

As Introduced

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H. B. No. 113

Representatives Grossman, Manning

Cosponsors: Representatives DeVitis, Stinziano, Blessing, Reece, Sheehy

A BILL

To amend sections 3313.60, 3313.603, 3314.03, 1
3326.11, and 3328.24 and to enact section 2
3313.6021 of the Revised Code to require 3
instruction in cardiopulmonary resuscitation and 4
the use of an automated external defibrillator 5
as a requirement for high school graduation. 6

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

Section 1. That sections 3313.60, 3313.603, 3314.03, 7
3326.11, and 3328.24 be amended and section 3313.6021 of the 8
Revised Code be enacted to read as follows: 9

Sec. 3313.60. Notwithstanding division (D) of section 10
3311.52 of the Revised Code, divisions (A) to (E) of this 11
section do not apply to any cooperative education school 12
district established pursuant to divisions (A) to (C) of section 13
3311.52 of the Revised Code. 14

(A) The board of education of each city, exempted village, 15
and local school district and the board of each cooperative 16
education school district established, pursuant to section 17
3311.521 of the Revised Code, shall prescribe a curriculum for 18

all schools under its control. Except as provided in division 19
(E) of this section, in any such curriculum there shall be 20
included the study of the following subjects: 21

(1) The language arts, including reading, writing, 22
spelling, oral and written English, and literature; 23

(2) Geography, the history of the United States and of 24
Ohio, and national, state, and local government in the United 25
States, including a balanced presentation of the relevant 26
contributions to society of men and women of African, Mexican, 27
Puerto Rican, and American Indian descent as well as other 28
ethnic and racial groups in Ohio and the United States; 29

(3) Mathematics; 30

(4) Natural science, including instruction in the 31
conservation of natural resources; 32

(5) Health education, which shall include instruction in: 33

(a) The nutritive value of foods, including natural and 34
organically produced foods, the relation of nutrition to health, 35
and the use and effects of food additives; 36

(b) The harmful effects of and legal restrictions against 37
the use of drugs of abuse, alcoholic beverages, and tobacco; 38

(c) Venereal disease education, except that upon written 39
request of the student's parent or guardian, a student shall be 40
excused from taking instruction in venereal disease education; 41

(d) In grades kindergarten through six, instruction in 42
personal safety and assault prevention, except that upon written 43
request of the student's parent or guardian, a student shall be 44
excused from taking instruction in personal safety and assault 45
prevention; 46

(e) In grades seven through twelve, age-appropriate instruction in dating violence prevention education, which shall include instruction in recognizing dating violence warning signs and characteristics of healthy relationships.

In order to assist school districts in developing a dating violence prevention education curriculum, the department of education shall provide on its web site links to free curricula addressing dating violence prevention.

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

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

(6) Physical education;

(7) The fine arts, including music;

(8) First aid, including a training program in cardiopulmonary resuscitation, which shall comply with section 3313.6021 of the Revised Code when offered in any of grades nine through twelve, safety, and fire prevention, except that. However, upon written request of the student's parent or guardian, a student shall be excused from taking instruction in cardiopulmonary resuscitation.

(B) Except as provided in division (E) of this section,

every school or school district shall include in the 76
requirements for promotion from the eighth grade to the ninth 77
grade one year's course of study of American history. A board 78
may waive this requirement for academically accelerated students 79
who, in accordance with procedures adopted by the board, are 80
able to demonstrate mastery of essential concepts and skills of 81
the eighth grade American history course of study. 82

(C) As specified in divisions (B) (6) and (C) (6) of section 83
3313.603 of the Revised Code, except as provided in division (E) 84
of this section, every high school shall include in the 85
requirements for graduation from any curriculum one-half unit 86
each of American history and government. 87

(D) Except as provided in division (E) of this section, 88
basic instruction or demonstrated mastery in geography, United 89
States history, the government of the United States, the 90
government of the state of Ohio, local government in Ohio, the 91
Declaration of Independence, the United States Constitution, and 92
the Constitution of the state of Ohio shall be required before 93
pupils may participate in courses involving the study of social 94
problems, economics, foreign affairs, United Nations, world 95
government, socialism, and communism. 96

(E) For each cooperative education school district 97
established pursuant to section 3311.521 of the Revised Code and 98
each city, exempted village, and local school district that has 99
territory within such a cooperative district, the curriculum 100
adopted pursuant to divisions (A) to (D) of this section shall 101
only include the study of the subjects that apply to the grades 102
operated by each such school district. The curriculums for such 103
schools, when combined, shall provide to each student of these 104
districts all of the subjects required under divisions (A) to 105

(D) of this section. 106

(F) The board of education of any cooperative education 107
school district established pursuant to divisions (A) to (C) of 108
section 3311.52 of the Revised Code shall prescribe a curriculum 109
for the subject areas and grade levels offered in any school 110
under its control. 111

(G) Upon the request of any parent or legal guardian of a 112
student, the board of education of any school district shall 113
permit the parent or guardian to promptly examine, with respect 114
to the parent's or guardian's own child: 115

(1) Any survey or questionnaire, prior to its 116
administration to the child; 117

(2) Any textbook, workbook, software, video, or other 118
instructional materials being used by the district in connection 119
with the instruction of the child; 120

(3) Any completed and graded test taken or survey or 121
questionnaire filled out by the child; 122

(4) Copies of the statewide academic standards and each 123
model curriculum developed pursuant to section 3301.079 of the 124
Revised Code, which copies shall be available at all times 125
during school hours in each district school building. 126

Sec. 3313.603. (A) As used in this section: 127

(1) "One unit" means a minimum of one hundred twenty hours 128
of course instruction, except that for a laboratory course, "one 129
unit" means a minimum of one hundred fifty hours of course 130
instruction. 131

(2) "One-half unit" means a minimum of sixty hours of 132
course instruction, except that for physical education courses, 133

"one-half unit" means a minimum of one hundred twenty hours of course instruction. 134
135

(B) Beginning September 15, 2001, except as required in 136
division (C) of this section and division (C) of section 137
3313.614 of the Revised Code, the requirements for graduation 138
from every high school shall include twenty units earned in 139
grades nine through twelve and shall be distributed as follows: 140

(1) English language arts, four units; 141

(2) Health, one-half unit; 142

(3) Mathematics, three units; 143

(4) Physical education, one-half unit; 144

(5) Science, two units until September 15, 2003, and three 145
units thereafter, which at all times shall include both of the 146
following: 147

(a) Biological sciences, one unit; 148

(b) Physical sciences, one unit. 149

(6) History and government, one unit, which shall comply 150
with division (M) of this section and shall include both of the 151
following: 152

(a) American history, one-half unit; 153

(b) American government, one-half unit. 154

(7) Social studies, two units. 155

Beginning with students who enter ninth grade for the 156
first time on or after July 1, 2017, the two units of 157
instruction prescribed by division (B) (7) of this section shall 158
include at least one-half unit of instruction in the study of 159

world history and civilizations. 160

(8) Elective units, seven units until September 15, 2003, 161
and six units thereafter. 162

Each student's electives shall include at least one unit, 163
or two half units, chosen from among the areas of 164
business/technology, fine arts, and/or foreign language. 165

(C) Beginning with students who enter ninth grade for the 166
first time on or after July 1, 2010, except as provided in 167
divisions (D) to (F) of this section, the requirements for 168
graduation from every public and chartered nonpublic high school 169
shall include twenty units that are designed to prepare students 170
for the workforce and college. The units shall be distributed as 171
follows: 172

(1) English language arts, four units; 173

(2) Health, one-half unit, which shall include ~~instruction~~ 174
both of the following: 175

(a) Instruction in nutrition and the benefits of 176
nutritious foods and physical activity for overall health; 177

(b) Beginning with students who enter the ninth grade for 178
the first time on or after July 1, 2016, training in 179
cardiopulmonary resuscitation and the use of an automated 180
external defibrillator as prescribed by section 3313.6021 of the 181
Revised Code. However, if a student is excused from instruction 182
in cardiopulmonary resuscitation under section 3313.60 of the 183
Revised Code, the student shall not be required to have such 184
training. 185

(3) Mathematics, four units, which shall include one unit 186
of algebra II or the equivalent of algebra II; 187

(4) Physical education, one-half unit;	188
(5) Science, three units with inquiry-based laboratory experience that engages students in asking valid scientific questions and gathering and analyzing information, which shall include the following, or their equivalent:	189 190 191 192
(a) Physical sciences, one unit;	193
(b) Life sciences, one unit;	194
(c) Advanced study in one or more of the following sciences, one unit:	195 196
(i) Chemistry, physics, or other physical science;	197
(ii) Advanced biology or other life science;	198
(iii) Astronomy, physical geology, or other earth or space science.	199 200
(6) History and government, one unit, which shall comply with division (M) of this section and shall include both of the following:	201 202 203
(a) American history, one-half unit;	204
(b) American government, one-half unit.	205
(7) Social studies, two units.	206
Each school shall integrate the study of economics and financial literacy, as expressed in the social studies academic content standards adopted by the state board of education under division (A) (1) of section 3301.079 of the Revised Code and the academic content standards for financial literacy and entrepreneurship adopted under division (A) (2) of that section, into one or more existing social studies credits required under division (C) (7) of this section, or into the content of another	207 208 209 210 211 212 213 214

class, so that every high school student receives instruction in 215
those concepts. In developing the curriculum required by this 216
paragraph, schools shall use available public-private 217
partnerships and resources and materials that exist in business, 218
industry, and through the centers for economics education at 219
institutions of higher education in the state. 220

Beginning with students who enter ninth grade for the 221
first time on or after July 1, 2017, the two units of 222
instruction prescribed by division (C) (7) of this section shall 223
include at least one-half unit of instruction in the study of 224
world history and civilizations. 225

(8) Five units consisting of one or any combination of 226
foreign language, fine arts, business, career-technical 227
education, family and consumer sciences, technology, 228
agricultural education, a junior reserve officer training corps 229
(JROTC) program approved by the congress of the United States 230
under title 10 of the United States Code, or English language 231
arts, mathematics, science, or social studies courses not 232
otherwise required under division (C) of this section. 233

Ohioans must be prepared to apply increased knowledge and 234
skills in the workplace and to adapt their knowledge and skills 235
quickly to meet the rapidly changing conditions of the twenty- 236
first century. National studies indicate that all high school 237
graduates need the same academic foundation, regardless of the 238
opportunities they pursue after graduation. The goal of Ohio's 239
system of elementary and secondary education is to prepare all 240
students for and seamlessly connect all students to success in 241
life beyond high school graduation, regardless of whether the 242
next step is entering the workforce, beginning an 243
apprenticeship, engaging in post-secondary training, serving in 244

the military, or pursuing a college degree. 245

The requirements for graduation prescribed in division (C) 246
of this section are the standard expectation for all students 247
entering ninth grade for the first time at a public or chartered 248
nonpublic high school on or after July 1, 2010. A student may 249
satisfy this expectation through a variety of methods, 250
including, but not limited to, integrated, applied, career- 251
technical, and traditional coursework. 252

Whereas teacher quality is essential for student success 253
when completing the requirements for graduation, the general 254
assembly shall appropriate funds for strategic initiatives 255
designed to strengthen schools' capacities to hire and retain 256
highly qualified teachers in the subject areas required by the 257
curriculum. Such initiatives are expected to require an 258
investment of \$120,000,000 over five years. 259

Stronger coordination between high schools and 260
institutions of higher education is necessary to prepare 261
students for more challenging academic endeavors and to lessen 262
the need for academic remediation in college, thereby reducing 263
the costs of higher education for Ohio's students, families, and 264
the state. The state board and the chancellor of the Ohio board 265
of regents shall develop policies to ensure that only in rare 266
instances will students who complete the requirements for 267
graduation prescribed in division (C) of this section require 268
academic remediation after high school. 269

School districts, community schools, and chartered 270
nonpublic schools shall integrate technology into learning 271
experiences across the curriculum in order to maximize 272
efficiency, enhance learning, and prepare students for success 273
in the technology-driven twenty-first century. Districts and 274

schools shall use distance and web-based course delivery as a 275
method of providing or augmenting all instruction required under 276
this division, including laboratory experience in science. 277
Districts and schools shall utilize technology access and 278
electronic learning opportunities provided by the broadcast 279
educational media commission, chancellor, the Ohio learning 280
network, education technology centers, public television 281
stations, and other public and private providers. 282

(D) Except as provided in division (E) of this section, a 283
student who enters ninth grade on or after July 1, 2010, and 284
before July 1, 2016, may qualify for graduation from a public or 285
chartered nonpublic high school even though the student has not 286
completed the requirements for graduation prescribed in division 287
(C) of this section if all of the following conditions are 288
satisfied: 289

(1) During the student's third year of attending high 290
school, as determined by the school, the student and the 291
student's parent, guardian, or custodian sign and file with the 292
school a written statement asserting the parent's, guardian's, 293
or custodian's consent to the student's graduating without 294
completing the requirements for graduation prescribed in 295
division (C) of this section and acknowledging that one 296
consequence of not completing those requirements is 297
ineligibility to enroll in most state universities in Ohio 298
without further coursework. 299

(2) The student and parent, guardian, or custodian fulfill 300
any procedural requirements the school stipulates to ensure the 301
student's and parent's, guardian's, or custodian's informed 302
consent and to facilitate orderly filing of statements under 303
division (D) (1) of this section. Annually, each district or 304

school shall notify the department of education of the number of 305
students who choose to qualify for graduation under division (D) 306
of this section and the number of students who complete the 307
student's success plan and graduate from high school. 308

(3) The student and the student's parent, guardian, or 309
custodian and a representative of the student's high school 310
jointly develop a student success plan for the student in the 311
manner described in division (C) (1) of section 3313.6020 of the 312
Revised Code that specifies the student matriculating to a two- 313
year degree program, acquiring a business and industry- 314
recognized credential, or entering an apprenticeship. 315

(4) The student's high school provides counseling and 316
support for the student related to the plan developed under 317
division (D) (3) of this section during the remainder of the 318
student's high school experience. 319

(5) (a) Except as provided in division (D) (5) (b) of this 320
section, the student successfully completes, at a minimum, the 321
curriculum prescribed in division (B) of this section. 322

(b) Beginning with students who enter ninth grade for the 323
first time on or after July 1, 2014, a student shall be required 324
to complete successfully, at the minimum, the curriculum 325
prescribed in division (B) of this section, except as follows: 326

(i) Mathematics, four units, one unit which shall be one 327
of the following: 328

(I) Probability and statistics; 329

(II) Computer programming; 330

(III) Applied mathematics or quantitative reasoning; 331

(IV) Any other course approved by the department using 332

standards established by the superintendent not later than 333
October 1, 2014. 334

(ii) Elective units, five units; 335

(iii) Science, three units as prescribed by division (B) 336
of this section which shall include inquiry-based laboratory 337
experience that engages students in asking valid scientific 338
questions and gathering and analyzing information. 339

The department, in collaboration with the chancellor, 340
shall analyze student performance data to determine if there are 341
mitigating factors that warrant extending the exception 342
permitted by division (D) of this section to high school classes 343
beyond those entering ninth grade before July 1, 2016. The 344
department shall submit its findings and any recommendations not 345
later than December 1, 2015, to the speaker and minority leader 346
of the house of representatives, the president and minority 347
leader of the senate, the chairpersons and ranking minority 348
members of the standing committees of the house of 349
representatives and the senate that consider education 350
legislation, the state board of education, and the 351
superintendent of public instruction. 352

(E) Each school district and chartered nonpublic school 353
retains the authority to require an even more challenging 354
minimum curriculum for high school graduation than specified in 355
division (B) or (C) of this section. A school district board of 356
education, through the adoption of a resolution, or the 357
governing authority of a chartered nonpublic school may 358
stipulate any of the following: 359

(1) A minimum high school curriculum that requires more 360
than twenty units of academic credit to graduate; 361

(2) An exception to the district's or school's minimum high school curriculum that is comparable to the exception provided in division (D) of this section but with additional requirements, which may include a requirement that the student successfully complete more than the minimum curriculum prescribed in division (B) of this section;

(3) That no exception comparable to that provided in division (D) of this section is available.

(F) A student enrolled in a dropout prevention and recovery program, which program has received a waiver from the department, may qualify for graduation from high school by successfully completing a competency-based instructional program administered by the dropout prevention and recovery program in lieu of completing the requirements for graduation prescribed in division (C) of this section. The department shall grant a waiver to a dropout prevention and recovery program, within sixty days after the program applies for the waiver, if the program meets all of the following conditions:

(1) The program serves only students not younger than sixteen years of age and not older than twenty-one years of age.

(2) The program enrolls students who, at the time of their initial enrollment, either, or both, are at least one grade level behind their cohort age groups or experience crises that significantly interfere with their academic progress such that they are prevented from continuing their traditional programs.

(3) The program requires students to attain at least the applicable score designated for each of the assessments prescribed under division (B) (1) of section 3301.0710 of the Revised Code or, to the extent prescribed by rule of the state

board under division (D) (5) of section 3301.0712 of the Revised Code, division (B) (2) of that section.

(4) The program develops a student success plan for the student in the manner described in division (C) (1) of section 3313.6020 of the Revised Code that specifies the student's matriculating to a two-year degree program, acquiring a business and industry-recognized credential, or entering an apprenticeship.

(5) The program provides counseling and support for the student related to the plan developed under division (F) (4) of this section during the remainder of the student's high school experience.

(6) The program requires the student and the student's parent, guardian, or custodian to sign and file, in accordance with procedural requirements stipulated by the program, a written statement asserting the parent's, guardian's, or custodian's consent to the student's graduating without completing the requirements for graduation prescribed in division (C) of this section and acknowledging that one consequence of not completing those requirements is ineligibility to enroll in most state universities in Ohio without further coursework.

(7) Prior to receiving the waiver, the program has submitted to the department an instructional plan that demonstrates how the academic content standards adopted by the state board under section 3301.079 of the Revised Code will be taught and assessed.

(8) Prior to receiving the waiver, the program has submitted to the department a policy on career advising that

satisfies the requirements of section 3313.6020 of the Revised Code, with an emphasis on how every student will receive career advising.

(9) Prior to receiving the waiver, the program has submitted to the department a written agreement outlining the future cooperation between the program and any combination of local job training, postsecondary education, nonprofit, and health and social service organizations to provide services for students in the program and their families.

Divisions (F) (8) and (9) of this section apply only to waivers granted on or after July 1, 2015.

If the department does not act either to grant the waiver or to reject the program application for the waiver within sixty days as required under this section, the waiver shall be considered to be granted.

(G) Every high school may permit students below the ninth grade to take advanced work. If a high school so permits, it shall award high school credit for successful completion of the advanced work and shall count such advanced work toward the graduation requirements of division (B) or (C) of this section if the advanced work was both:

(1) Taught by a person who possesses a license or certificate issued under section 3301.071, 3319.22, or 3319.222 of the Revised Code that is valid for teaching high school;

(2) Designated by the board of education of the city, local, or exempted village school district, the board of the cooperative education school district, or the governing authority of the chartered nonpublic school as meeting the high school curriculum requirements.

Each high school shall record on the student's high school transcript all high school credit awarded under division (G) of this section. In addition, if the student completed a seventh- or eighth-grade fine arts course described in division (K) of this section and the course qualified for high school credit under that division, the high school shall record that course on the student's high school transcript.

(H) The department shall make its individual academic career plan available through its Ohio career information system web site for districts and schools to use as a tool for communicating with and providing guidance to students and families in selecting high school courses.

(I) Units earned in English language arts, mathematics, science, and social studies that are delivered through integrated academic and career-technical instruction are eligible to meet the graduation requirements of division (B) or (C) of this section.

(J) The state board, in consultation with the chancellor, shall adopt a statewide plan implementing methods for students to earn units of high school credit based on a demonstration of subject area competency, instead of or in combination with completing hours of classroom instruction. The state board shall adopt the plan not later than March 31, 2009, and commence phasing in the plan during the 2009-2010 school year. The plan shall include a standard method for recording demonstrated proficiency on high school transcripts. Each school district and community school shall comply with the state board's plan adopted under this division and award units of high school credit in accordance with the plan. The state board may adopt existing methods for earning high school credit based on a

demonstration of subject area competency as necessary prior to 479
the 2009-2010 school year. 480

(K) This division does not apply to students who qualify 481
for graduation from high school under division (D) or (F) of 482
this section, or to students pursuing a career-technical 483
instructional track as determined by the school district board 484
of education or the chartered nonpublic school's governing 485
authority. Nevertheless, the general assembly encourages such 486
students to consider enrolling in a fine arts course as an 487
elective. 488

Beginning with students who enter ninth grade for the 489
first time on or after July 1, 2010, each student enrolled in a 490
public or chartered nonpublic high school shall complete two 491
semesters or the equivalent of fine arts to graduate from high 492
school. The coursework may be completed in any of grades seven 493
to twelve. Each student who completes a fine arts course in 494
grade seven or eight may elect to count that course toward the 495
five units of electives required for graduation under division 496
(C) (8) of this section, if the course satisfied the requirements 497
of division (G) of this section. In that case, the high school 498
shall award the student high school credit for the course and 499
count the course toward the five units required under division 500
(C) (8) of this section. If the course in grade seven or eight 501
did not satisfy the requirements of division (G) of this 502
section, the high school shall not award the student high school 503
credit for the course but shall count the course toward the two 504
semesters or the equivalent of fine arts required by this 505
division. 506

(L) Notwithstanding anything to the contrary in this 507
section, the board of education of each school district and the 508

governing authority of each chartered nonpublic school may adopt 509
a policy to excuse from the high school physical education 510
requirement each student who, during high school, has 511
participated in interscholastic athletics, marching band, or 512
cheerleading for at least two full seasons or in the junior 513
reserve officer training corps for at least two full school 514
years. If the board or authority adopts such a policy, the board 515
or authority shall not require the student to complete any 516
physical education course as a condition to graduate. However, 517
the student shall be required to complete one-half unit, 518
consisting of at least sixty hours of instruction, in another 519
course of study. In the case of a student who has participated 520
in the junior reserve officer training corps for at least two 521
full school years, credit received for that participation may be 522
used to satisfy the requirement to complete one-half unit in 523
another course of study. 524

(M) It is important that high school students learn and 525
understand United States history and the governments of both the 526
United States and the state of Ohio. Therefore, beginning with 527
students who enter ninth grade for the first time on or after 528
July 1, 2012, the study of American history and American 529
government required by divisions (B)(6) and (C)(6) of this 530
section shall include the study of all of the following 531
documents: 532

(1) The Declaration of Independence; 533

(2) The Northwest Ordinance; 534

(3) The Constitution of the United States with emphasis on 535
the Bill of Rights; 536

(4) The Ohio Constitution. 537

The study of each of the documents prescribed in divisions (M) (1) to (4) of this section shall include study of that document in its original context.

The study of American history and government required by divisions (B) (6) and (C) (6) of this section shall include the historical evidence of the role of documents such as the Federalist Papers and the Anti-Federalist Papers to firmly establish the historical background leading to the establishment of the provisions of the Constitution and Bill of Rights.

Sec. 3313.6021. (A) As used in this section, "psychomotor skills" means the use of hands-on practice to support cognitive learning.

(B) Beginning with students who enter ninth grade for the first time on or after July 1, 2016, except as provided in division (F) of this section, each school district and chartered nonpublic school which offers grades nine to twelve shall provide instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator and shall require successful completion of such instruction as a condition for issuance of a high school diploma.

Instruction shall include the psychomotor skills necessary to perform cardiopulmonary resuscitation and use an automated external defibrillator and shall be either of the following:

(1) An instructional program developed by the American heart association or the American red cross that includes instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator;

(2) An instructional program that is nationally recognized and based on the most current national, evidence-based emergency

cardiovascular care guidelines for cardiopulmonary resuscitation 567
and the use of an automated external defibrillator. 568

(C) No student shall receive certification in 569
cardiopulmonary resuscitation and the use of an automated 570
external defibrillator unless the student is trained by an 571
authorized or certified instructor. 572

(D) Nothing in this section requires a licensed educator 573
to be certified to provide training in the manner prescribed by 574
this section to facilitate, provide, or oversee instruction in 575
cardiopulmonary resuscitation and the use of an automated 576
external defibrillator that does not result in certification of 577
students. 578

(E) The department of education shall establish a 579
procedure for monitoring compliance with this section by school 580
districts and schools. 581

The department may withhold a percentage of the total 582
amount of state funds due to the district or school for the 583
current fiscal year, as the department determines, for failure 584
to comply with this section. 585

(F) If a student is excused from taking instruction in 586
cardiopulmonary resuscitation under division (A) (8) of section 587
3313.60 of the Revised Code, the student shall not be required 588
to receive instruction as prescribed by this section. 589

Sec. 3314.03. A copy of every contract entered into under 590
this section shall be filed with the superintendent of public 591
instruction. The department of education shall make available on 592
its web site a copy of every approved, executed contract filed 593
with the superintendent under this section. 594

(A) Each contract entered into between a sponsor and the 595

governing authority of a community school shall specify the 596
following: 597

(1) That the school shall be established as either of the 598
following: 599

(a) A nonprofit corporation established under Chapter 600
1702. of the Revised Code, if established prior to April 8, 601
2003; 602

(b) A public benefit corporation established under Chapter 603
1702. of the Revised Code, if established after April 8, 2003. 604

(2) The education program of the school, including the 605
school's mission, the characteristics of the students the school 606
is expected to attract, the ages and grades of students, and the 607
focus of the curriculum; 608

(3) The academic goals to be achieved and the method of 609
measurement that will be used to determine progress toward those 610
goals, which shall include the statewide achievement 611
assessments; 612

(4) Performance standards by which the success of the 613
school will be evaluated by the sponsor; 614

(5) The admission standards of section 3314.06 of the 615
Revised Code and, if applicable, section 3314.061 of the Revised 616
Code; 617

(6) (a) Dismissal procedures; 618

(b) A requirement that the governing authority adopt an 619
attendance policy that includes a procedure for automatically 620
withdrawing a student from the school if the student without a 621
legitimate excuse fails to participate in one hundred five 622
consecutive hours of the learning opportunities offered to the 623

student. 624

(7) The ways by which the school will achieve racial and 625
ethnic balance reflective of the community it serves; 626

(8) Requirements for financial audits by the auditor of 627
state. The contract shall require financial records of the 628
school to be maintained in the same manner as are financial 629
records of school districts, pursuant to rules of the auditor of 630
state. Audits shall be conducted in accordance with section 631
117.10 of the Revised Code. 632

(9) The facilities to be used and their locations; 633

(10) Qualifications of teachers, including a requirement 634
that the school's classroom teachers be licensed in accordance 635
with sections 3319.22 to 3319.31 of the Revised Code, except 636
that a community school may engage noncertificated persons to 637
teach up to twelve hours per week pursuant to section 3319.301 638
of the Revised Code. 639

(11) That the school will comply with the following 640
requirements: 641

(a) The school will provide learning opportunities to a 642
minimum of twenty-five students for a minimum of nine hundred 643
twenty hours per school year. 644

(b) The governing authority will purchase liability 645
insurance, or otherwise provide for the potential liability of 646
the school. 647

(c) The school will be nonsectarian in its programs, 648
admission policies, employment practices, and all other 649
operations, and will not be operated by a sectarian school or 650
religious institution. 651

(d) The school will comply with sections 9.90, 9.91, 652
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 653
3301.0711, 3301.0712, 3301.0715, 3301.948, 3313.472, 3313.50, 654
3313.536, 3313.539, 3313.608, 3313.609, 3313.6012, 3313.6013, 655
3313.6014, 3313.6015, 3313.6020, 3313.6021, 3313.643, 3313.648, 656
3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 657
3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 658
3313.716, 3313.718, 3313.719, 3313.7112, 3313.80, 3313.814, 659
3313.816, 3313.817, 3313.86, 3313.89, 3313.96, 3319.073, 660
3319.321, 3319.39, 3319.391, 3319.41, 3319.46, 3321.01, 661
3321.041, 3321.13, 3321.14, 3321.17, 3321.18, 3321.19, 3321.191, 662
3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 117., 663
1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of 664
the Revised Code as if it were a school district and will comply 665
with section 3301.0714 of the Revised Code in the manner 666
specified in section 3314.17 of the Revised Code. 667

(e) The school shall comply with Chapter 102. and section 668
2921.42 of the Revised Code. 669

(f) The school will comply with sections 3313.61, 670
3313.611, and 3313.614 of the Revised Code, except that for 671
students who enter ninth grade for the first time before July 1, 672
2010, the requirement in sections 3313.61 and 3313.611 of the 673
Revised Code that a person must successfully complete the 674
curriculum in any high school prior to receiving a high school 675
diploma may be met by completing the curriculum adopted by the 676
governing authority of the community school rather than the 677
curriculum specified in Title XXXIII of the Revised Code or any 678
rules of the state board of education. Beginning with students 679
who enter ninth grade for the first time on or after July 1, 680
2010, the requirement in sections 3313.61 and 3313.611 of the 681
Revised Code that a person must successfully complete the 682

curriculum of a high school prior to receiving a high school 683
diploma shall be met by completing the requirements prescribed 684
in division (C) of section 3313.603 of the Revised Code, unless 685
the person qualifies under division (D) or (F) of that section. 686
Each school shall comply with the plan for awarding high school 687
credit based on demonstration of subject area competency, 688
adopted by the state board of education under division (J) of 689
section 3313.603 of the Revised Code. 690

(g) The school governing authority will submit within four 691
months after the end of each school year a report of its 692
activities and progress in meeting the goals and standards of 693
divisions (A) (3) and (4) of this section and its financial 694
status to the sponsor and the parents of all students enrolled 695
in the school. 696

(h) The school, unless it is an internet- or computer- 697
based community school, will comply with section 3313.801 of the 698
Revised Code as if it were a school district. 699

(i) If the school is the recipient of moneys from a grant 700
awarded under the federal race to the top program, Division (A), 701
Title XIV, Sections 14005 and 14006 of the "American Recovery 702
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 703
the school will pay teachers based upon performance in 704
accordance with section 3317.141 and will comply with section 705
3319.111 of the Revised Code as if it were a school district. 706

(12) Arrangements for providing health and other benefits 707
to employees; 708

(13) The length of the contract, which shall begin at the 709
beginning of an academic year. No contract shall exceed five 710
years unless such contract has been renewed pursuant to division 711

(E) of this section. 712

(14) The governing authority of the school, which shall be 713
responsible for carrying out the provisions of the contract; 714

(15) A financial plan detailing an estimated school budget 715
for each year of the period of the contract and specifying the 716
total estimated per pupil expenditure amount for each such year. 717

(16) Requirements and procedures regarding the disposition 718
of employees of the school in the event the contract is 719
terminated or not renewed pursuant to section 3314.07 of the 720
Revised Code; 721

(17) Whether the school is to be created by converting all 722
or part of an existing public school or educational service 723
center building or is to be a new start-up school, and if it is 724
a converted public school or service center building, 725
specification of any duties or responsibilities of an employer 726
that the board of education or service center governing board 727
that operated the school or building before conversion is 728
delegating to the governing authority of the community school 729
with respect to all or any specified group of employees provided 730
the delegation is not prohibited by a collective bargaining 731
agreement applicable to such employees; 732

(18) Provisions establishing procedures for resolving 733
disputes or differences of opinion between the sponsor and the 734
governing authority of the community school; 735

(19) A provision requiring the governing authority to 736
adopt a policy regarding the admission of students who reside 737
outside the district in which the school is located. That policy 738
shall comply with the admissions procedures specified in 739
sections 3314.06 and 3314.061 of the Revised Code and, at the 740

sole discretion of the authority, shall do one of the following: 741

(a) Prohibit the enrollment of students who reside outside 742
the district in which the school is located; 743

(b) Permit the enrollment of students who reside in 744
districts adjacent to the district in which the school is 745
located; 746

(c) Permit the enrollment of students who reside in any 747
other district in the state. 748

(20) A provision recognizing the authority of the 749
department of education to take over the sponsorship of the 750
school in accordance with the provisions of division (C) of 751
section 3314.015 of the Revised Code; 752

(21) A provision recognizing the sponsor's authority to 753
assume the operation of a school under the conditions specified 754
in division (B) of section 3314.073 of the Revised Code; 755

(22) A provision recognizing both of the following: 756

(a) The authority of public health and safety officials to 757
inspect the facilities of the school and to order the facilities 758
closed if those officials find that the facilities are not in 759
compliance with health and safety laws and regulations; 760

(b) The authority of the department of education as the 761
community school oversight body to suspend the operation of the 762
school under section 3314.072 of the Revised Code if the 763
department has evidence of conditions or violations of law at 764
the school that pose an imminent danger to the health and safety 765
of the school's students and employees and the sponsor refuses 766
to take such action. 767

(23) A description of the learning opportunities that will 768

be offered to students including both classroom-based and non- 769
classroom-based learning opportunities that is in compliance 770
with criteria for student participation established by the 771
department under division (H) (2) of section 3314.08 of the 772
Revised Code; 773

(24) The school will comply with sections 3302.04 and 774
3302.041 of the Revised Code, except that any action required to 775
be taken by a school district pursuant to those sections shall 776
be taken by the sponsor of the school. However, the sponsor 777
shall not be required to take any action described in division 778
(F) of section 3302.04 of the Revised Code. 779

(25) Beginning in the 2006-2007 school year, the school 780
will open for operation not later than the thirtieth day of 781
September each school year, unless the mission of the school as 782
specified under division (A) (2) of this section is solely to 783
serve dropouts. In its initial year of operation, if the school 784
fails to open by the thirtieth day of September, or within one 785
year after the adoption of the contract pursuant to division (D) 786
of section 3314.02 of the Revised Code if the mission of the 787
school is solely to serve dropouts, the contract shall be void. 788

(26) Whether the school's governing authority is planning 789
to seek designation for the school as a STEM school equivalent 790
under section 3326.032 of the Revised Code. 791

(B) The community school shall also submit to the sponsor 792
a comprehensive plan for the school. The plan shall specify the 793
following: 794

(1) The process by which the governing authority of the 795
school will be selected in the future; 796

(2) The management and administration of the school; 797

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

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

(5) Internal financial controls.

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

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

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

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

(3) Report on an annual basis the results of the 827
evaluation conducted under division (D) (2) of this section to 828
the department of education and to the parents of students 829
enrolled in the community school; 830

(4) Provide technical assistance to the community school 831
in complying with laws applicable to the school and terms of the 832
contract; 833

(5) Take steps to intervene in the school's operation to 834
correct problems in the school's overall performance, declare 835
the school to be on probationary status pursuant to section 836
3314.073 of the Revised Code, suspend the operation of the 837
school pursuant to section 3314.072 of the Revised Code, or 838
terminate the contract of the school pursuant to section 3314.07 839
of the Revised Code as determined necessary by the sponsor; 840

(6) Have in place a plan of action to be undertaken in the 841
event the community school experiences financial difficulties or 842
closes prior to the end of a school year. 843

(E) Upon the expiration of a contract entered into under 844
this section, the sponsor of a community school may, with the 845
approval of the governing authority of the school, renew that 846
contract for a period of time determined by the sponsor, but not 847
ending earlier than the end of any school year, if the sponsor 848
finds that the school's compliance with applicable laws and 849
terms of the contract and the school's progress in meeting the 850
academic goals prescribed in the contract have been 851
satisfactory. Any contract that is renewed under this division 852
remains subject to the provisions of sections 3314.07, 3314.072, 853
and 3314.073 of the Revised Code. 854

(F) If a community school fails to open for operation 855

within one year after the contract entered into under this 856
section is adopted pursuant to division (D) of section 3314.02 857
of the Revised Code or permanently closes prior to the 858
expiration of the contract, the contract shall be void and the 859
school shall not enter into a contract with any other sponsor. A 860
school shall not be considered permanently closed because the 861
operations of the school have been suspended pursuant to section 862
3314.072 of the Revised Code. 863

Sec. 3326.11. Each science, technology, engineering, and 864
mathematics school established under this chapter and its 865
governing body shall comply with sections 9.90, 9.91, 109.65, 866
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 867
3301.0714, 3301.0715, 3301.948, 3313.14, 3313.15, 3313.16, 868
3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 3313.481, 869
3313.482, 3313.50, 3313.536, 3313.539, 3313.608, 3313.6012, 870
3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.6021, 3313.61, 871
3313.611, 3313.614, 3313.615, 3313.643, 3313.648, 3313.6411, 872
3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.67, 873
3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 874
3313.718, 3313.719, 3313.7112, 3313.80, 3313.801, 3313.814, 875
3313.816, 3313.817, 3313.86, 3313.89, 3313.96, 3319.073, 876
3319.21, 3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 3319.41, 877
3319.45, 3319.46, 3321.01, 3321.041, 3321.13, 3321.14, 3321.17, 878
3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 4113.52, and 879
5705.391 and Chapters 102., 117., 1347., 2744., 3307., 3309., 880
3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code 881
as if it were a school district. 882

Sec. 3328.24. A college-preparatory boarding school 883
established under this chapter and its board of trustees shall 884
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 885
3301.0714, 3301.948, 3313.536, 3313.6013, 3313.6021, 3313.6411, 886

3313.7112, 3313.89, 3319.39, 3319.391, and 3319.46 and Chapter 887
3365. of the Revised Code as if the school were a school 888
district and the school's board of trustees were a district 889
board of education. 890

Section 2. That existing sections 3313.60, 3313.603, 891
3314.03, 3326.11, and 3328.24 of the Revised Code are hereby 892
repealed. 893