

**As Introduced**

**131st General Assembly  
Regular Session  
2015-2016**

**S. B. No. 298**

**Senator Schiavoni**

**Cosponsors: Senators Cafaro, Tavares, Sawyer, Thomas, Yuko, Brown, Skindell,  
Gentile, Williams**

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**A BILL**

To amend sections 3302.01, 3302.03, 3314.02, 1  
3314.03, 3314.032, 3314.08, 3314.086, 3314.23, 2  
3314.27, and 3314.271 and to enact sections 3  
3302.038, 3314.088, 3314.192, 3314.241, and 4  
3314.242 of the Revised Code regarding community 5  
school operator contracts and the operation of 6  
Internet- and computer-based community schools. 7

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

**Section 1.** That sections 3302.01, 3302.03, 3314.02, 8  
3314.03, 3314.032, 3314.08, 3314.086, 3314.23, 3314.27, and 9  
3314.271 be amended and sections 3302.038, 3314.088, 3314.192, 10  
3314.241, and 3314.242 of the Revised Code be enacted to read as 11  
follows: 12

**Sec. 3302.01.** As used in this chapter: 13

(A) "Performance index score" means the average of the 14  
totals derived from calculations, for each subject area, of the 15  
weighted proportion of untested students and students scoring at 16  
each level of skill described in division (A) (2) of section 17

3301.0710 of the Revised Code on the state achievement 18  
assessments, as follows: 19

(1) For the assessments prescribed by division (A) (1) of 20  
section 3301.0710 of the Revised Code, the average for each of 21  
the subject areas of English language arts, mathematics, 22  
science, and social studies. 23

(2) For the assessments prescribed by division (B) (1) of 24  
section 3301.0710 and division (B) (2) of section 3301.0712 of 25  
the Revised Code, the average for each of the subject areas of 26  
English language arts and mathematics. 27

The department of education shall assign weights such that 28  
students who do not take an assessment receive a weight of zero 29  
and students who take an assessment receive progressively larger 30  
weights dependent upon the level of skill attained on the 31  
assessment. The department shall assign additional weights to 32  
students who have been permitted to pass over a subject in 33  
accordance with a student acceleration policy adopted under 34  
section 3324.10 of the Revised Code. If such a student attains 35  
the proficient score prescribed under division (A) (2) (c) of 36  
section 3301.0710 of the Revised Code or higher on an 37  
assessment, the department shall assign the student the weight 38  
prescribed for the next higher scoring level. If such a student 39  
attains the advanced score, prescribed under division (A) (2) (a) 40  
of section 3301.0710 of the Revised Code, on an assessment, the 41  
department shall assign to the student an additional 42  
proportional weight, as approved by the state board. For each 43  
school year that such a student's score is included in the 44  
performance index score and the student attains the proficient 45  
score on an assessment, that additional weight shall be assigned 46  
to the student on a subject-by-subject basis. 47

Students shall be included in the "performance index score" in accordance with division (K) (2) of section 3302.03 of the Revised Code. 48  
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(B) "Subgroup" means a subset of the entire student population of the state, a school district, or a school building and includes each of the following: 51  
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(1) Major racial and ethnic groups; 54

(2) Students with disabilities; 55

(3) Economically disadvantaged students; 56

(4) Limited English proficient students; 57

(5) Students identified as gifted in superior cognitive ability and specific academic ability fields under Chapter 3324. of the Revised Code. For students who are gifted in specific academic ability fields, the department shall use data for those students with specific academic ability in math and reading. If any other academic field is assessed, the department shall also include data for students with specific academic ability in that field. 58  
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(6) Students in the lowest quintile for achievement statewide, as determined by a method prescribed by the state board of education. 66  
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(C) "No Child Left Behind Act of 2001" includes the statutes codified at 20 U.S.C. 6301 et seq. and any amendments, waivers, or both thereto, rules and regulations promulgated pursuant to those statutes, guidance documents, and any other policy directives regarding implementation of that act issued by the United States department of education. 69  
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(D) "Adequate yearly progress" means a measure of annual 75

academic performance as calculated in accordance with the "No Child Left Behind Act of 2001." 76  
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(E) "Supplemental educational services" means additional 78  
academic assistance, such as tutoring, remediation, or other 79  
educational enrichment activities, that is conducted outside of 80  
the regular school day by a provider approved by the department 81  
in accordance with the "No Child Left Behind Act of 2001." 82

(F) "Value-added progress dimension" means a measure of 83  
academic gain for a student or group of students over a specific 84  
period of time that is calculated by applying a statistical 85  
methodology to individual student achievement data derived from 86  
the achievement assessments prescribed by section 3301.0710 of 87  
the Revised Code. The "value-added progress dimension" shall be 88  
developed and implemented in accordance with section 3302.021 of 89  
the Revised Code. 90

(G) (1) "Four-year adjusted cohort graduation rate" means 91  
the number of students who graduate in four years or less with a 92  
regular high school diploma divided by the number of students 93  
who form the adjusted cohort for the graduating class. 94

(2) "Five-year adjusted cohort graduation rate" means the 95  
number of students who graduate in five years with a regular 96  
high school diploma divided by the number of students who form 97  
the adjusted cohort for the four-year graduation rate. 98

(H) "State institution of higher education" has the same 99  
meaning as in section 3345.011 of the Revised Code. 100

(I) "Annual measurable objectives" means a measure of 101  
student progress determined in accordance with an agreement 102  
between the department of education and the United States 103  
department of education. 104

(J) "Community school" means a community school 105  
established under Chapter 3314. of the Revised Code. 106

(K) "Internet- or computer-based community school" has the 107  
same meaning as in section 3314.02 of the Revised Code. 108

(L) "STEM school" means a science, technology, 109  
engineering, and mathematics school established under Chapter 110  
3326. of the Revised Code. 111

~~(L)~~ (M) "Entitled to attend school in the district" means 112  
entitled to attend school in a school district under section 113  
3313.64 or 3313.65 of the Revised Code. 114

**Sec. 3302.03.** Annually, not later than the fifteenth day 115  
of September or the preceding Friday when that day falls on a 116  
Saturday or Sunday, the department of education shall assign a 117  
letter grade for overall academic performance and for each 118  
separate performance measure for each school district, and each 119  
school building in a district, in accordance with this section. 120  
The state board shall adopt rules pursuant to Chapter 119. of 121  
the Revised Code to establish performance criteria for each 122  
letter grade and prescribe a method by which the department 123  
assigns each letter grade. For a school building to which any of 124  
the performance measures do not apply, due to grade levels 125  
served by the building, the state board shall designate the 126  
performance measures that are applicable to the building and 127  
that must be calculated separately and used to calculate the 128  
building's overall grade. The department shall issue annual 129  
report cards reflecting the performance of each school district, 130  
each building within each district, and for the state as a whole 131  
using the performance measures and letter grade system described 132  
in this section. The department shall include on the report card 133  
for each district and each building within each district the 134

most recent two-year trend data in student achievement for each 135  
subject and each grade. 136

(A) (1) For the 2012-2013 school year, the department shall 137  
issue grades as described in division (E) of this section for 138  
each of the following performance measures: 139

(a) Annual measurable objectives; 140

(b) Performance index score for a school district or 141  
building. Grades shall be awarded as a percentage of the total 142  
possible points on the performance index system as adopted by 143  
the state board. In adopting benchmarks for assigning letter 144  
grades under division (A) (1) (b) of this section, the state board 145  
of education shall designate ninety per cent or higher for an 146  
"A," at least seventy per cent but not more than eighty per cent 147  
for a "C," and less than fifty per cent for an "F." 148

(c) The extent to which the school district or building 149  
meets each of the applicable performance indicators established 150  
by the state board under section 3302.02 of the Revised Code and 151  
the percentage of applicable performance indicators that have 152  
been achieved. In adopting benchmarks for assigning letter 153  
grades under division (A) (1) (c) of this section, the state board 154  
shall designate ninety per cent or higher for an "A." 155

(d) The four- and five-year adjusted cohort graduation 156  
rates. 157

In adopting benchmarks for assigning letter grades under 158  
division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of this section, the 159  
department shall designate a four-year adjusted cohort 160  
graduation rate of ninety-three per cent or higher for an "A" 161  
and a five-year cohort graduation rate of ninety-five per cent 162  
or higher for an "A." 163

(e) The overall score under the value-added progress dimension of a school district or building, for which the department shall use up to three years of value-added data as available. The letter grade assigned for this growth measure shall be as follows:

(i) A score that is at least two standard errors of measure above the mean score shall be designated as an "A."

(ii) A score that is at least one standard error of measure but less than two standard errors of measure above the mean score shall be designated as a "B."

(iii) A score that is less than one standard error of measure above the mean score but greater than or equal to one standard error of measure below the mean score shall be designated as a "C."

(iv) A score that is not greater than one standard error of measure below the mean score but is greater than or equal to two standard errors of measure below the mean score shall be designated as a "D."

(v) A score that is not greater than two standard errors of measure below the mean score shall be designated as an "F."

Whenever the value-added progress dimension is used as a graded performance measure, whether as an overall measure or as a measure of separate subgroups, the grades for the measure shall be calculated in the same manner as prescribed in division (A) (1) (e) of this section.

(f) The value-added progress dimension score for a school district or building disaggregated for each of the following subgroups: students identified as gifted, students with disabilities, and students whose performance places them in the

lowest quintile for achievement on a statewide basis. Each 193  
subgroup shall be a separate graded measure. 194

(2) Not later than April 30, 2013, the state board of 195  
education shall adopt a resolution describing the performance 196  
measures, benchmarks, and grading system for the 2012-2013 197  
school year and, not later than June 30, 2013, shall adopt rules 198  
in accordance with Chapter 119. of the Revised Code that 199  
prescribe the methods by which the performance measures under 200  
division (A) (1) of this section shall be assessed and assigned a 201  
letter grade, including performance benchmarks for each letter 202  
grade. 203

At least forty-five days prior to the state board's 204  
adoption of rules to prescribe the methods by which the 205  
performance measures under division (A) (1) of this section shall 206  
be assessed and assigned a letter grade, the department shall 207  
conduct a public presentation before the standing committees of 208  
the house of representatives and the senate that consider 209  
education legislation describing such methods, including 210  
performance benchmarks. 211

(3) There shall not be an overall letter grade for a 212  
school district or building for the 2012-2013 school year. 213

(B) (1) For the 2013-2014 ~~and 2014-2015~~ through 2016-2017 214  
school years, the department shall issue grades as described in 215  
division (E) of this section for each of the following 216  
performance measures: 217

(a) Annual measurable objectives; 218

(b) Performance index score for a school district or 219  
building. Grades shall be awarded as a percentage of the total 220  
possible points on the performance index system as created by 221

the department. In adopting benchmarks for assigning letter 222  
grades under division (B) (1) (b) of this section, the state board 223  
shall designate ninety per cent or higher for an "A," at least 224  
seventy per cent but not more than eighty per cent for a "C," 225  
and less than fifty per cent for an "F." 226

(c) The extent to which the school district or building 227  
meets each of the applicable performance indicators established 228  
by the state board under section 3302.03 of the Revised Code and 229  
the percentage of applicable performance indicators that have 230  
been achieved. In adopting benchmarks for assigning letter 231  
grades under division (B) (1) (c) of this section, the state board 232  
shall designate ninety per cent or higher for an "A." 233

(d) The four- and five-year adjusted cohort graduation 234  
rates; 235

(e) The overall score under the value-added progress 236  
dimension of a school district or building, for which the 237  
department shall use up to three years of value-added data as 238  
available. 239

(f) The value-added progress dimension score for a school 240  
district or building disaggregated for each of the following 241  
subgroups: students identified as gifted in superior cognitive 242  
ability and specific academic ability fields under Chapter 3324. 243  
of the Revised Code, students with disabilities, and students 244  
whose performance places them in the lowest quintile for 245  
achievement on a statewide basis. Each subgroup shall be a 246  
separate graded measure. 247

(g) Whether a school district or building is making 248  
progress in improving literacy in grades kindergarten through 249  
three, as determined using a method prescribed by the state 250

board. The state board shall adopt rules to prescribe benchmarks 251  
and standards for assigning grades to districts and buildings 252  
for purposes of division (B) (1) (g) of this section. In adopting 253  
benchmarks for assigning letter grades under divisions (B) (1) (g) 254  
and (C) (1) (g) of this section, the state board shall determine 255  
progress made based on the reduction in the total percentage of 256  
students scoring below grade level, or below proficient, 257  
compared from year to year on the reading and writing diagnostic 258  
assessments administered under section 3301.0715 of the Revised 259  
Code and the third grade English language arts assessment under 260  
section 3301.0710 of the Revised Code, as applicable. The state 261  
board shall designate for a "C" grade a value that is not lower 262  
than the statewide average value for this measure. No grade 263  
shall be issued under divisions (B) (1) (g) and (C) (1) (g) of this 264  
section for a district or building in which less than five per 265  
cent of students have scored below grade level on the diagnostic 266  
assessment administered to students in kindergarten under 267  
division (B) (1) of section 3313.608 of the Revised Code. 268

(h) For a high mobility school district or building, an 269  
additional value-added progress dimension score. For this 270  
measure, the department shall use value-added data from the most 271  
recent school year available and shall use assessment scores for 272  
only those students to whom the district or building has 273  
administered the assessments prescribed by section 3301.0710 of 274  
the Revised Code for each of the two most recent consecutive 275  
school years. 276

As used in this division, "high mobility school district 277  
or building" means a school district or building where at least 278  
twenty-five per cent of its total enrollment is made up of 279  
students who have attended that school district or building for 280  
less than one year. 281

(2) In addition to the graded measures in division (B) (1) 282  
of this section, the department shall include on a school 283  
district's or building's report card all of the following 284  
without an assigned letter grade: 285

(a) The percentage of students enrolled in a district or 286  
building participating in advanced placement classes and the 287  
percentage of those students who received a score of three or 288  
better on advanced placement examinations; 289

(b) The number of a district's or building's students who 290  
have earned at least three college credits through dual 291  
enrollment or advanced standing programs, such as the post- 292  
secondary enrollment options program under Chapter 3365. of the 293  
Revised Code and state-approved career-technical courses offered 294  
through dual enrollment or statewide articulation, that appear 295  
on a student's transcript or other official document, either of 296  
which is issued by the institution of higher education from 297  
which the student earned the college credit. The credits earned 298  
that are reported under divisions (B) (2) (b) and (C) (2) (c) of 299  
this section shall not include any that are remedial or 300  
developmental and shall include those that count toward the 301  
curriculum requirements established for completion of a degree. 302

(c) The percentage of students enrolled in a district or 303  
building who have taken a national standardized test used for 304  
college admission determinations and the percentage of those 305  
students who are determined to be remediation-free in accordance 306  
with standards adopted under division (F) of section 3345.061 of 307  
the Revised Code; 308

(d) The percentage of the district's or the building's 309  
students who receive industry-recognized credentials. The state 310  
board shall adopt criteria for acceptable industry-recognized 311

credentials. 312

(e) The percentage of students enrolled in a district or 313  
building who are participating in an international baccalaureate 314  
program and the percentage of those students who receive a score 315  
of four or better on the international baccalaureate 316  
examinations. 317

(f) The percentage of the district's or building's 318  
students who receive an honors diploma under division (B) of 319  
section 3313.61 of the Revised Code. 320

(3) Not later than December 31, 2013, the state board 321  
shall adopt rules in accordance with Chapter 119. of the Revised 322  
Code that prescribe the methods by which the performance 323  
measures under divisions (B) (1) (f) and (B) (1) (g) of this section 324  
will be assessed and assigned a letter grade, including 325  
performance benchmarks for each grade. 326

At least forty-five days prior to the state board's 327  
adoption of rules to prescribe the methods by which the 328  
performance measures under division (B) (1) of this section shall 329  
be assessed and assigned a letter grade, the department shall 330  
conduct a public presentation before the standing committees of 331  
the house of representatives and the senate that consider 332  
education legislation describing such methods, including 333  
performance benchmarks. 334

(4) There shall not be an overall letter grade for a 335  
school district or building for the 2013-2014, 2014-2015, 2015- 336  
2016, and 2016-2017 school years. 337

(C) (1) For the ~~2014-2015-2017-2018~~ school year and each 338  
school year thereafter, the department shall issue grades as 339  
described in division (E) of this section for each of the 340

performance measures prescribed in division (C) (1) of this 341  
section. The graded measures are as follows: 342

(a) Annual measurable objectives; 343

(b) Performance index score for a school district or 344  
building. Grades shall be awarded as a percentage of the total 345  
possible points on the performance index system as created by 346  
the department. In adopting benchmarks for assigning letter 347  
grades under division (C) (1) (b) of this section, the state board 348  
shall designate ninety per cent or higher for an "A," at least 349  
seventy per cent but not more than eighty per cent for a "C," 350  
and less than fifty per cent for an "F." 351

(c) The extent to which the school district or building 352  
meets each of the applicable performance indicators established 353  
by the state board under section 3302.03 of the Revised Code and 354  
the percentage of applicable performance indicators that have 355  
been achieved. In adopting benchmarks for assigning letter 356  
grades under division (C) (1) (c) of this section, the state board 357  
shall designate ninety per cent or higher for an "A." 358

(d) The four- and five-year adjusted cohort graduation 359  
rates; 360

(e) The overall score under the value-added progress 361  
dimension, or another measure of student academic progress if 362  
adopted by the state board, of a school district or building, 363  
for which the department shall use up to three years of value- 364  
added data as available. 365

In adopting benchmarks for assigning letter grades for 366  
overall score on value-added progress dimension under division 367  
(C) (1) (e) of this section, the state board shall prohibit the 368  
assigning of a grade of "A" for that measure unless the 369

district's or building's grade assigned for value-added progress 370  
dimension for all subgroups under division (C) (1) (f) of this 371  
section is a "B" or higher. 372

For the metric prescribed by division (C) (1) (e) of this 373  
section, the state board may adopt a student academic progress 374  
measure to be used instead of the value-added progress 375  
dimension. If the state board adopts such a measure, it also 376  
shall prescribe a method for assigning letter grades for the new 377  
measure that is comparable to the method prescribed in division 378  
(A) (1) (e) of this section. 379

(f) The value-added progress dimension score of a school 380  
district or building disaggregated for each of the following 381  
subgroups: students identified as gifted in superior cognitive 382  
ability and specific academic ability fields under Chapter 3324. 383  
of the Revised Code, students with disabilities, and students 384  
whose performance places them in the lowest quintile for 385  
achievement on a statewide basis, as determined by a method 386  
prescribed by the state board. Each subgroup shall be a separate 387  
graded measure. 388

The state board may adopt student academic progress 389  
measures to be used instead of the value-added progress 390  
dimension. If the state board adopts such measures, it also 391  
shall prescribe a method for assigning letter grades for the new 392  
measures that is comparable to the method prescribed in division 393  
(A) (1) (e) of this section. 394

(g) Whether a school district or building is making 395  
progress in improving literacy in grades kindergarten through 396  
three, as determined using a method prescribed by the state 397  
board. The state board shall adopt rules to prescribe benchmarks 398  
and standards for assigning grades to a district or building for 399

purposes of division (C) (1) (g) of this section. The state board 400  
shall designate for a "C" grade a value that is not lower than 401  
the statewide average value for this measure. No grade shall be 402  
issued under division (C) (1) (g) of this section for a district 403  
or building in which less than five per cent of students have 404  
scored below grade level on the kindergarten diagnostic 405  
assessment under division (B) (1) of section 3313.608 of the 406  
Revised Code. 407

(h) For a high mobility school district or building, an 408  
additional value-added progress dimension score. For this 409  
measure, the department shall use value-added data from the most 410  
recent school year available and shall use assessment scores for 411  
only those students to whom the district or building has 412  
administered the assessments prescribed by section 3301.0710 of 413  
the Revised Code for each of the two most recent consecutive 414  
school years. 415

As used in this division, "high mobility school district 416  
or building" means a school district or building where at least 417  
twenty-five per cent of its total enrollment is made up of 418  
students who have attended that school district or building for 419  
less than one year. 420

(2) In addition to the graded measures in division (C) (1) 421  
of this section, the department shall include on a school 422  
district's or building's report card all of the following 423  
without an assigned letter grade: 424

(a) The percentage of students enrolled in a district or 425  
building who have taken a national standardized test used for 426  
college admission determinations and the percentage of those 427  
students who are determined to be remediation-free in accordance 428  
with the standards adopted under division (F) of section 429

3345.061 of the Revised Code;	430
(b) The percentage of students enrolled in a district or building participating in advanced placement classes and the percentage of those students who received a score of three or better on advanced placement examinations;	431 432 433 434
(c) The percentage of a district's or building's students who have earned at least three college credits through advanced standing programs, such as the college credit plus program under Chapter 3365. of the Revised Code and state-approved career-technical courses offered through dual enrollment or statewide articulation, that appear on a student's college transcript issued by the institution of higher education from which the student earned the college credit. The credits earned that are reported under divisions (B) (2) (b) and (C) (2) (c) of this section shall not include any that are remedial or developmental and shall include those that count toward the curriculum requirements established for completion of a degree.	435 436 437 438 439 440 441 442 443 444 445 446
(d) The percentage of the district's or building's students who receive an honor's diploma under division (B) of section 3313.61 of the Revised Code;	447 448 449
(e) The percentage of the district's or building's students who receive industry-recognized credentials;	450 451
(f) The percentage of students enrolled in a district or building who are participating in an international baccalaureate program and the percentage of those students who receive a score of four or better on the international baccalaureate examinations;	452 453 454 455 456
(g) The results of the college and career-ready assessments administered under division (B) (1) of section	457 458

3301.0712 of the Revised Code. 459

(3) The state board shall adopt rules pursuant to Chapter 460  
119. of the Revised Code that establish a method to assign an 461  
overall grade for a school district or school building for the 462  
2017-2018 school year and each school year thereafter. The rules 463  
shall group the performance measures in divisions (C)(1) and (2) 464  
of this section into the following components: 465

(a) Gap closing, which shall include the performance 466  
measure in division (C)(1)(a) of this section; 467

(b) Achievement, which shall include the performance 468  
measures in divisions (C)(1)(b) and (c) of this section; 469

(c) Progress, which shall include the performance measures 470  
in divisions (C)(1)(e) and (f) of this section; 471

(d) Graduation, which shall include the performance 472  
measure in division (C)(1)(d) of this section; 473

(e) Kindergarten through third-grade literacy, which shall 474  
include the performance measure in division (C)(1)(g) of this 475  
section; 476

(f) Prepared for success, which shall include the 477  
performance measures in divisions (C)(2)(a), (b), (c), (d), (e), 478  
and (f) of this section. The state board shall develop a method 479  
to determine a grade for the component in division (C)(3)(f) of 480  
this section using the performance measures in divisions (C)(2) 481  
(a), (b), (c), (d), (e), and (f) of this section. When 482  
available, the state board may incorporate the performance 483  
measure under division (C)(2)(g) of this section into the 484  
component under division (C)(3)(f) of this section. When 485  
determining the overall grade for the prepared for success 486  
component prescribed by division (C)(3)(f) of this section, no 487

individual student shall be counted in more than one performance 488  
measure. However, if a student qualifies for more than one 489  
performance measure in the component, the state board may, in 490  
its method to determine a grade for the component, specify an 491  
additional weight for such a student that is not greater than or 492  
equal to 1.0. In determining the overall score under division 493  
(C) (3) (f) of this section, the state board shall ensure that the 494  
pool of students included in the performance measures aggregated 495  
under that division are all of the students included in the 496  
four- and five-year adjusted graduation cohort. 497

In the rules adopted under division (C) (3) of this 498  
section, the state board shall adopt a method for determining a 499  
grade for each component in divisions (C) (3) (a) to (f) of this 500  
section. The state board also shall establish a method to assign 501  
an overall grade of "A," "B," "C," "D," or "F" using the grades 502  
assigned for each component. The method the state board adopts 503  
for assigning an overall grade shall give equal weight to the 504  
components in divisions (C) (3) (b) and (c) of this section. 505

At least forty-five days prior to the state board's 506  
adoption of rules to prescribe the methods for calculating the 507  
overall grade for the report card, as required by this division, 508  
the department shall conduct a public presentation before the 509  
standing committees of the house of representatives and the 510  
senate that consider education legislation describing the format 511  
for the report card, weights that will be assigned to the 512  
components of the overall grade, and the method for calculating 513  
the overall grade. 514

(D) On or after ~~than~~ July 1, 2015, the state board may 515  
develop a measure of student academic progress for high school 516  
students using only data from assessments in English language 517

arts and mathematics. If the state board develops this measure, 518  
each school district and applicable school building shall be 519  
assigned a separate letter grade for ~~if~~it not sooner than the 520  
2017-2018 school year. The district's or building's grade for 521  
that measure shall not be included in determining the district's 522  
or building's overall letter grade. 523

(E) The letter grades assigned to a school district or 524  
building under this section shall be as follows: 525

(1) "A" for a district or school making excellent 526  
progress; 527

(2) "B" for a district or school making above average 528  
progress; 529

(3) "C" for a district or school making average progress; 530

(4) "D" for a district or school making below average 531  
progress; 532

(5) "F" for a district or school failing to meet minimum 533  
progress. 534

(F) When reporting data on student achievement and 535  
progress, the department shall disaggregate that data according 536  
to the following categories: 537

(1) Performance of students by grade-level; 538

(2) Performance of students by race and ethnic group; 539

(3) Performance of students by gender; 540

(4) Performance of students grouped by those who have been 541  
enrolled in a district or school for three or more years; 542

(5) Performance of students grouped by those who have been 543  
enrolled in a district or school for more than one year and less 544

than three years;	545
(6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;	546 547
(7) Performance of students grouped by those who are economically disadvantaged;	548 549
(8) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;	550 551 552
(9) Performance of students grouped by those who are classified as limited English proficient;	553 554
(10) Performance of students grouped by those who have disabilities;	555 556
(11) Performance of students grouped by those who are classified as migrants;	557 558
(12) Performance of students grouped by those who are identified as gifted in superior cognitive ability and the specific academic ability fields of reading and math pursuant to Chapter 3324. of the Revised Code. In disaggregating specific academic ability fields for gifted students, the department shall use data for those students with specific academic ability in math and reading. If any other academic field is assessed, the department shall also include data for students with specific academic ability in that field as well.	559 560 561 562 563 564 565 566 567
(13) Performance of students grouped by those who perform in the lowest quintile for achievement on a statewide basis, as determined by a method prescribed by the state board.	568 569 570
The department may disaggregate data on student performance according to other categories that the department	571 572

determines are appropriate. To the extent possible, the 573  
department shall disaggregate data on student performance 574  
according to any combinations of two or more of the categories 575  
listed in divisions (F) (1) to (13) of this section that it deems 576  
relevant. 577

In reporting data pursuant to division (F) of this 578  
section, the department shall not include in the report cards 579  
any data statistical in nature that is statistically unreliable 580  
or that could result in the identification of individual 581  
students. For this purpose, the department shall not report 582  
student performance data for any group identified in division 583  
(F) of this section that contains less than ten students. If the 584  
department does not report student performance data for a group 585  
because it contains less than ten students, the department shall 586  
indicate on the report card that is why data was not reported. 587

(G) The department may include with the report cards any 588  
additional education and fiscal performance data it deems 589  
valuable. 590

(H) The department shall include on each report card a 591  
list of additional information collected by the department that 592  
is available regarding the district or building for which the 593  
report card is issued. ~~When available, such~~ Such additional 594  
information shall include student mobility data disaggregated by 595  
race and socioeconomic status, for each district and school 596  
including each internet- and computer-based community school. 597  
When available, such additional information also shall include 598  
college enrollment data, and the reports prepared under section 599  
3302.031 of the Revised Code. 600

The department shall maintain a site on the world wide 601  
web. The report card shall include the address of the site and 602

shall specify that such additional information is available to 603  
the public at that site. The department shall also provide a 604  
copy of each item on the list to the superintendent of each 605  
school district. The district superintendent shall provide a 606  
copy of any item on the list to anyone who requests it. 607

(I) (1) (a) Except as provided in division (I) (1) (b) of this 608  
section, for any district that sponsors a conversion community 609  
school under Chapter 3314. of the Revised Code, the department 610  
shall combine data regarding the academic performance of 611  
students enrolled in the community school with comparable data 612  
from the schools of the district for the purpose of determining 613  
the performance of the district as a whole on the report card 614  
issued for the district under this section or section 3302.033 615  
of the Revised Code. 616

(b) The department shall not combine data from any 617  
conversion community school that a district sponsors if a 618  
majority of the students enrolled in the conversion community 619  
school are enrolled in a dropout prevention and recovery program 620  
that is operated by the school, as described in division (A) (4) 621  
(a) of section 3314.35 of the Revised Code. The department shall 622  
include as an addendum to the district's report card the ratings 623  
and performance measures that are required under section 624  
3314.017 of the Revised Code for any community school to which 625  
division (I) (1) (b) of this section applies. This addendum shall 626  
include, at a minimum, the data specified in divisions (C) (1) 627  
(a), (C) (2), and (C) (3) of section 3314.017 of the Revised Code. 628

(2) Any district that leases a building to a community 629  
school located in the district or that enters into an agreement 630  
with a community school located in the district whereby the 631  
district and the school endorse each other's programs may elect 632

to have data regarding the academic performance of students 633  
enrolled in the community school combined with comparable data 634  
from the schools of the district for the purpose of determining 635  
the performance of the district as a whole on the district 636  
report card. Any district that so elects shall annually file a 637  
copy of the lease or agreement with the department. 638

(3) Any municipal school district, as defined in section 639  
3311.71 of the Revised Code, that sponsors a community school 640  
located within the district's territory, or that enters into an 641  
agreement with a community school located within the district's 642  
territory whereby the district and the community school endorse 643  
each other's programs, may exercise either or both of the 644  
following elections: 645

(a) To have data regarding the academic performance of 646  
students enrolled in that community school combined with 647  
comparable data from the schools of the district for the purpose 648  
of determining the performance of the district as a whole on the 649  
district's report card; 650

(b) To have the number of students attending that 651  
community school noted separately on the district's report card. 652

The election authorized under division (I) (3) (a) of this 653  
section is subject to approval by the governing authority of the 654  
community school. 655

Any municipal school district that exercises an election 656  
to combine or include data under division (I) (3) of this 657  
section, by the first day of October of each year, shall file 658  
with the department documentation indicating eligibility for 659  
that election, as required by the department. 660

(J) The department shall include on each report card the 661

percentage of teachers in the district or building who are 662  
highly qualified, as defined by the No Child Left Behind Act of 663  
2001, and a comparison of that percentage with the percentages 664  
of such teachers in similar districts and buildings. 665

(K) (1) In calculating English language arts, mathematics, 666  
social studies, or science assessment passage rates used to 667  
determine school district or building performance under this 668  
section, the department shall include all students taking an 669  
assessment with accommodation or to whom an alternate assessment 670  
is administered pursuant to division (C) (1) or (3) of section 671  
3301.0711 of the Revised Code. 672

(2) In calculating performance index scores, rates of 673  
achievement on the performance indicators established by the 674  
state board under section 3302.02 of the Revised Code, and 675  
annual measurable objectives for determining adequate yearly 676  
progress for school districts and buildings under this section, 677  
the department shall do all of the following: 678

(a) Include for each district or building only those 679  
students who are included in the ADM certified for the first 680  
full school week of October and are continuously enrolled in the 681  
district or building through the time of the spring 682  
administration of any assessment prescribed by division (A) (1) 683  
or (B) (1) of section 3301.0710 or division (B) of section 684  
3301.0712 of the Revised Code that is administered to the 685  
student's grade level; 686

(b) Include cumulative totals from both the fall and 687  
spring administrations of the third grade English language arts 688  
achievement assessment; 689

(c) Except as required by the No Child Left Behind Act of 690

2001, exclude for each district or building any limited English 691  
proficient student who has been enrolled in United States 692  
schools for less than one full school year. 693

(L) Beginning with the 2015-2016 school year and at least 694  
once every three years thereafter, the state board of education 695  
shall review and may adjust the benchmarks for assigning letter 696  
grades to the performance measures and components prescribed 697  
under divisions (C) (3) and (D) of this section. 698

Sec. 3302.038. For purposes of calculating grades on the 699  
state report cards issued under section 3302.03 of the Revised 700  
Code on and after the effective date of this section, in the 701  
case of a student who is enrolled in an internet- or computer- 702  
based community school who has participated in learning 703  
opportunities of the school for more than ninety days during the 704  
school year for which the report card is issued, but who during 705  
that school year transfers to the school district in which the 706  
student is entitled to attend school, the department of 707  
education shall attribute the results of any assessments under 708  
section 3301.0710 or 3301.0712 of the Revised Code taken by that 709  
student to the community school and not to the school district. 710

**Sec. 3314.02.** (A) As used in this chapter: 711

(1) "Sponsor" means the board of education of a school 712  
district or the governing board of an educational service center 713  
that agrees to the conversion of all or part of a school or 714  
building under division (B) of this section, or an entity listed 715  
in division (C) (1) of this section, which has been approved by 716  
the department of education to sponsor community schools or is 717  
exempted by section 3314.021 or 3314.027 of the Revised Code 718  
from obtaining approval, and with which the governing authority 719  
of a community school enters into a contract under section 720

3314.03 of the Revised Code.	721
(2) "Pilot project area" means the school districts	722
included in the territory of the former community school pilot	723
project established by former Section 50.52 of Am. Sub. H.B. No.	724
215 of the 122nd general assembly.	725
(3) "Challenged school district" means any of the	726
following:	727
(a) A school district that is part of the pilot project	728
area;	729
(b) A school district that meets one of the following	730
conditions:	731
(i) On March 22, 2013, the district was in a state of	732
academic emergency or in a state of academic watch under section	733
3302.03 of the Revised Code, as that section existed prior to	734
March 22, 2013;	735
(ii) For two of the 2012-2013, 2013-2014, 2014-2015, and	736
2015-2016 school years, the district received a grade of "D" or	737
"F" for the performance index score and a grade of "F" for the	738
value-added progress dimension under section 3302.03 of the	739
Revised Code;	740
(iii) For the 2016-2017 school year and for any school	741
year thereafter, the district has received an overall grade of	742
"D" or "F" under division (C) (3) of section 3302.03 of the	743
Revised Code, or, for at least two of the three most recent	744
school years, the district received a grade of "F" for the	745
value-added progress dimension under division (C) (1) (e) of that	746
section.	747
(c) A big eight school district;	748

(d) A school district ranked in the lowest five per cent 749  
of school districts according to performance index score under 750  
section 3302.21 of the Revised Code. 751

(4) "Big eight school district" means a school district 752  
that for fiscal year 1997 had both of the following: 753

(a) A percentage of children residing in the district and 754  
participating in the predecessor of Ohio works first greater 755  
than thirty per cent, as reported pursuant to section 3317.10 of 756  
the Revised Code; 757

(b) An average daily membership greater than twelve 758  
thousand, as reported pursuant to former division (A) of section 759  
3317.03 of the Revised Code. 760

(5) "New start-up school" means a community school other 761  
than one created by converting all or part of an existing public 762  
school or educational service center building, as designated in 763  
the school's contract pursuant to division (A)(17) of section 764  
3314.03 of the Revised Code. 765

(6) "Urban school district" means one of the state's 766  
twenty-one urban school districts as defined in division (O) of 767  
section 3317.02 of the Revised Code as that section existed 768  
prior to July 1, 1998. 769

(7) "Internet- or computer-based community school" means a 770  
community school established under this chapter in which the 771  
enrolled students work primarily from their residences on 772  
assignments in nonclassroom-based learning opportunities 773  
provided via an internet- or other computer-based instructional 774  
method that does not rely on regular classroom instruction or 775  
via comprehensive instructional methods that include internet- 776  
based, other computer-based, and noncomputer-based learning 777

~~opportunities unless a student receives career technical~~ 778  
~~education under section 3314.086 of the Revised Code.~~ 779

~~A community school that operates mainly as an internet or~~ 780  
~~computer based community school and provides career technical~~ 781  
~~education under section 3314.086 of the Revised Code shall be~~ 782  
~~considered an internet or computer based community school, even~~ 783  
~~if it provides some classroom based instruction, so long as it~~ 784  
~~provides instruction via the methods described in this division.~~ 785

(8) "Operator" means either of the following: 786

(a) An individual or organization that manages the daily 787  
operations of a community school pursuant to a contract between 788  
the operator and the school's governing authority; 789

(b) A nonprofit organization that provides programmatic 790  
oversight and support to a community school under a contract 791  
with the school's governing authority and that retains the right 792  
to terminate its affiliation with the school if the school fails 793  
to meet the organization's quality standards. 794

(9) "Alliance municipal school district" has the same 795  
meaning as in section 3311.86 of the Revised Code. 796

(B)(1) Any person or group of individuals may initially 797  
propose under this division the conversion of all or a portion 798  
of a public school to a community school. The proposal shall be 799  
made to the board of education of the city, local, exempted 800  
village, or joint vocational school district in which the public 801  
school is proposed to be converted. 802

(2) Any person or group of individuals may initially 803  
propose under this division the conversion of all or a portion 804  
of a building operated by an educational service center to a 805  
community school. The proposal shall be made to the governing 806

board of the service center. 807

On or after July 1, 2017, except as provided in section 808  
3314.027 of the Revised Code, any educational service center 809  
that sponsors a community school shall be approved by and enter 810  
into a written agreement with the department as described in 811  
section 3314.015 of the Revised Code. 812

(3) Upon receipt of a proposal, and after an agreement has 813  
been entered into pursuant to section 3314.015 of the Revised 814  
Code, a board may enter into a preliminary agreement with the 815  
person or group proposing the conversion of the public school or 816  
service center building, indicating the intention of the board 817  
to support the conversion to a community school. A proposing 818  
person or group that has a preliminary agreement under this 819  
division may proceed to finalize plans for the school, establish 820  
a governing authority for the school, and negotiate a contract 821  
with the board. Provided the proposing person or group adheres 822  
to the preliminary agreement and all provisions of this chapter, 823  
the board shall negotiate in good faith to enter into a contract 824  
in accordance with section 3314.03 of the Revised Code and 825  
division (C) of this section. 826

(4) The sponsor of a conversion community school proposed 827  
to open in an alliance municipal school district shall be 828  
subject to approval by the department of education for 829  
sponsorship of that school using the criteria established under 830  
division (A) of section 3311.87 of the Revised Code. 831

Division (B) (4) of this section does not apply to a 832  
sponsor that, on or before September 29, 2015, was exempted 833  
under section 3314.021 or 3314.027 of the Revised Code from the 834  
requirement to be approved for sponsorship under divisions (A) 835  
(2) and (B) (1) of section 3314.015 of the Revised Code. 836

(C) (1) Any person or group of individuals may propose 837  
under this division the establishment of a new start-up school 838  
to be located in a challenged school district. The proposal may 839  
be made to any of the following entities: 840

(a) The board of education of the district in which the 841  
school is proposed to be located; 842

(b) The board of education of any joint vocational school 843  
district with territory in the county in which is located the 844  
majority of the territory of the district in which the school is 845  
proposed to be located; 846

(c) The board of education of any other city, local, or 847  
exempted village school district having territory in the same 848  
county where the district in which the school is proposed to be 849  
located has the major portion of its territory; 850

(d) The governing board of any educational service center, 851  
regardless of the location of the proposed school, may sponsor a 852  
new start-up school in any challenged school district in the 853  
state if all of the following are satisfied: 854

(i) If applicable, it satisfies the requirements of 855  
division (E) of section 3311.86 of the Revised Code; 856

(ii) It is approved to do so by the department; 857

(iii) It enters into an agreement with the department 858  
under section 3314.015 of the Revised Code. 859

(e) A sponsoring authority designated by the board of 860  
trustees of any of the thirteen state universities listed in 861  
section 3345.011 of the Revised Code or the board of trustees 862  
itself as long as a mission of the proposed school to be 863  
specified in the contract under division (A) (2) of section 864

3314.03 of the Revised Code and as approved by the department 865  
under division (B) (3) of section 3314.015 of the Revised Code 866  
will be the practical demonstration of teaching methods, 867  
educational technology, or other teaching practices that are 868  
included in the curriculum of the university's teacher 869  
preparation program approved by the state board of education; 870

(f) Any qualified tax-exempt entity under section 501(c) 871  
(3) of the Internal Revenue Code as long as all of the following 872  
conditions are satisfied: 873

(i) The entity has been in operation for at least five 874  
years prior to applying to be a community school sponsor. 875

(ii) The entity has assets of at least five hundred 876  
thousand dollars and a demonstrated record of financial 877  
responsibility. 878

(iii) The department has determined that the entity is an 879  
education-oriented entity under division (B) ~~(3)~~ (4) of section 880  
3314.015 of the Revised Code and the entity has a demonstrated 881  
record of successful implementation of educational programs. 882

(iv) The entity is not a community school. 883

(g) The mayor of a city in which the majority of the 884  
territory of a school district to which section 3311.60 of the 885  
Revised Code applies is located, regardless of whether that 886  
district has created the position of independent auditor as 887  
prescribed by that section. The mayor's sponsorship authority 888  
under this division is limited to community schools that are 889  
located in that school district. Such mayor may sponsor 890  
community schools only with the approval of the city council of 891  
that city, after establishing standards with which community 892  
schools sponsored by the mayor must comply, and after entering 893

into a sponsor agreement with the department as prescribed under 894  
section 3314.015 of the Revised Code. The mayor shall establish 895  
the standards for community schools sponsored by the mayor not 896  
later than one hundred eighty days after July 15, 2013, and 897  
shall submit them to the department upon their establishment. 898  
The department shall approve the mayor to sponsor community 899  
schools in the district, upon receipt of an application by the 900  
mayor to do so. Not later than ninety days after the 901  
department's approval of the mayor as a community school 902  
sponsor, the department shall enter into the sponsor agreement 903  
with the mayor. 904

Any entity described in division (C) (1) of this section 905  
may enter into a preliminary agreement pursuant to division (C) 906  
(2) of this section with the proposing person or group, provided 907  
that entity has been approved by and entered into a written 908  
agreement with the department pursuant to section 3314.015 of 909  
the Revised Code. 910

(2) A preliminary agreement indicates the intention of an 911  
entity described in division (C) (1) of this section to sponsor 912  
the community school. A proposing person or group that has such 913  
a preliminary agreement may proceed to finalize plans for the 914  
school, establish a governing authority as described in division 915  
(E) of this section for the school, and negotiate a contract 916  
with the entity. Provided the proposing person or group adheres 917  
to the preliminary agreement and all provisions of this chapter, 918  
the entity shall negotiate in good faith to enter into a 919  
contract in accordance with section 3314.03 of the Revised Code. 920

(3) A new start-up school that is established in a school 921  
district described in either division (A) (3) (b) or (d) of this 922  
section may continue in existence once the school district no 923

longer meets the conditions described in either division, 924  
provided there is a valid contract between the school and a 925  
sponsor. 926

(4) A copy of every preliminary agreement entered into 927  
under this division shall be filed with the superintendent of 928  
public instruction. 929

(D) A majority vote of the board of a sponsoring entity 930  
and a majority vote of the members of the governing authority of 931  
a community school shall be required to adopt a contract and 932  
convert the public school or educational service center building 933  
to a community school or establish the new start-up school. 934  
Beginning September 29, 2005, adoption of the contract shall 935  
occur not later than the fifteenth day of March, and signing of 936  
the contract shall occur not later than the fifteenth day of 937  
May, prior to the school year in which the school will open. The 938  
governing authority shall notify the department of education 939  
when the contract has been signed. Subject to sections 3314.013 940  
and 3314.016 of the Revised Code, an unlimited number of 941  
community schools may be established in any school district 942  
provided that a contract is entered into for each community 943  
school pursuant to this chapter. 944

(E) (1) As used in this division, "immediate relatives" are 945  
limited to spouses, children, parents, grandparents, siblings, 946  
and in-laws. 947

Each new start-up community school established under this 948  
chapter shall be under the direction of a governing authority 949  
which shall consist of a board of not less than five 950  
individuals. 951

(2) (a) No person shall serve on the governing authority or 952

operate the community school under contract with the governing	953
authority under any of the following circumstances:	954
(i) The person owes the state any money or is in a dispute	955
over whether the person owes the state any money concerning the	956
operation of a community school that has closed.	957
(ii) The person would otherwise be subject to division (B)	958
of section 3319.31 of the Revised Code with respect to refusal,	959
limitation, or revocation of a license to teach, if the person	960
were a licensed educator.	961
(iii) The person has pleaded guilty to or been convicted	962
of theft in office under section 2921.41 of the Revised Code, or	963
has pleaded guilty to or been convicted of a substantially	964
similar offense in another state.	965
(b) No person shall serve on the governing authority or	966
engage in the financial day-to-day management of the community	967
school under contract with the governing authority unless and	968
until that person has submitted to a criminal records check in	969
the manner prescribed by section 3319.39 of the Revised Code.	970
(c) Each sponsor of a community school shall annually	971
verify that a finding for recovery has not been issued by the	972
auditor of state against any individual or individuals who	973
propose to create a community school or any member of the	974
governing authority, the operator, or any employee of each	975
community school.	976
(3) No person shall serve on the governing authorities of	977
more than five start-up community schools at the same time.	978
(4) No present or former member, or immediate relative of	979
a present or former member, of the governing authority of any	980
community school established under this chapter shall be an	981

owner, employee, or consultant of any sponsor or operator of a 982  
community school, unless at least one year has elapsed since the 983  
conclusion of the person's membership. 984

(5) The governing authority of a start-up or conversion 985  
community school may provide by resolution for the compensation 986  
of its members. However, no individual who serves on the 987  
governing authority of a start-up or conversion community school 988  
shall be compensated more than one hundred twenty-five dollars 989  
per meeting of that governing authority and no such individual 990  
shall be compensated more than a total amount of five thousand 991  
dollars per year for all governing authorities upon which the 992  
individual serves. Each member of the governing authority may be 993  
paid compensation for attendance at an approved training 994  
program, provided that such compensation shall not exceed sixty 995  
dollars a day for attendance at a training program three hours 996  
or less in length and one hundred twenty-five dollars a day for 997  
attendance at a training program longer than three hours in 998  
length. 999

(6) No person who is the employee of a school district or 1000  
educational service center shall serve on the governing 1001  
authority of any community school sponsored by that school 1002  
district or service center. 1003

(7) Each member of the governing authority of a community 1004  
school shall annually file a disclosure statement setting forth 1005  
the names of any immediate relatives or business associates 1006  
employed by any of the following within the previous three 1007  
years: 1008

(a) The sponsor or operator of that community school; 1009

(b) A school district or educational service center that 1010

has contracted with that community school; 1011

(c) A vendor that is or has engaged in business with that 1012  
community school. 1013

(8) No person who is a member of a school district board 1014  
of education shall serve on the governing authority of any 1015  
community school. 1016

(F) (1) A new start-up school that is established prior to 1017  
August 15, 2003, in an urban school district that is not also a 1018  
big-eight school district may continue to operate after that 1019  
date and the contract between the school's governing authority 1020  
and the school's sponsor may be renewed, as provided under this 1021  
chapter, after that date, but no additional new start-up schools 1022  
may be established in such a district unless the district is a 1023  
challenged school district as defined in this section as it 1024  
exists on and after that date. 1025

(2) A community school that was established prior to June 1026  
29, 1999, and is located in a county contiguous to the pilot 1027  
project area and in a school district that is not a challenged 1028  
school district may continue to operate after that date, 1029  
provided the school complies with all provisions of this 1030  
chapter. The contract between the school's governing authority 1031  
and the school's sponsor may be renewed, but no additional 1032  
start-up community school may be established in that district 1033  
unless the district is a challenged school district. 1034

(3) Any educational service center that, on June 30, 2007, 1035  
sponsors a community school that is not located in a county 1036  
within the territory of the service center or in a county 1037  
contiguous to such county may continue to sponsor that community 1038  
school on and after June 30, 2007, and may renew its contract 1039

with the school. However, the educational service center shall 1040  
not enter into a contract with any additional community school, 1041  
unless the governing board of the service center has entered 1042  
into an agreement with the department authorizing the service 1043  
center to sponsor a community school in any challenged school 1044  
district in the state. 1045

**Sec. 3314.03.** A copy of every contract entered into under 1046  
this section shall be filed with the superintendent of public 1047  
instruction. The department of education shall make available on 1048  
its web site a copy of every approved, executed contract filed 1049  
with the superintendent under this section. 1050

(A) Each contract entered into between a sponsor and the 1051  
governing authority of a community school shall specify the 1052  
following: 1053

(1) That the school shall be established as either of the 1054  
following: 1055

(a) A nonprofit corporation established under Chapter 1056  
1702. of the Revised Code, if established prior to April 8, 1057  
2003; 1058

(b) A public benefit corporation established under Chapter 1059  
1702. of the Revised Code, if established after April 8, 2003. 1060

(2) The education program of the school, including the 1061  
school's mission, the characteristics of the students the school 1062  
is expected to attract, the ages and grades of students, and the 1063  
focus of the curriculum; 1064

(3) The academic goals to be achieved and the method of 1065  
measurement that will be used to determine progress toward those 1066  
goals, which shall include the statewide achievement 1067  
assessments; 1068

- (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;
- (5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;
- (6) (a) Dismissal procedures;
- (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 one hundred five consecutive hours of the learning opportunities offered to the student, unless section 3314.088 of the Revised Code applies to the student.
- (7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;
- (8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.
- (9) An addendum to the contract outlining the facilities to be used that contains at least the following information:
- (a) A detailed description of each facility used for instructional purposes;
- (b) The annual costs associated with leasing each facility

that are paid by or on behalf of the school; 1097

(c) The annual mortgage principal and interest payments 1098  
that are paid by the school; 1099

(d) The name of the lender or landlord, identified as 1100  
such, and the lender's or landlord's relationship to the 1101  
operator, if any. 1102

(10) Qualifications of teachers, including a requirement 1103  
that the school's classroom teachers be licensed in accordance 1104  
with sections 3319.22 to 3319.31 of the Revised Code, except 1105  
that a community school may engage noncertificated persons to 1106  
teach up to twelve hours per week pursuant to section 3319.301 1107  
of the Revised Code. 1108

(11) That the school will comply with the following 1109  
requirements: 1110

(a) The school will provide learning opportunities to a 1111  
minimum of twenty-five students for a minimum of nine hundred 1112  
twenty hours per school year. 1113

(b) The governing authority will purchase liability 1114  
insurance, or otherwise provide for the potential liability of 1115  
the school. 1116

(c) The school will be nonsectarian in its programs, 1117  
admission policies, employment practices, and all other 1118  
operations, and will not be operated by a sectarian school or 1119  
religious institution. 1120

(d) The school will comply with sections 9.90, 9.91, 1121  
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 1122  
3301.0711, 3301.0712, 3301.0715, 3301.948, 3313.472, 3313.50, 1123  
3313.536, 3313.539, 3313.608, 3313.609, 3313.6012, 3313.6013, 1124

3313.6014, 3313.6015, 3313.6020, 3313.643, 3313.648, 3313.6411, 1125  
3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.67, 1126  
3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 1127  
3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 3313.814, 1128  
3313.816, 3313.817, 3313.86, 3313.89, 3313.96, 3319.073, 1129  
3319.321, 3319.39, 3319.391, 3319.41, 3319.46, 3321.01, 1130  
3321.041, 3321.13, 3321.14, 3321.17, 3321.18, 3321.19, 3321.191, 1131  
3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 117., 1132  
1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of 1133  
the Revised Code as if it were a school district and will comply 1134  
with section 3301.0714 of the Revised Code in the manner 1135  
specified in section 3314.17 of the Revised Code. 1136

(e) The school shall comply with Chapter 102. and section 1137  
2921.42 of the Revised Code. 1138

(f) The school will comply with sections 3313.61, 1139  
3313.611, and 3313.614 of the Revised Code, except that for 1140  
students who enter ninth grade for the first time before July 1, 1141  
2010, the requirement in sections 3313.61 and 3313.611 of the 1142  
Revised Code that a person must successfully complete the 1143  
curriculum in any high school prior to receiving a high school 1144  
diploma may be met by completing the curriculum adopted by the 1145  
governing authority of the community school rather than the 1146  
curriculum specified in Title XXXVIII of the Revised Code or any 1147  
rules of the state board of education. Beginning with students 1148  
who enter ninth grade for the first time on or after July 1, 1149  
2010, the requirement in sections 3313.61 and 3313.611 of the 1150  
Revised Code that a person must successfully complete the 1151  
curriculum of a high school prior to receiving a high school 1152  
diploma shall be met by completing the requirements prescribed 1153  
in division (C) of section 3313.603 of the Revised Code, unless 1154  
the person qualifies under division (D) or (F) of that section. 1155

Each school shall comply with the plan for awarding high school credit based on demonstration of subject area competency, and beginning with the 2016-2017 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.

(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-based community school, will comply with section 3313.801 of the Revised Code as if it were a school district.

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

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

(k) The school will comply with all attendance requirements and standards, including those for excused absences, established by rule of the state board as if it were a school district.

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

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

(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; 1214

(18) Provisions establishing procedures for resolving 1215  
disputes or differences of opinion between the sponsor and the 1216  
governing authority of the community school; 1217

(19) A provision requiring the governing authority to 1218  
adopt a policy regarding the admission of students who reside 1219  
outside the district in which the school is located. That policy 1220  
shall comply with the admissions procedures specified in 1221  
sections 3314.06 and 3314.061 of the Revised Code and, at the 1222  
sole discretion of the authority, shall do one of the following: 1223

(a) Prohibit the enrollment of students who reside outside 1224  
the district in which the school is located; 1225

(b) Permit the enrollment of students who reside in 1226  
districts adjacent to the district in which the school is 1227  
located; 1228

(c) Permit the enrollment of students who reside in any 1229  
other district in the state. 1230

(20) A provision recognizing the authority of the 1231  
department of education to take over the sponsorship of the 1232  
school in accordance with the provisions of division (C) of 1233  
section 3314.015 of the Revised Code; 1234

(21) A provision recognizing the sponsor's authority to 1235  
assume the operation of a school under the conditions specified 1236  
in division (B) of section 3314.073 of the Revised Code; 1237

(22) A provision recognizing both of the following: 1238

(a) The authority of public health and safety officials to 1239  
inspect the facilities of the school and to order the facilities 1240  
closed if those officials find that the facilities are not in 1241

compliance with health and safety laws and regulations; 1242

(b) The authority of the department of education as the 1243  
community school oversight body to suspend the operation of the 1244  
school under section 3314.072 of the Revised Code if the 1245  
department has evidence of conditions or violations of law at 1246  
the school that pose an imminent danger to the health and safety 1247  
of the school's students and employees and the sponsor refuses 1248  
to take such action. 1249

(23) A description of the learning opportunities that will 1250  
be offered to students including both classroom-based and non- 1251  
classroom-based learning opportunities that is in compliance 1252  
with criteria for student participation established by the 1253  
department under division (H) (2) of section 3314.08 of the 1254  
Revised Code; 1255

(24) The school will comply with sections 3302.04 and 1256  
3302.041 of the Revised Code, except that any action required to 1257  
be taken by a school district pursuant to those sections shall 1258  
be taken by the sponsor of the school. However, the sponsor 1259  
shall not be required to take any action described in division 1260  
(F) of section 3302.04 of the Revised Code. 1261

(25) Beginning in the 2006-2007 school year, the school 1262  
will open for operation not later than the thirtieth day of 1263  
September each school year, unless the mission of the school as 1264  
specified under division (A) (2) of this section is solely to 1265  
serve dropouts. In its initial year of operation, if the school 1266  
fails to open by the thirtieth day of September, or within one 1267  
year after the adoption of the contract pursuant to division (D) 1268  
of section 3314.02 of the Revised Code if the mission of the 1269  
school is solely to serve dropouts, the contract shall be void. 1270

(26) Whether the school's governing authority is planning	1271
to seek designation for the school as a STEM school equivalent	1272
under section 3326.032 of the Revised Code;	1273
(27) That the school's attendance and participation	1274
policies will be available for public inspection;	1275
(28) That the school's attendance and participation	1276
records shall be made available to the department of education,	1277
auditor of state, and school's sponsor to the extent permitted	1278
under and in accordance with the "Family Educational Rights and	1279
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended,	1280
and any regulations promulgated under that act, and section	1281
3319.321 of the Revised Code;	1282
(29) If a school operates using the blended learning	1283
model, as defined in section 3301.079 of the Revised Code, all	1284
of the following information:	1285
(a) An indication of what blended learning model or models	1286
will be used;	1287
(b) A description of how student instructional needs will	1288
be determined and documented;	1289
(c) The method to be used for determining competency,	1290
granting credit, and promoting students to a higher grade level;	1291
(d) The school's attendance requirements, including how	1292
the school will document participation in learning	1293
opportunities;	1294
(e) A statement describing how student progress will be	1295
monitored;	1296
(f) A statement describing how private student data will	1297
be protected;	1298

(g) A description of the professional development 1299  
activities that will be offered to teachers. 1300

(30) A provision requiring that all moneys the school's 1301  
operator loans to the school, including facilities loans or cash 1302  
flow assistance, must be accounted for, documented, and bear 1303  
interest at a fair market rate; 1304

(31) A provision requiring that, if the governing 1305  
authority contracts with an attorney, accountant, or entity 1306  
specializing in audits, the attorney, accountant, or entity 1307  
shall be independent from the operator with which the school has 1308  
contracted. 1309

(B) The community school shall also submit to the sponsor 1310  
a comprehensive plan for the school. The plan shall specify the 1311  
following: 1312

(1) The process by which the governing authority of the 1313  
school will be selected in the future; 1314

(2) The management and administration of the school; 1315

(3) If the community school is a currently existing public 1316  
school or educational service center building, alternative 1317  
arrangements for current public school students who choose not 1318  
to attend the converted school and for teachers who choose not 1319  
to teach in the school or building after conversion; 1320

(4) The instructional program and educational philosophy 1321  
of the school; 1322

(5) Internal financial controls. 1323

When submitting the plan under this division, the school 1324  
shall also submit copies of all policies and procedures 1325  
regarding internal financial controls adopted by the governing 1326

authority of the school. 1327

(C) A contract entered into under section 3314.02 of the 1328  
Revised Code between a sponsor and the governing authority of a 1329  
community school may provide for the community school governing 1330  
authority to make payments to the sponsor, which is hereby 1331  
authorized to receive such payments as set forth in the contract 1332  
between the governing authority and the sponsor. The total 1333  
amount of such payments for monitoring, oversight, and technical 1334  
assistance of the school shall not exceed three per cent of the 1335  
total amount of payments for operating expenses that the school 1336  
receives from the state. 1337

(D) The contract shall specify the duties of the sponsor 1338  
which shall be in accordance with the written agreement entered 1339  
into with the department of education under division (B) of 1340  
section 3314.015 of the Revised Code and shall include the 1341  
following: 1342

(1) Monitor the community school's compliance with all 1343  
laws applicable to the school and with the terms of the 1344  
contract; 1345

(2) Monitor and evaluate the academic and fiscal 1346  
performance and the organization and operation of the community 1347  
school on at least an annual basis; 1348

(3) Report on an annual basis the results of the 1349  
evaluation conducted under division (D) (2) of this section to 1350  
the department of education and to the parents of students 1351  
enrolled in the community school; 1352

(4) Provide technical assistance to the community school 1353  
in complying with laws applicable to the school and terms of the 1354  
contract; 1355

(5) Take steps to intervene in the school's operation to 1356  
correct problems in the school's overall performance, declare 1357  
the school to be on probationary status pursuant to section 1358  
3314.073 of the Revised Code, suspend the operation of the 1359  
school pursuant to section 3314.072 of the Revised Code, or 1360  
terminate the contract of the school pursuant to section 3314.07 1361  
of the Revised Code as determined necessary by the sponsor; 1362

(6) Have in place a plan of action to be undertaken in the 1363  
event the community school experiences financial difficulties or 1364  
closes prior to the end of a school year. 1365

(E) Upon the expiration of a contract entered into under 1366  
this section, the sponsor of a community school may, with the 1367  
approval of the governing authority of the school, renew that 1368  
contract for a period of time determined by the sponsor, but not 1369  
ending earlier than the end of any school year, if the sponsor 1370  
finds that the school's compliance with applicable laws and 1371  
terms of the contract and the school's progress in meeting the 1372  
academic goals prescribed in the contract have been 1373  
satisfactory. Any contract that is renewed under this division 1374  
remains subject to the provisions of sections 3314.07, 3314.072, 1375  
and 3314.073 of the Revised Code. 1376

(F) If a community school fails to open for operation 1377  
within one year after the contract entered into under this 1378  
section is adopted pursuant to division (D) of section 3314.02 1379  
of the Revised Code or permanently closes prior to the 1380  
expiration of the contract, the contract shall be void and the 1381  
school shall not enter into a contract with any other sponsor. A 1382  
school shall not be considered permanently closed because the 1383  
operations of the school have been suspended pursuant to section 1384  
3314.072 of the Revised Code. 1385

**Sec. 3314.032.** (A) On and after the effective date of this 1386  
section, any new or renewed contract between the governing 1387  
authority of a community school and an operator shall include at 1388  
least the following: 1389

(1) Criteria to be used for early termination of the 1390  
operator contract; 1391

(2) Required notification procedures and timeline for 1392  
early termination or nonrenewal of the operator contract; 1393

(3) A stipulation of which entity owns all community 1394  
school facilities and property including, but not limited to, 1395  
equipment, furniture, fixtures, instructional materials and 1396  
supplies, computers, printers, and other digital devices 1397  
purchased by the governing authority or operator. Any 1398  
stipulation regarding property ownership shall comply with the 1399  
requirements of section 3314.0210 of the Revised Code. 1400

(B) (1) The operator with which the governing authority of 1401  
a community school contracts for services shall not lease any 1402  
parcel of real property to that community school until an 1403  
independent professional in the real estate field verifies via 1404  
addendum that at the time the lease was agreed to, the lease was 1405  
commercially reasonable. 1406

(2) The independent professional described in division (B) 1407  
(1) of this section shall be immune from civil liability for any 1408  
decision rendered pursuant to this section. 1409

(C) Beginning with the 2016-2017 school year, the 1410  
governing authority of a community school, with the assistance 1411  
of the school's designated fiscal officer, shall adopt an annual 1412  
budget by the thirty-first day of October of each year. 1413

Not later than ninety days after the effective date of 1414

this section, the department of education shall develop a format 1415  
for annual budgets of community schools. The format shall 1416  
prescribe inclusion of the following information in a school's 1417  
budget: 1418

(1) Administrative costs for the community school as a 1419  
whole; 1420

(2) Instructional services costs for each category of 1421  
service provided directly to students, compiled and reported in 1422  
terms of average expenditure per pupil receiving the service; 1423

(3) The cost of instructional support services, such as 1424  
services provided by a speech-language pathologist, classroom 1425  
aide, multimedia aide, or librarian, provided directly to 1426  
students; 1427

(4) The cost of administrative support services, such as 1428  
the cost of personnel that develop the curriculum and the cost 1429  
of personnel supervising or coordinating the delivery of the 1430  
instructional services; 1431

(5) The cost of support or extracurricular services costs 1432  
for services directly provided to students; 1433

(6) The cost of services provided directly to students by 1434  
a nonlicensed employee related to support or extracurricular 1435  
services, such as janitorial services, cafeteria services, or 1436  
services of a sports trainer; 1437

(7) The cost of administrative services related to support 1438  
or extracurricular services, such as the cost of any licensed or 1439  
unlicensed employees that develop, supervise, coordinate, or 1440  
otherwise are involved in administrating or aiding the delivery 1441  
of services. 1442

(D) The governing authority of a community school shall be 1443  
the sole entity responsible for the adoption of the school's 1444  
annual budget, but the governing authority shall adopt such 1445  
budget with the assistance of the school's designated fiscal 1446  
officer. 1447

(E) On and after the effective date of this amendment, the 1448  
duration of any new or renewed contract between the governing 1449  
authority of a community school and an operator shall not exceed 1450  
a term of three years. 1451

(F) The contract between the governing authority of a 1452  
community school and an operator may be renewed provided that, 1453  
upon renewal, the parties incorporate into the contract 1454  
references to, and comply with, any and all applicable 1455  
provisions of this chapter that were amended or enacted prior to 1456  
the effective date of the renewed contract. 1457

**Sec. 3314.08.** (A) As used in this section: 1458

(1) (a) "Category one career-technical education student" 1459  
means a student who is receiving the career-technical education 1460  
services described in division (A) of section 3317.014 of the 1461  
Revised Code. 1462

(b) "Category two career-technical student" means a 1463  
student who is receiving the career-technical education services 1464  
described in division (B) of section 3317.014 of the Revised 1465  
Code. 1466

(c) "Category three career-technical student" means a 1467  
student who is receiving the career-technical education services 1468  
described in division (C) of section 3317.014 of the Revised 1469  
Code. 1470

(d) "Category four career-technical student" means a 1471

student who is receiving the career-technical education services 1472  
described in division (D) of section 3317.014 of the Revised 1473  
Code. 1474

(e) "Category five career-technical education student" 1475  
means a student who is receiving the career-technical education 1476  
services described in division (E) of section 3317.014 of the 1477  
Revised Code. 1478

(2) (a) "Category one limited English proficient student" 1479  
means a limited English proficient student described in division 1480  
(A) of section 3317.016 of the Revised Code. 1481

(b) "Category two limited English proficient student" 1482  
means a limited English proficient student described in division 1483  
(B) of section 3317.016 of the Revised Code. 1484

(c) "Category three limited English proficient student" 1485  
means a limited English proficient student described in division 1486  
(C) of section 3317.016 of the Revised Code. 1487

(3) (a) "Category one special education student" means a 1488  
student who is receiving special education services for a 1489  
disability specified in division (A) of section 3317.013 of the 1490  
Revised Code. 1491

(b) "Category two special education student" means a 1492  
student who is receiving special education services for a 1493  
disability specified in division (B) of section 3317.013 of the 1494  
Revised Code. 1495

(c) "Category three special education student" means a 1496  
student who is receiving special education services for a 1497  
disability specified in division (C) of section 3317.013 of the 1498  
Revised Code. 1499

(d) "Category four special education student" means a student who is receiving special education services for a disability specified in division (D) of section 3317.013 of the Revised Code.

(e) "Category five special education student" means a student who is receiving special education services for a disability specified in division (E) of section 3317.013 of the Revised Code.

(f) "Category six special education student" means a student who is receiving special education services for a disability specified in division (F) of section 3317.013 of the Revised Code.

(4) "Formula amount" has the same meaning as in section 3317.02 of the Revised Code.

(5) "IEP" has the same meaning as in section 3323.01 of the Revised Code.

(6) "Resident district" means the school district in which a student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code.

(7) "State education aid" has the same meaning as in section 5751.20 of the Revised Code.

(B) The state board of education shall adopt rules requiring both of the following:

(1) The board of education of each city, exempted village, and local school district to annually report the number of students entitled to attend school in the district who are enrolled in each grade kindergarten through twelve in a community school established under this chapter, and for each

child, the community school in which the child is enrolled.	1528
(2) The governing authority of each community school	1529
established under this chapter to annually report all of the	1530
following:	1531
(a) The number of students enrolled in grades one through	1532
twelve and the full-time equivalent number of students enrolled	1533
in kindergarten in the school who are not receiving special	1534
education and related services pursuant to an IEP;	1535
(b) The number of enrolled students in grades one through	1536
twelve and the full-time equivalent number of enrolled students	1537
in kindergarten, who are receiving special education and related	1538
services pursuant to an IEP;	1539
(c) The number of students reported under division (B) (2)	1540
(b) of this section receiving special education and related	1541
services pursuant to an IEP for a disability described in each	1542
of divisions (A) to (F) of section 3317.013 of the Revised Code;	1543
(d) The full-time equivalent number of students reported	1544
under divisions (B) (2) (a) and (b) of this section who are	1545
enrolled in career-technical education programs or classes	1546
described in each of divisions (A) to (E) of section 3317.014 of	1547
the Revised Code that are provided by the community school;	1548
(e) The number of students reported under divisions (B) (2)	1549
(a) and (b) of this section who are not reported under division	1550
(B) (2) (d) of this section but who are enrolled in career-	1551
technical education programs or classes described in each of	1552
divisions (A) to (E) of section 3317.014 of the Revised Code at	1553
a joint vocational school district or another district in the	1554
career-technical planning district to which the school is	1555
assigned;	1556

(f) The number of students reported under divisions (B) (2) 1557  
(a) and (b) of this section who are category one to three 1558  
limited English proficient students described in each of 1559  
divisions (A) to (C) of section 3317.016 of the Revised Code; 1560

(g) The number of students reported under divisions (B) (2) 1561  
(a) and (b) who are economically disadvantaged, as defined by 1562  
the department. A student shall not be categorically excluded 1563  
from the number reported under division (B) (2) (g) of this 1564  
section based on anything other than family income. 1565

(h) For each student, the city, exempted village, or local 1566  
school district in which the student is entitled to attend 1567  
school under section 3313.64 or 3313.65 of the Revised Code. 1568

(i) The number of students enrolled in a preschool program 1569  
operated by the school that is licensed by the department of 1570  
education under sections 3301.52 to 3301.59 of the Revised Code 1571  
who are not receiving special education and related services 1572  
pursuant to an IEP. 1573

A school district board and a community school governing 1574  
authority shall include in their respective reports under 1575  
division (B) of this section any child admitted in accordance 1576  
with division (A) (2) of section 3321.01 of the Revised Code. 1577

A governing authority of a community school shall not 1578  
include in its report under divisions (B) (2) (a) to (h) of this 1579  
section any student for whom tuition is charged under division 1580  
(F) of this section. 1581

(C) (1) Except as provided in division (C) (2) of this 1582  
section, and subject to divisions (C) (3), (4), (5), (6), and (7) 1583  
of this section, on a full-time equivalency basis, for each 1584  
student enrolled in a community school established under this 1585

chapter, the department of education annually shall deduct from 1586  
the state education aid of a student's resident district and, if 1587  
necessary, from the payment made to the district under sections 1588  
321.24 and 323.156 of the Revised Code and pay to the community 1589  
school the sum of the following: 1590

(a) An opportunity grant in an amount equal to the formula 1591  
amount; 1592

(b) The per pupil amount of targeted assistance funds 1593  
calculated under division (A) of section 3317.0217 of the 1594  
Revised Code for the student's resident district, as determined 1595  
by the department, X 0.25; 1596

(c) Additional state aid for special education and related 1597  
services provided under Chapter 3323. of the Revised Code as 1598  
follows: 1599

(i) If the student is a category one special education 1600  
student, the amount specified in division (A) of section 1601  
3317.013 of the Revised Code; 1602

(ii) If the student is a category two special education 1603  
student, the amount specified in division (B) of section 1604  
3317.013 of the Revised Code; 1605

(iii) If the student is a category three special education 1606  
student, the amount specified in division (C) of section 1607  
3317.013 of the Revised Code; 1608

(iv) If the student is a category four special education 1609  
student, the amount specified in division (D) of section 1610  
3317.013 of the Revised Code; 1611

(v) If the student is a category five special education 1612  
student, the amount specified in division (E) of section 1613

3317.013 of the Revised Code;	1614
(vi) If the student is a category six special education student, the amount specified in division (F) of section 3317.013 of the Revised Code.	1615 1616 1617
(d) If the student is in kindergarten through third grade, an additional amount of \$305, in fiscal year 2016, and \$320, in fiscal year 2017;	1618 1619 1620
(e) If the student is economically disadvantaged, an additional amount equal to the following:	1621 1622
\$272 X the resident district's economically disadvantaged index	1623 1624
(f) Limited English proficiency funds as follows:	1625
(i) If the student is a category one limited English proficient student, the amount specified in division (A) of section 3317.016 of the Revised Code;	1626 1627 1628
(ii) If the student is a category two limited English proficient student, the amount specified in division (B) of section 3317.016 of the Revised Code;	1629 1630 1631
(iii) If the student is a category three limited English proficient student, the amount specified in division (C) of section 3317.016 of the Revised Code.	1632 1633 1634
(g) If the student is reported under division (B) (2) (d) of this section, career-technical education funds as follows:	1635 1636
(i) If the student is a category one career-technical education student, the amount specified in division (A) of section 3317.014 of the Revised Code;	1637 1638 1639
(ii) If the student is a category two career-technical	1640

education student, the amount specified in division (B) of 1641  
section 3317.014 of the Revised Code; 1642

(iii) If the student is a category three career-technical 1643  
education student, the amount specified in division (C) of 1644  
section 3317.014 of the Revised Code; 1645

(iv) If the student is a category four career-technical 1646  
education student, the amount specified in division (D) of 1647  
section 3317.014 of the Revised Code; 1648

(v) If the student is a category five career-technical 1649  
education student, the amount specified in division (E) of 1650  
section 3317.014 of the Revised Code. 1651

Deduction and payment of funds under division (C) (1) (g) of 1652  
this section is subject to approval by the lead district of a 1653  
career-technical planning district or the department of 1654  
education under section 3317.161 of the Revised Code. 1655

(2) When deducting from the state education aid of a 1656  
student's resident district for students enrolled in an 1657  
internet- or computer-based community school and making payments 1658  
to such school under this section, the department shall make the 1659  
deductions and payments described in only divisions (C) (1) (a) ~~7~~ 1660  
and (c) ~~7~~ ~~and~~ (g) of this section. 1661

No deductions or payments shall be made for a student 1662  
enrolled in such school under division (C) (1) (b), (d), (e), ~~or~~ 1663  
(f) or (g) of this section. 1664

(3) (a) If a community school's costs for a fiscal year for 1665  
a student receiving special education and related services 1666  
pursuant to an IEP for a disability described in divisions (B) 1667  
to (F) of section 3317.013 of the Revised Code exceed the 1668  
threshold catastrophic cost for serving the student as specified 1669

in division (B) of section 3317.0214 of the Revised Code, the 1670  
school may submit to the superintendent of public instruction 1671  
documentation, as prescribed by the superintendent, of all its 1672  
costs for that student. Upon submission of documentation for a 1673  
student of the type and in the manner prescribed, the department 1674  
shall pay to the community school an amount equal to the 1675  
school's costs for the student in excess of the threshold 1676  
catastrophic costs. 1677

(b) The community school shall report under division (C) 1678  
(3)(a) of this section, and the department shall pay for, only 1679  
the costs of educational expenses and the related services 1680  
provided to the student in accordance with the student's 1681  
individualized education program. Any legal fees, court costs, 1682  
or other costs associated with any cause of action relating to 1683  
the student may not be included in the amount. 1684

(4) In any fiscal year, a community school receiving funds 1685  
under division (C)(1)(g) of this section shall spend those funds 1686  
only for the purposes that the department designates as approved 1687  
for career-technical education expenses. Career-technical 1688  
education expenses approved by the department shall include only 1689  
expenses connected to the delivery of career-technical 1690  
programming to career-technical students. The department shall 1691  
require the school to report data annually so that the 1692  
department may monitor the school's compliance with the 1693  
requirements regarding the manner in which funding received 1694  
under division (C)(1)(g) of this section may be spent. 1695

(5) All funds received under division (C)(1)(g) of this 1696  
section shall be spent in the following manner: 1697

(a) At least seventy-five per cent of the funds shall be 1698  
spent on curriculum development, purchase, and implementation; 1699

instructional resources and supplies; industry-based program 1700  
certification; student assessment, credentialing, and placement; 1701  
curriculum specific equipment purchases and leases; career- 1702  
technical student organization fees and expenses; home and 1703  
agency linkages; work-based learning experiences; professional 1704  
development; and other costs directly associated with career- 1705  
technical education programs including development of new 1706  
programs. 1707

(b) Not more than twenty-five per cent of the funds shall 1708  
be used for personnel expenditures. 1709

(6) A community school shall spend the funds it receives 1710  
under division (C) (1) (e) of this section in accordance with 1711  
section 3317.25 of the Revised Code. 1712

(7) If the sum of the payments computed under divisions 1713  
(C) (1) and (8) (a) of this section for the students entitled to 1714  
attend school in a particular school district under sections 1715  
3313.64 and 3313.65 of the Revised Code exceeds the sum of that 1716  
district's state education aid and its payment under sections 1717  
321.24 and 323.156 of the Revised Code, the department shall 1718  
calculate and apply a proration factor to the payments to all 1719  
community schools under that division for the students entitled 1720  
to attend school in that district. 1721

(8) (a) Subject to division (C) (7) of this section, the 1722  
department annually shall pay to each community school, 1723  
including each internet- or computer-based community school, an 1724  
amount equal to the following: 1725

(The number of students reported by the community school 1726  
under division (B) (2) (e) of this section X the formula amount 1727  
X.20) 1728

(b) For each payment made to a community school under 1729  
division (C) (8) (a) of this section, the department shall deduct 1730  
from the state education aid of each city, local, and exempted 1731  
village school district and, if necessary, from the payment made 1732  
to the district under sections 321.24 and 323.156 of the Revised 1733  
Code an amount equal to the following: 1734

(The number of the district's students reported by the 1735  
community school under division (B) (2) (e) of this section X the 1736  
formula amount X.20) 1737

(D) A board of education sponsoring a community school may 1738  
utilize local funds to make enhancement grants to the school or 1739  
may agree, either as part of the contract or separately, to 1740  
provide any specific services to the community school at no cost 1741  
to the school. 1742

(E) A community school may not levy taxes or issue bonds 1743  
secured by tax revenues. 1744

(F) No community school shall charge tuition for the 1745  
enrollment of any student who is a resident of this state. A 1746  
community school may charge tuition for the enrollment of any 1747  
student who is not a resident of this state. 1748

(G) (1) (a) A community school may borrow money to pay any 1749  
necessary and actual expenses of the school in anticipation of 1750  
the receipt of any portion of the payments to be received by the 1751  
school pursuant to division (C) of this section. The school may 1752  
issue notes to evidence such borrowing. The proceeds of the 1753  
notes shall be used only for the purposes for which the 1754  
anticipated receipts may be lawfully expended by the school. 1755

(b) A school may also borrow money for a term not to 1756  
exceed fifteen years for the purpose of acquiring facilities. 1757

(2) Except for any amount guaranteed under section 3318.50 1758  
of the Revised Code, the state is not liable for debt incurred 1759  
by the governing authority of a community school. 1760

(H) The department of education shall adjust the amounts 1761  
subtracted and paid under division (C) of this section to 1762  
reflect any enrollment of students in community schools for less 1763  
than the equivalent of a full school year. The state board of 1764  
education within ninety days after April 8, 2003, shall adopt in 1765  
accordance with Chapter 119. of the Revised Code rules governing 1766  
the payments to community schools under this section including 1767  
initial payments in a school year and adjustments and reductions 1768  
made in subsequent periodic payments to community schools and 1769  
corresponding deductions from school district accounts as 1770  
provided under division (C) of this section. For purposes of 1771  
this section: 1772

(1) A student shall be considered enrolled in the 1773  
community school for any portion of the school year the student 1774  
is participating at a college under Chapter 3365. of the Revised 1775  
Code. 1776

(2) A student shall be considered to be enrolled in a 1777  
community school for the period of time beginning on the later 1778  
of the date on which the school both has received documentation 1779  
of the student's enrollment from a parent and the student has 1780  
commenced participation in learning opportunities as defined in 1781  
the contract with the sponsor, or thirty days prior to the date 1782  
on which the student is entered into the education management 1783  
information system established under section 3301.0714 of the 1784  
Revised Code. For purposes of applying this division and 1785  
divisions (H) (3) and (4) of this section to a community school 1786  
student, "learning opportunities" shall be defined in the 1787

contract, which shall describe both classroom-based and non- 1788  
classroom-based learning opportunities and shall be in 1789  
compliance with criteria and documentation requirements for 1790  
student participation which shall be established by the 1791  
department. Any student's instruction time in non-classroom- 1792  
based learning opportunities shall be certified by an employee 1793  
of the community school. A student's enrollment shall be 1794  
considered to cease on the date on which any of the following 1795  
occur: 1796

(a) The community school receives documentation from a 1797  
parent terminating enrollment of the student. 1798

(b) The community school is provided documentation of a 1799  
student's enrollment in another public or private school. 1800

(c) The community school ceases to offer learning 1801  
opportunities to the student pursuant to the terms of the 1802  
contract with the sponsor or the operation of any provision of 1803  
this chapter. 1804

Except as otherwise specified in this paragraph, beginning 1805  
in the 2011-2012 school year, any student who completed the 1806  
prior school year in an internet- or computer-based community 1807  
school shall be considered to be enrolled in the same school in 1808  
the subsequent school year until the student's enrollment has 1809  
ceased as specified in division (H) (2) of this section. The 1810  
department shall continue subtracting and paying amounts for the 1811  
student under division (C) of this section without interruption 1812  
at the start of the subsequent school year. However, unless 1813  
section 3314.088 of the Revised Code applies to the student, if 1814  
the student without a legitimate excuse fails to participate in 1815  
the first one hundred five consecutive hours of learning 1816  
opportunities offered to the student in that subsequent school 1817

year, the student shall be considered not to have re-enrolled in 1818  
the school for that school year and the department shall 1819  
recalculate the payments to the school for that school year to 1820  
account for the fact that the student is not enrolled. 1821

(3) The department shall determine each community school 1822  
student's percentage of full-time equivalency based on the 1823  
percentage of learning opportunities offered by the community 1824  
school to that student, reported either as number of hours or 1825  
number of days, is of the total learning opportunities offered 1826  
by the community school to a student who attends for the 1827  
school's entire school year. However, no internet- or computer- 1828  
based community school shall be credited for any time a student 1829  
spends participating in learning opportunities beyond ten hours 1830  
within any period of twenty-four consecutive hours. Whether it 1831  
reports hours or days of learning opportunities, each community 1832  
school shall offer not less than nine hundred twenty hours of 1833  
learning opportunities during the school year. 1834

In order to determine an internet- or computer-based 1835  
community school student's percentage of full-time equivalency 1836  
under division (H) (3) of this section, the "percentage of 1837  
learning opportunities offered by the community school to that 1838  
student" shall be equal to the amount of time that the student 1839  
was actively engaging in learning opportunities during that 1840  
school year, unless section 3314.088 of the Revised Code applies 1841  
to the student. 1842

(4) With respect to the calculation of full-time 1843  
equivalency under division (H) (3) of this section, the 1844  
department shall waive the number of hours or days of learning 1845  
opportunities not offered to a student because the community 1846  
school was closed during the school year due to disease 1847

epidemic, hazardous weather conditions, law enforcement 1848  
emergencies, inoperability of school buses or other equipment 1849  
necessary to the school's operation, damage to a school 1850  
building, or other temporary circumstances due to utility 1851  
failure rendering the school building unfit for school use, so 1852  
long as the school was actually open for instruction with 1853  
students in attendance during that school year for not less than 1854  
the minimum number of hours required by this chapter. The 1855  
department shall treat the school as if it were open for 1856  
instruction with students in attendance during the hours or days 1857  
waived under this division. 1858

(I) The department of education shall reduce the amounts 1859  
paid under this section to reflect payments made to colleges 1860  
under section 3365.07 of the Revised Code. 1861

(J) (1) No student shall be considered enrolled in any 1862  
internet- or computer-based community school or, if applicable 1863  
to the student, in any community school that is required to 1864  
provide the student with a computer pursuant to division (C) of 1865  
section 3314.22 of the Revised Code, unless both of the 1866  
following conditions are satisfied: 1867

(a) The student possesses or has been provided with all 1868  
required hardware and software materials and all such materials 1869  
are operational so that the student is capable of fully 1870  
participating in the learning opportunities specified in the 1871  
contract between the school and the school's sponsor as required 1872  
by division (A) (23) of section 3314.03 of the Revised Code; 1873

(b) The school is in compliance with division (A) of 1874  
section 3314.22 of the Revised Code, relative to such student. 1875

(2) In accordance with policies adopted jointly by the 1876

superintendent of public instruction and the auditor of state, 1877  
the department shall reduce the amounts otherwise payable under 1878  
division (C) of this section to any community school that 1879  
includes in its program the provision of computer hardware and 1880  
software materials to any student, if such hardware and software 1881  
materials have not been delivered, installed, and activated for 1882  
each such student in a timely manner or other educational 1883  
materials or services have not been provided according to the 1884  
contract between the individual community school and its 1885  
sponsor. 1886

The superintendent of public instruction and the auditor 1887  
of state shall jointly establish a method for auditing any 1888  
community school to which this division pertains to ensure 1889  
compliance with this section. 1890

The superintendent, auditor of state, and the governor 1891  
shall jointly make recommendations to the general assembly for 1892  
legislative changes that may be required to assure fiscal and 1893  
academic accountability for such schools. 1894

(K) (1) If the department determines that a review of a 1895  
community school's enrollment is necessary, such review shall be 1896  
completed and written notice of the findings shall be provided 1897  
to the governing authority of the community school and its 1898  
sponsor within ninety days of the end of the community school's 1899  
fiscal year, unless extended for a period not to exceed thirty 1900  
additional days for one of the following reasons: 1901

(a) The department and the community school mutually agree 1902  
to the extension. 1903

(b) Delays in data submission caused by either a community 1904  
school or its sponsor. 1905

(2) If the review results in a finding that additional funding is owed to the school, such payment shall be made within thirty days of the written notice. If the review results in a finding that the community school owes moneys to the state, the following procedure shall apply:

(a) Within ten business days of the receipt of the notice of findings, the community school may appeal the department's determination to the state board of education or its designee.

(b) The board or its designee shall conduct an informal hearing on the matter within thirty days of receipt of such an appeal and shall issue a decision within fifteen days of the conclusion of the hearing.

(c) If the board has enlisted a designee to conduct the hearing, the designee shall certify its decision to the board. The board may accept the decision of the designee or may reject the decision of the designee and issue its own decision on the matter.

(d) Any decision made by the board under this division is final.

(3) If it is decided that the community school owes moneys to the state, the department shall deduct such amount from the school's future payments in accordance with guidelines issued by the superintendent of public instruction.

(L) The department shall not subtract from a school district's state aid account and shall not pay to a community school under division (C) of this section any amount for any of the following:

(1) Any student who has graduated from the twelfth grade of a public or nonpublic high school;

(2) Any student who is not a resident of the state;	1935
(3) Any student who was enrolled in the community school	1936
during the previous school year when assessments were	1937
administered under section 3301.0711 of the Revised Code but did	1938
not take one or more of the assessments required by that section	1939
and was not excused pursuant to division (C) (1) or (3) of that	1940
section, unless the superintendent of public instruction grants	1941
the student a waiver from the requirement to take the assessment	1942
and a parent is not paying tuition for the student pursuant to	1943
section 3314.26 of the Revised Code. The superintendent may	1944
grant a waiver only for good cause in accordance with rules	1945
adopted by the state board of education.	1946
(4) Any student who has attained the age of twenty-two	1947
years, except for veterans of the armed services whose	1948
attendance was interrupted before completing the recognized	1949
twelve-year course of the public schools by reason of induction	1950
or enlistment in the armed forces and who apply for enrollment	1951
in a community school not later than four years after	1952
termination of war or their honorable discharge. If, however,	1953
any such veteran elects to enroll in special courses organized	1954
for veterans for whom tuition is paid under federal law, or	1955
otherwise, the department shall not subtract from a school	1956
district's state aid account and shall not pay to a community	1957
school under division (C) of this section any amount for that	1958
veteran.	1959
<b>Sec. 3314.086.</b> A community school established under this	1960
chapter, <del>including with the exception of an internet-</del> or	1961
computer-based community school, may provide career-technical	1962
education in the manner prescribed by section 3313.90 of the	1963
Revised Code. The community school may contract with any public	1964

agency, board, or bureau or with any private individual or firm 1965  
for the purchase of any career-technical education or vocational 1966  
rehabilitation service for any student enrolled in the community 1967  
school and may pay for such services with funds received under 1968  
section 3314.08 of the Revised Code. 1969

Sec. 3314.088. In extenuating circumstances, as specified 1970  
in rules adopted by the state board of education pursuant to 1971  
this section, a high-performing student enrolled in an internet- 1972  
or computer-based community school shall not be subject to the 1973  
withdrawal requirement, for being absent without legitimate 1974  
excuse for one hundred five hours of learning opportunities, 1975  
prescribed by division (A) (6) of section 3314.03 and division 1976  
(H) (2) of section 3314.08 of the Revised Code. Additionally, for 1977  
purposes of determining that student's percentage of full-time 1978  
equivalency under division (H) (3) of section 3314.08 of the 1979  
Revised Code, the "percentage of learning opportunities offered 1980  
by the community school to that student" shall not be required 1981  
to equal the amount of time that the student was actively 1982  
engaging in learning opportunities during that school year. 1983

Not later than ninety days after the effective date of 1984  
this section, the state board shall adopt rules, in accordance 1985  
with Chapter 119. of the Revised Code, for purposes of 1986  
implementing this section. The rules shall include a definition 1987  
of "high-performing student" and specify both the extenuating 1988  
circumstances under which a student may qualify under this 1989  
section and any necessary parameters for determining a high- 1990  
performing student's percentage of full-time equivalency. 1991

Sec. 3314.192. A community school established under this 1992  
chapter shall not operate using the blended learning model, as 1993  
defined in section 3301.079, unless that community school is 1994

sponsored by an entity that received an "exemplary" rating under section 3314.016 of the Revised Code for the most recent school year. 1995  
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1997

Not later than August 1, 2016, the department of education shall develop a metric for measuring student performance in schools that operate using the blended learning model. 1998  
1999  
2000

**Sec. 3314.23.** ~~(A) Subject to division (B) of this section, each internet- or computer-based community school shall comply with the standards developed by the international association for K-12 online learning. The state board of education shall adopt as rules, in accordance with Chapter 119. of the Revised Code, the standards for the operation of internet- or computer-based community schools and other educational courses delivered primarily via electronic media that were initially recommended by the state board to the general assembly, pursuant to former section 3314.033 of the Revised Code, as item number 16 on the agenda of the state board's meeting held on September 8 and 9, 2003.~~ 2001  
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(B) Each internet- or computer-based community school that initially opens for operation on or after ~~January 1, 2013~~the effective date of the rules adopted under division (A) of this section, shall comply with the standards required by division (A) of this section at the time it opens. Each internet- or computer-based community school that initially opened for operation prior to ~~January 1, 2013~~that effective date, shall comply with the standards required by division (A) of this section not later than ~~July 1, 2013~~six months after that effective date. 2013  
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(C) The sponsor of each internet- or computer-based community school shall be responsible for monitoring, ensuring, 2023  
2024

and reporting compliance with the online learning standards 2025  
described in divisions (A) and (B) of this section and shall 2026  
report a school's failure to comply with these standards to the 2027  
department of education in the manner prescribed by the 2028  
department. 2029

**Sec. 3314.241.** All public meetings of the governing 2030  
authority of an internet- or computer-based community school 2031  
shall be made available online to the public in a format that is 2032  
viewable as a live event through the internet. Notice of each 2033  
meeting shall be given at least two weeks prior to the meeting 2034  
by publication in at least one newspaper of general circulation 2035  
within each city or county from which the school currently 2036  
enrolls a student. 2037

Nothing in this section shall be construed to exempt an 2038  
internet- or computer-based community school from complying with 2039  
the provisions of the open meetings laws, as prescribed by 2040  
division (A)(11)(d) of section 3314.03 of the Revised Code. 2041

**Sec. 3314.242.** Any internet- or computer-based community 2042  
school shall include in any advertising, recruiting, or 2043  
promotional materials the most recent rating or letter grade for 2044  
overall academic performance, performance index score, overall 2045  
value-added progress dimension score, and the four- and five- 2046  
year adjusted cohort graduation rate scores assigned to the 2047  
school by the department of education under divisions (B)(1)(b), 2048  
(d), and (e); (C)(1)(b), (d), and (e); and (C)(3) of section 2049  
3302.03 of the Revised Code. 2050

**Sec. 3314.27.** No student enrolled in an internet- or 2051  
computer-based community school may participate in more than ten 2052  
hours of learning opportunities in any period of twenty-four 2053  
consecutive hours. Any time such a student participates in 2054

learning opportunities beyond the limit prescribed in this 2055  
section shall not count toward the annual minimum number of 2056  
hours required to be provided to that student as prescribed in 2057  
division (A) (11) (a) of section 3314.03 of the Revised Code. If 2058  
any internet- or computer-based community school requires its 2059  
students to participate in learning opportunities on the basis 2060  
of days rather than hours, one day shall consist of a minimum of 2061  
five hours of such participation. 2062

Each internet- or computer-based community school shall 2063  
keep an accurate record of the number of hours in which each 2064  
individual ~~student's participation~~ student is actively 2065  
participating in learning opportunities during each-day period 2066  
of twenty-four consecutive hours. The record shall be ~~kept in~~ 2067  
~~such a manner that the information contained within it easily~~ 2068  
~~can be certified on a monthly basis by an individual who is~~ 2069  
employed by the school and holds a valid license issued by the 2070  
state board of education pursuant to sections 3319.22 to 3319.31 2071  
of the Revised Code. The record shall then be submitted each 2072  
month as a report to the department of education, ~~upon request~~ 2073  
by the department or the auditor of state in the form and manner 2074  
prescribed by the department. Upon receipt, the department shall 2075  
make each report available on its web site, to the extent 2076  
permitted under section 3319.321 of the Revised Code and the 2077  
"Family Educational Rights and Privacy Act of 1974," 88 Stat. 2078  
571, 20 U.S.C. 1232g, as amended. 2079

If a student enrolled in an internet- or computer-based 2080  
community school fails to participate in learning opportunities 2081  
for ten consecutive days following the date the student begins 2082  
instruction for the school year but prior to completing the 2083  
student's academic program for that school year, the school 2084  
shall notify the department, the student's parent, guardian, or 2085

custodian, and the student's resident school district of the 2086  
student's failure to participate in those learning 2087  
opportunities. 2088

As used in this section, a student's "resident school 2089  
district" is the school district in which the student is 2090  
entitled to attend school under section 3313.64 or 3313.65 of 2091  
the Revised Code and from which district the payments to the 2092  
community school for the student are deducted under section 2093  
3314.08 of the Revised Code. 2094

**Sec. 3314.271.** (A) Each internet- or computer-based 2095  
community school shall offer a student orientation course and 2096  
shall notify each student who enrolls in that school of that 2097  
student's opportunity to participate in the student orientation 2098  
course. 2099

(B) The department of education shall provide guidance to 2100  
internet- or computer-based community schools for developing and 2101  
delivering the orientation course. 2102

(C) Each internet- or computer-based community school may, 2103  
at the time of a particular student's enrollment in that school, 2104  
ask the student's parent or guardian to estimate the length of 2105  
time the student will attend the school. Any information 2106  
collected pursuant to this division shall be included in an 2107  
aggregated format in the school's annual report required by 2108  
division (A) (11) (g) of section 3314.03 of the Revised Code. 2109

(D) (1) Each internet- or computer-based community school, 2110  
on a periodic basis throughout each school year, shall 2111  
communicate with each student's parent, guardian, or custodian 2112  
regarding the performance and progress of that student. Each 2113  
internet- or computer-based community school also shall provide 2114

opportunities for parent-teacher conferences, shall document the 2115  
school's requests for such conferences, and may permit students 2116  
to participate in the conferences. 2117

(2) In addition to the conferences described in division 2118  
(D) (1) of this section, if the academic performance of a student 2119  
declines while the student is enrolled in the school, the 2120  
student's parents, the student's teachers, and the principal or 2121  
lead teacher of the community school shall confer to evaluate 2122  
the student's continued enrollment in the school. 2123

Parent-teacher conferences conducted pursuant to division 2124  
(D) (1) or (2) of this section may be conducted through 2125  
electronic means. 2126

**Section 2.** That existing sections 3302.01, 3302.03, 2127  
3314.02, 3314.03, 3314.032, 3314.08, 3314.086, 3314.23, 3314.27, 2128  
and 3314.271 of the Revised Code are hereby repealed. 2129

**Section 3.** (A) The E-School Funding Commission is hereby 2130  
created to study the actual costs required to operate an 2131  
internet- or computer-based community school as defined in 2132  
section 3314.02 of the Revised Code. The Commission shall 2133  
determine a rational methodology for calculating the costs of 2134  
operating an Internet- or computer-based community school. Not 2135  
later than December 31, 2016, the Commission shall submit a 2136  
report of its recommendations to the General Assembly in 2137  
accordance with section 101.68 of the Revised Code. The 2138  
Commission also shall submit a copy of the report to the 2139  
Governor for use when considering school funding recommendations 2140  
for the 2018-2019 biennial budget. Upon submission of the 2141  
report, the Commission shall cease to exist. 2142

(B) The Commission shall consist of the following members: 2143

- (1) The Governor, or the Governor's designee; 2144
- (2) The Superintendent of Public Instruction, or the 2145  
Superintendent's designee, who shall serve as the chairperson of 2146  
the commission; 2147
- (3) The Chancellor of Higher Education, or the 2148  
Chancellor's designee; 2149
- (4) Two teachers currently employed by an internet- or 2150  
computer-based community school in this state, one appointed by 2151  
the President of the Senate and one appointed by the Minority 2152  
Leader of the Senate; 2153
- (5) The chief administrator of an Internet- or computer- 2154  
based community school that is sponsored by the board of 2155  
education of a school district and has received a grade of at 2156  
least "C" for performance index score and overall value-added 2157  
progress dimension, under divisions (B) (1) (b) and (e) of section 2158  
3302.03 of the Revised Code, on the most recent report card 2159  
issued under section 3302.03 of the Revised Code, appointed by 2160  
the Speaker of the House of Representatives; 2161
- (6) The chief administrator of an Internet- or computer- 2162  
based community school that is not sponsored by the board of 2163  
education of a school district and has received a grade of at 2164  
least "C" for performance index score and overall value-added 2165  
progress dimension, under divisions (B) (1) (b) and (e) of section 2166  
3302.03 of the Revised Code, on the most recent report card 2167  
issued under section 3302.03 of the Revised Code, appointed by 2168  
the Minority Leader of the House of Representatives; 2169
- (7) The parent of a student enrolled in an internet- or 2170  
computer-based community school, appointed by the President of 2171  
the Senate; 2172

(8) A representative of the business community, appointed	2173
by the Minority Leader of the Senate;	2174
(9) A representative of the general public, appointed by	2175
the Speaker of the House of Representatives;	2176
(10) A representative of community school operators,	2177
appointed by the Minority Leader of the House of	2178
Representatives;	2179
(11) A representative of community school sponsors,	2180
appointed by the Speaker of the House of Representatives;	2181
(12) The fiscal officer of an internet- or computer-based	2182
community school, appointed by the President of the Senate;	2183
(13) The chairpersons and ranking members of the standing	2184
committees of the House of Representatives and the Senate	2185
principally responsible for education policy;	2186
(14) A representative of an organization that serves as a	2187
bargaining representative for teachers in this state, appointed	2188
by the Minority Leader of the Senate;	2189
(15) A representative from an organization of school	2190
administrators or fiscal officials, appointed by the Minority	2191
Leader of the House of Representatives.	2192
Members of the Commission shall serve without	2193
compensation. The Department of Education shall provide	2194
administrative support for the Commission.	2195
<b>Section 4.</b> The General Assembly, applying the principle	2196
stated in division (B) of section 1.52 of the Revised Code that	2197
amendments are to be harmonized if reasonably capable of	2198
simultaneous operation, finds that the following sections,	2199
presented in this act as composites of the sections as amended	2200

by the acts indicated, are the resulting versions of the 2201  
sections in effect prior to the effective date of the sections 2202  
as presented in this act: 2203

Section 3302.03 of the Revised Code as amended by both Am. 2204  
Sub. H.B. 2 and Am. Sub. H.B. 64 of the 131st General Assembly. 2205

Section 3314.03 of the Revised Code as amended by both Am. 2206  
Sub. H.B. 2 and Am. Sub. H.B. 64 of the 131st General Assembly. 2207