence, or conduct that is unbecoming to the applicant's or person's position;	917 918 919
(2) A plea of guilty to, a finding of guilt by a jury or court of, or a conviction of any of the following:	920 921
(a) A felony other than a felony listed in division (C) of this section;	922 923
(b) An offense of violence other than an offense of violence listed in division (C) of this section;	924 925
(c) A theft offense, as defined in section 2913.01 of the Revised Code, other than a theft offense listed in division (C) of this section;	926 927 928
(d) A drug abuse offense, as defined in section 2925.01 of the Revised Code, that is not a minor misdemeanor, other than a drug abuse offense listed in division (C) of this section;	929 930 931
(e) A violation of an ordinance of a municipal corporation that is substantively comparable to an offense listed in divisions (B) (2) (a) to (d) of this section.	932 933 934
(3) A judicial finding of eligibility for intervention in lieu of conviction under section 2951.041 of the Revised Code,	935 936

or agreeing to participate in a pre-trial diversion program 937
under section 2935.36 of the Revised Code, or a similar 938
diversion program under rules of a court, for any offense listed 939
in division (B) (2) or (C) of this section; 940

(4) Failure to comply with section ~~3313.536~~, 3314.40, 941
3319.313, 3326.24, 3328.19, ~~or~~ 5126.253, or 5502.262 of the 942
Revised Code. 943

(C) Upon learning of a plea of guilty to, a finding of 944
guilt by a jury or court of, or a conviction of any of the 945
offenses listed in this division by a person who holds a current 946
or expired license or is an applicant for a license or renewal 947
of a license, the state board or the superintendent of public 948
instruction, if the state board has delegated the duty pursuant 949
to division (D) of this section, shall by a written order revoke 950
the person's license or deny issuance or renewal of the license 951
to the person. The state board or the superintendent shall 952
revoke a license that has been issued to a person to whom this 953
division applies and has expired in the same manner as a license 954
that has not expired. 955

Revocation of a license or denial of issuance or renewal 956
of a license under this division is effective immediately at the 957
time and date that the board or superintendent issues the 958
written order and is not subject to appeal in accordance with 959
Chapter 119. of the Revised Code. Revocation of a license or 960
denial of issuance or renewal of license under this division 961
remains in force during the pendency of an appeal by the person 962
of the plea of guilty, finding of guilt, or conviction that is 963
the basis of the action taken under this division. 964

The state board or superintendent shall take the action 965
required by this division for a violation of division (B) (1), 966

(2), (3), or (4) of section 2919.22 of the Revised Code; a 967
violation of section 2903.01, 2903.02, 2903.03, 2903.04, 968
2903.041, 2903.11, 2903.12, 2903.15, 2905.01, 2905.02, 2905.05, 969
2905.11, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 970
2907.21, 2907.22, 2907.23, 2907.24, 2907.241, 2907.25, 2907.31, 971
2907.311, 2907.32, 2907.321, 2907.322, 2907.323, 2907.33, 972
2907.34, 2909.02, 2909.22, 2909.23, 2909.24, 2911.01, 2911.02, 973
2911.11, 2911.12, 2913.44, 2917.01, 2917.02, 2917.03, 2917.31, 974
2917.33, 2919.12, 2919.121, 2919.13, 2921.02, 2921.03, 2921.04, 975
2921.05, 2921.11, 2921.34, 2921.41, 2923.122, 2923.123, 976
2923.161, 2923.17, 2923.21, 2925.02, 2925.03, 2925.04, 2925.041, 977
2925.05, 2925.06, 2925.13, 2925.22, 2925.23, 2925.24, 2925.32, 978
2925.36, 2925.37, 2927.24, or 3716.11 of the Revised Code; a 979
violation of section 2905.04 of the Revised Code as it existed 980
prior to July 1, 1996; a violation of section 2919.23 of the 981
Revised Code that would have been a violation of section 2905.04 982
of the Revised Code as it existed prior to July 1, 1996, had the 983
violation been committed prior to that date; felonious sexual 984
penetration in violation of former section 2907.12 of the 985
Revised Code; or a violation of an ordinance of a municipal 986
corporation that is substantively comparable to an offense 987
listed in this paragraph. 988

(D) The state board may delegate to the superintendent of 989
public instruction the authority to revoke a person's license or 990
to deny issuance or renewal of a license to a person under 991
division (C) or (F) of this section. 992

(E) (1) If the plea of guilty, finding of guilt, or 993
conviction that is the basis of the action taken under division 994
(B) (2) or (C) of this section, or under the version of division 995
(F) of section 3319.311 of the Revised Code in effect prior to 996
September 12, 2008, is overturned on appeal, upon exhaustion of 997

the criminal appeal, the clerk of the court that overturned the 998
plea, finding, or conviction or, if applicable, the clerk of the 999
court that accepted an appeal from the court that overturned the 1000
plea, finding, or conviction, shall notify the state board that 1001
the plea, finding, or conviction has been overturned. Within 1002
thirty days after receiving the notification, the state board 1003
shall initiate proceedings to reconsider the revocation or 1004
denial of the person's license in accordance with division (E) 1005
(2) of this section. In addition, the person whose license was 1006
revoked or denied may file with the state board a petition for 1007
reconsideration of the revocation or denial along with 1008
appropriate court documents. 1009

(2) Upon receipt of a court notification or a petition and 1010
supporting court documents under division (E) (1) of this 1011
section, the state board, after offering the person an 1012
opportunity for an adjudication hearing under Chapter 119. of 1013
the Revised Code, shall determine whether the person committed 1014
the act in question in the prior criminal action against the 1015
person that is the basis of the revocation or denial and may 1016
continue the revocation or denial, may reinstate the person's 1017
license, with or without limits, or may grant the person a new 1018
license, with or without limits. The decision of the board shall 1019
be based on grounds for revoking, denying, suspending, or 1020
limiting a license adopted by rule under division (G) of this 1021
section and in accordance with the evidentiary standards the 1022
board employs for all other licensure hearings. The decision of 1023
the board under this division is subject to appeal under Chapter 1024
119. of the Revised Code. 1025

(3) A person whose license is revoked or denied under 1026
division (C) of this section shall not apply for any license if 1027
the plea of guilty, finding of guilt, or conviction that is the 1028

basis of the revocation or denial, upon completion of the 1029
criminal appeal, either is upheld or is overturned but the state 1030
board continues the revocation or denial under division (E) (2) 1031
of this section and that continuation is upheld on final appeal. 1032

(F) The state board may take action under division (B) of 1033
this section, and the state board or the superintendent shall 1034
take the action required under division (C) of this section, on 1035
the basis of substantially comparable conduct occurring in a 1036
jurisdiction outside this state or occurring before a person 1037
applies for or receives any license. 1038

(G) The state board may adopt rules in accordance with 1039
Chapter 119. of the Revised Code to carry out this section and 1040
section 3319.311 of the Revised Code. 1041

Sec. 3326.11. Each science, technology, engineering, and 1042
mathematics school established under this chapter and its 1043
governing body shall comply with sections 9.90, 9.91, 109.65, 1044
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 1045
3301.0714, 3301.0715, 3301.0729, 3301.948, 3313.14, 3313.15, 1046
3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 1047
3313.481, 3313.482, 3313.50, ~~3313.536~~, 3313.539, 3313.5310, 1048
3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 1049
3313.6021, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 1050
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 1051
3313.667, 3313.668, 3313.669, 3313.6610, 3313.6611, 3313.67, 1052
3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 1053
3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 3313.801, 1054
3313.814, 3313.816, 3313.817, 3313.86, 3313.89, 3313.96, 1055
3319.073, 3319.21, 3319.32, 3319.321, 3319.35, 3319.39, 1056
3319.391, 3319.41, 3319.45, 3319.46, 3321.01, 3321.041, 3321.05, 1057
3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 1058

3327.10, 4111.17, 4113.52, 5502.262, and 5705.391 and Chapters 1059
102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 1060
4123., 4141., and 4167. of the Revised Code as if it were a 1061
school district. 1062

Sec. 3328.24. A college-preparatory boarding school 1063
established under this chapter and its board of trustees shall 1064
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 1065
3301.0714, 3301.0729, 3301.948, ~~3313.536~~, 3313.6013, 3313.6021, 1066
3313.6411, 3313.669, 3313.6610, 3313.6611, 3313.7112, 3313.721, 1067
3313.89, 3319.073, 3319.39, 3319.391, ~~and 3319.46~~, and 5502.262 1068
and Chapter 3365. of the Revised Code as if the school were a 1069
school district and the school's board of trustees were a 1070
district board of education. 1071

Sec. 3737.73. (A) No principal or person in charge of a 1072
public or private school or educational institution having an 1073
average daily attendance of twenty or more pupils, and no person 1074
in charge of any children's home or orphanage housing twenty or 1075
more minor persons, shall willfully neglect to instruct and 1076
train such children by means of drills or rapid dismissals, so 1077
that such children in a sudden emergency may leave the building 1078
in the shortest possible time without confusion. Except as 1079
provided for in division (F) of this section, the principal or 1080
person in charge of a school or educational institution shall 1081
conduct drills or rapid dismissals at least six times during the 1082
school year, pursuant to division (E) of this section, which 1083
shall be at the times and frequency prescribed in rules adopted 1084
by the fire marshal. The principal or person in charge of a 1085
children's home or orphanage shall conduct drills or rapid 1086
dismissals at least once each month while the home is in 1087
operation. In the case of schools, no principal or person in 1088
charge of a school shall willfully neglect to keep the doors and 1089

exits of such building unlocked during school hours. The fire 1090
marshal may order the immediate installation of necessary fire 1091
gongs or signals in such schools, institutions, or children's 1092
homes and enforce this division and divisions (B), (C) (3), and 1093
(F) of this section. 1094

(B) In conjunction with the drills or rapid dismissals 1095
required by division (A) or (F) of this section, whichever is 1096
applicable, principals or persons in charge of public or private 1097
primary and secondary schools, or educational institutions, 1098
shall instruct pupils in safety precautions to be taken in case 1099
of a tornado alert or warning. Such principals or persons in 1100
charge of such schools or institutions shall designate, in 1101
accordance with standards prescribed by the fire marshal, 1102
appropriate locations to be used to shelter pupils in case of a 1103
tornado, tornado alert, or warning. 1104

(C) (1) The fire marshal or the fire marshal's designee 1105
shall annually inspect each school, institution, home, or 1106
orphanage subject to division (A) or (F) of this section to 1107
determine compliance with the applicable division, and each 1108
school or institution subject to division (B) of this section to 1109
ascertain whether the locations comply with the standards 1110
prescribed under that division. Nothing in this section shall 1111
require a school or institution to construct or improve a 1112
facility or location for use as a shelter area. 1113

(2) The fire marshal or the fire marshal's designee shall 1114
issue a warning to any person found in violation of division 1115
(A), (B), or (F) of this section. The warning shall indicate the 1116
specific violation and a date by which such violation shall be 1117
corrected. 1118

(3) No person shall fail to correct violations by the date 1119

indicated on a warning issued under division (C) (2) of this section. 1120
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(D) (1) (a) The principal or person in charge of each public or private school or educational institution shall conduct school safety drills at least three times during the school year, pursuant to division (E) of this section, to provide pupils with instruction in the procedures to follow in situations where pupils must be secured in the school building or rapidly evacuated in response to a threat to the school involving an act of terrorism; a person possessing a deadly weapon or dangerous ordnance, as defined in section 2923.11 of the Revised Code, on school property; or other act of violence. At least one safety drill shall include a scenario where pupils must be secured in the school building rather than rapidly evacuated. 1122
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Each safety drill shall be conducted in conjunction with the police chief or other similar chief law enforcement officer, or designee, of the municipal corporation, township, or township or joint police district in which the school or institution is located, or, in absence of any such person, the county sheriff of the county, or designee, in which the school or institution is located. 1135
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(b) In addition to the three safety drills described in division (D) (1) (a) of this section, the principal or person in charge shall conduct a theoretical school safety drill at least once during the school year to provide all faculty and staff employed by the school or institution with instruction in the procedures to follow in such situations. The theoretical drill does not need to include student participation and may be conducted at the annual training session required by division 1142
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(D) (3) of this section. 1150

(c) All safety drills required under division (D) of this 1151
section shall be conducted pursuant to the district's or 1152
school's emergency management plan adopted under section 1153
~~3313.536~~5502.262 of the Revised Code. 1154

(2) (a) The principal or person in charge of each public or 1155
private school or educational institution shall provide to the 1156
police chief or other similar chief law enforcement officer of 1157
the municipal corporation, township, or township or joint police 1158
district in which the school or institution is located, or, in 1159
absence of any such person, the county sheriff of the county in 1160
which the school or institution is located advance written 1161
notice of each school safety drill required under division (D) 1162
(1) of this section and shall keep a written record of the date 1163
and time of each drill conducted. The advance notice shall be 1164
provided not later than seventy-two hours prior to the date the 1165
drill will be conducted and shall include the date and time the 1166
drill will be conducted and the address of the school or 1167
educational institution. The notice shall be provided by mail, 1168
facsimile, or electronic submission. 1169

(b) Not later than the fifth day of December each year, 1170
the principal or person in charge of each public or private 1171
school or educational institution shall provide written 1172
certification by mail, facsimile, or electronic submission of 1173
the date and time each school safety drill required under 1174
division (D) (1) of this section was conducted during the 1175
previous school year, as well as the date and time each drill 1176
will be conducted during the current school year, to the police 1177
chief or other similar chief law enforcement officer of the 1178
municipal corporation, township, or township or joint police 1179

district in which the school or institution is located, or, in 1180
the absence of any such person, the county sheriff of the county 1181
in which the school or institution is located. If such 1182
certification is not provided, the principal or person in charge 1183
of the school or institution shall be considered to have failed 1184
to meet this requirement and shall be subject to division (D)(4) 1185
of this section. 1186

(3) The principal or person in charge of each public or 1187
private school or educational institution shall hold annual 1188
training sessions for employees of the school or institution 1189
regarding the conduct of school safety drills. 1190

(4) The police chief or other similar chief law 1191
enforcement officer of a municipal corporation, township, or 1192
township or joint police district, or, in the absence of any 1193
such person, the county sheriff shall issue a warning to any 1194
person found in violation of division (D)(1) of this section. 1195
Each warning issued for a violation of division (D)(1) of this 1196
section shall require the principal or person in charge of the 1197
school or institution to correct the violation by conducting a 1198
school safety drill not later than the thirtieth day after the 1199
date the warning is issued. The violation shall not be 1200
considered corrected unless, not later than forty days after the 1201
date the warning is issued, the principal or person in charge of 1202
the school or institution provides written certification of the 1203
date and time this drill was conducted, as well as the date and 1204
time each remaining drill will be conducted during the current 1205
school year, to the police chief or other similar chief law 1206
enforcement officer or county sheriff who issued the warning. 1207

(5) No person shall fail to correct violations by the date 1208
indicated on a warning issued under division (D)(4) of this 1209

section. 1210

(E) The principal or person in charge of each public or 1211
private school or educational institution shall conduct at least 1212
one drill or rapid dismissal required under division (A) or (F) 1213
of this section, whichever is applicable, or one school safety 1214
drill required under division (D) of this section during each 1215
month of the school year. However, the principal or person in 1216
charge may determine the exact date and time that each drill 1217
will be conducted. A drill or rapid dismissal under division (A) 1218
or (F) of this section may be conducted during the same month as 1219
a school safety drill under division (D) of this section. 1220

(F) If a public or private school or educational 1221
institution does not currently have smoke detectors, as defined 1222
in section 3781.104 of the Revised Code, or a sprinkler system 1223
in all classroom buildings of the school, the principal or 1224
person in charge of the school or educational institution shall 1225
conduct drills or rapid dismissals at least nine times during 1226
the school year, pursuant to division (E) of this section, which 1227
shall be at the times and frequency prescribed in rules adopted 1228
by the fire marshal. At the discretion of the principal or 1229
person in charge of the school or institution, drills conducted 1230
under this division may be combined with drills conducted under 1231
division (D) of this section, so long as at least one drill 1232
conducted under that division provides pupils with instruction 1233
in the procedures to follow in situations where pupils must be 1234
secured in the school building rather than rapidly evacuated. 1235

Sec. ~~3313-536~~ 5502.262. (A) As used in this section: 1236

(1) "Administrator" means the superintendent, principal, 1237
chief administrative officer, or other person having supervisory 1238
authority of any of the following: 1239

(a) A city, exempted village, local, or joint vocational school district;	1240 1241
(b) A community school established under Chapter 3314. of the Revised Code, as required through reference in division (A) (11) (d) of section 3314.03 of the Revised Code;	1242 1243 1244
(c) A STEM school established under Chapter 3326. of the Revised Code, as required through reference in section 3326.11 of the Revised Code;	1245 1246 1247
(d) A college-preparatory boarding school established under Chapter 3328. of the Revised Code;	1248 1249
(e) A district or school operating a career-technical education program approved by the department of education under section 3317.161 of the Revised Code;	1250 1251 1252
(f) A chartered nonpublic school;	1253
(g) An educational service center;	1254
(h) A preschool program or school-age child care program licensed by the department of education;	1255 1256
(i) Any other facility that primarily provides educational services to children subject to regulation by the department of education.	1257 1258 1259
(2) "Emergency management test" means a regularly scheduled drill, exercise, or activity designed to assess and evaluate an emergency management plan under this section.	1260 1261 1262
(3) "Building" means any school, school building, facility, program, or center.	1263 1264
(B) (1) Each administrator shall develop and adopt a comprehensive emergency management plan, in accordance with	1265 1266

rules adopted ~~by the state board of education~~ pursuant to 1267
division (F) of this section, for each building under the 1268
administrator's control. The administrator shall examine the 1269
environmental conditions and operations of each building to 1270
determine potential hazards to student and staff safety and 1271
shall propose operating changes to promote the prevention of 1272
potentially dangerous problems and circumstances. In developing 1273
the plan for each building, the administrator shall involve 1274
community law enforcement and safety officials, parents of 1275
students who are assigned to the building, and teachers and 1276
nonteaching employees who are assigned to the building. The 1277
administrator shall incorporate remediation strategies into the 1278
plan for any building where documented safety problems have 1279
occurred. 1280

(2) Each administrator shall also incorporate into the 1281
emergency management plan adopted under division (B)(1) of this 1282
section all of the following: 1283

(a) A protocol for addressing serious threats to the 1284
safety of property, students, employees, or administrators; 1285

(b) A protocol for responding to any emergency events that 1286
occur and compromise the safety of property, students, 1287
employees, or administrators. This protocol shall include, but 1288
not be limited to, all of the following: 1289

(i) A floor plan that is unique to each floor of the 1290
building; 1291

(ii) A site plan that includes all building property and 1292
surrounding property; 1293

(iii) An emergency contact information sheet. 1294

(c) A threat assessment plan developed as prescribed in 1295

section 5502.263 of the Revised Code. A building may use the 1296
model plan developed by the department of public safety under 1297
that section; 1298

(d) A protocol for school threat assessment teams 1299
established under section 3313.669 of the Revised Code. 1300

(3) Each protocol described in ~~divisions~~ division (B) ~~(2)~~ 1301
~~(a) and (b)~~ of this section shall include procedures determined 1302
to be appropriate by the administrator for responding to threats 1303
and emergency events, respectively, including such things as 1304
notification of appropriate law enforcement personnel, calling 1305
upon specified emergency response personnel for assistance, and 1306
informing parents of affected students. 1307

Prior to the opening day of each school year, the 1308
administrator shall inform each student or child enrolled in the 1309
school and the student's or child's parent of the parental 1310
notification procedures included in the protocol. 1311

(4) Each administrator shall keep a copy of the emergency 1312
management plan adopted pursuant to this section in a secure 1313
place. 1314

(C) (1) The administrator shall submit to the department of 1315
education, in accordance with rules adopted ~~by the state board~~ 1316
~~of education~~ pursuant to division (F) of this section, an 1317
electronic copy of the emergency management plan prescribed by 1318
division (B) of this section not less than once every three 1319
years, whenever a major modification to the building requires 1320
changes in the procedures outlined in the plan, and whenever 1321
information on the emergency contact information sheet changes. 1322

(2) The administrator also shall file a copy of the plan 1323
with each law enforcement agency that has jurisdiction over the 1324

school building and, upon request, to any of the following: 1325

(a) The fire department that serves the political 1326
subdivision in which the building is located; 1327

(b) The emergency medical service organization that serves 1328
the political subdivision in which the building is located; 1329

(c) The county emergency management agency for the county 1330
in which the building is located. 1331

(3) Upon receipt of an emergency management plan, the 1332
department of education shall submit the information in 1333
accordance with rules adopted ~~by the state board of education~~ 1334
pursuant to division (F) of this section, to both of the 1335
following: 1336

(a) The attorney general, who shall post that information 1337
on the Ohio law enforcement gateway or its successor; 1338

(b) The director of public safety, who shall post the 1339
information on the contact and information management system. 1340

(4) Any department or entity to which copies of an 1341
emergency management plan are filed under this section shall 1342
keep the copies in a secure place. 1343

(D) (1) Not later than the first day of July of each year, 1344
each administrator shall review the emergency management plan 1345
and certify to the department of education that the plan is 1346
current and accurate. 1347

(2) Anytime that an administrator updates the emergency 1348
management plan pursuant to division (C) (1) of this section, the 1349
administrator shall file copies, not later than the tenth day 1350
after the revision is adopted and in accordance with rules 1351
adopted ~~by the state board~~ pursuant to division (F) of this 1352

section, to the department of education and to any entity with 1353
which the administrator filed a copy under division (C) (2) of 1354
this section. 1355

(E) Each administrator shall do both of the following: 1356

(1) Prepare and conduct at least one annual emergency 1357
management test, as defined in division (A) (2) of this section, 1358
in accordance with rules adopted ~~by the state board~~ pursuant to 1359
division (F) of this section; 1360

(2) Grant access to each building under the control of the 1361
administrator to law enforcement personnel and to entities 1362
described in division (C) (2) of this section, to enable the 1363
personnel and entities to hold training sessions for responding 1364
to threats and emergency events affecting the building, provided 1365
that the access occurs outside of student instructional hours 1366
and the administrator, or the administrator's designee, is 1367
present in the building during the training sessions. 1368

(F) ~~The state board of education~~ director of public 1369
safety, in accordance with Chapter 119. of the Revised Code, 1370
shall adopt rules regarding emergency management plans under 1371
this section, including the content of the plans and procedures 1372
for filing the plans. The rules shall specify that plans and 1373
information required under division (B) of this section be 1374
submitted on standardized forms developed by the department of 1375
~~education~~ public safety for such purpose. The rules shall also 1376
specify the requirements and procedures for emergency management 1377
tests conducted pursuant to division (E) (1) of this section. 1378
Failure to comply with the rules may result in discipline 1379
pursuant to section 3319.31 of the Revised Code or any other 1380
action against the administrator as prescribed by rule. 1381

(G) Division (B) of section 3319.31 of the Revised Code 1382
applies to any administrator who is subject to the requirements 1383
of this section and is not exempt under division (H) of this 1384
section and who is an applicant for a license or holds a license 1385
from the state board pursuant to section 3319.22 of the Revised 1386
Code. 1387

(H) The ~~superintendent of public instruction director of~~ 1388
~~public safety~~ may exempt any administrator from the requirements 1389
of this section, if the ~~superintendent director~~ determines that 1390
the requirements do not otherwise apply to a building or 1391
buildings under the control of that administrator. 1392

(I) Copies of the emergency management plan and 1393
information required under division (B) of this section are 1394
security records and are not public records pursuant to section 1395
149.433 of the Revised Code. In addition, the information posted 1396
to the contact and information management system, pursuant to 1397
division (C) (3) (b) of this section, is exempt from public 1398
disclosure or release in accordance with sections 149.43, 1399
149.433, and 5502.03 of the Revised Code. 1400

Notwithstanding section 149.433 of the Revised Code, a 1401
floor plan filed with the attorney general pursuant to this 1402
section is not a public record to the extent it is a record kept 1403
by the attorney general. 1404

Sec. 5502.263. (A) As used in this section, "evidence- 1405
based" means a program or practice that does either of the 1406
following: 1407

(1) Demonstrates a rationale based on high-quality 1408
research findings or positive evaluation that such a program or 1409
practice is likely to improve relevant outcomes and includes 1410

ongoing efforts to examine the effects of the program or 1411
practice; 1412

(2) Has a statistically significant effect on relevant 1413
outcomes based on: 1414

(a) Strong evidence from at least one well-designed and 1415
well-implemented experimental study; 1416

(b) Moderate evidence from at least one well-designed and 1417
well-implemented quasi-experimental study; or 1418

(c) Promising evidence from at least one well-designed and 1419
well-implemented correlation study with statistical controls for 1420
selection bias. 1421

(B) Not later than two years after the effective date of 1422
this section, the department of public safety, in consultation 1423
with the department of education and the attorney general, shall 1424
develop a model threat assessment plan that may be used in a 1425
building's emergency management plan developed under section 1426
5502.262 of the Revised Code. The model plan shall do at least 1427
the following: 1428

(1) Identify the types of threatening behavior that may 1429
represent a physical threat to a school community; 1430

(2) Identify individuals to whom threatening behavior 1431
should be reported and steps to be taken by those individuals; 1432

(3) Establish threat assessment guidelines including 1433
identification, evaluation of seriousness of threat or danger, 1434
intervention to reduce potential violence, and follow-up to 1435
assess intervention results; 1436

(4) Establish guidelines for coordinating with local law 1437
enforcement agencies and reports collected through the 1438

district's chosen tip-line under section 3313.6610 of the 1439
Revised Code and identify a point of contact within each agency; 1440

(5) Conform with all other specifications in a school's 1441
emergency management plan developed under section 5502.262 of 1442
the Revised Code. 1443

(C) Not later than two years after the effective date of 1444
this section, the department of public safety, in consultation 1445
with the department of education and the attorney general, shall 1446
develop and maintain a list of approved training programs for 1447
completion by school threat assessment team members prescribed 1448
in section 3313.669 of the Revised Code, one of which must be 1449
free or of no cost to schools. Each program approved under this 1450
section must be a peer-reviewed, evidence-based program that 1451
provides instruction in the following: 1452

(1) Identifying behaviors, signs, and threats that may 1453
lead to a violent act; 1454

(2) Determining the seriousness of a threat; 1455

(3) Developing intervention plans that protect the 1456
potential victims and address the underlying problem or conflict 1457
that initiated the behavior and assessments of plan results. 1458

Completion of an approved program under this section shall 1459
fulfill the training requirements prescribed under section 1460
3313.669 of the Revised Code. 1461

Section 2. That existing sections 149.433, 3313.536, 1462
3313.60, 3313.951, 3314.03, 3319.073, 3319.31, 3326.11, 3328.24, 1463
and 3737.73 of the Revised Code are hereby repealed. 1464

Section 3. To offset any costs associated with the 1465
implementation of the provisions of law amended or enacted by 1466

this act, the Department of Education is encouraged to apply for 1467
any federal or other funding available for the purposes of 1468
increasing school safety. 1469

Section 4. This act shall be known as the "Safety and 1470
Violence Education Students Act," or the "SAVE Students Act." 1471

Section 5. Section 3328.24 of the Revised Code is 1472
presented in this act as a composite of the section as amended 1473
by both Am. Sub. H.B. 410 and Sub. S.B. 3 of the 131st General 1474
Assembly. The General Assembly, applying the principle stated in 1475
division (B) of section 1.52 of the Revised Code that amendments 1476
are to be harmonized if reasonably capable of simultaneous 1477
operation, finds that the composite is the resulting version of 1478
the section in effect prior to the effective date of the section 1479
as presented in this act. 1480