

**As Introduced**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**H. B. No. 123**

**Representatives Holmes, G., Manning, G.**

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**A BILL**

To amend sections 3313.536, 3313.60, 3314.03, 1  
3319.073, 3326.11, and 3328.24 and to enact 2  
sections 3301.221, 3301.23, 3313.669, 3313.6610, 3  
3313.6611, and 3313.6612 of the Revised Code 4  
with regard to school security and youth suicide 5  
awareness education and training. 6

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

**Section 1.** That sections 3313.536, 3313.60, 3314.03, 7  
3319.073, 3326.11, and 3328.24 be amended and sections 3301.221, 8  
3301.23, 3313.669, 3313.6610, 3313.6611, and 3313.6612 of the 9  
Revised Code be enacted to read as follows: 10

**Sec. 3301.221.** (A) As used in this section and in sections 11  
3313.60 and 3313.669 of the Revised Code, "evidence-based" means 12  
a program or practice that does either of the following: 13

(1) Demonstrates a rationale based on high-quality 14  
research findings or positive evaluation that such a program or 15  
practice is likely to improve relevant outcomes and includes 16  
ongoing efforts to examine the effects of the program or 17  
practice; 18

(2) Have a statistically significant effect on relevant 19

<u>outcomes based on:</u>	20
<u>(a) Strong evidence from not less than one well-designed</u>	21
<u>and well-implemented experimental study;</u>	22
<u>(b) Moderate evidence from not less than one well-designed</u>	23
<u>and well-implemented quasi-experimental study; or</u>	24
<u>(c) Promising evidence from not less than one well-</u>	25
<u>designed and well-implemented correlation study with statistical</u>	26
<u>controls for selection bias.</u>	27
<u>(B) Not later than two years after the effective date of</u>	28
<u>this section, the department of education shall develop a model</u>	29
<u>policy and a list of approved training programs to serve as a</u>	30
<u>guide for school threat assessment teams prescribed in section</u>	31
<u>3313.669 of the Revised Code. The list of approved programs</u>	32
<u>shall include options that are free or of no cost to schools.</u>	33
<u>The model policy shall do at least the following:</u>	34
<u>(1) Identify the types of threatening behavior that may</u>	35
<u>represent a physical threat to a school community;</u>	36
<u>(2) Identify individuals to whom threatening behavior</u>	37
<u>should be reported and steps to be taken by those individuals;</u>	38
<u>(3) Establish threat assessment guidelines including</u>	39
<u>identification, evaluation of seriousness of threat or danger,</u>	40
<u>intervention to reduce potential violence, and follow-up to</u>	41
<u>assess intervention results;</u>	42
<u>(4) Establish guidelines for coordinating with local law</u>	43
<u>enforcement agencies and reports collected through the hotline</u>	44
<u>operated by the department, as described in section 3301.23 of</u>	45
<u>the Revised Code;</u>	46
<u>(5) Establish guidelines for disciplinary actions in cases</u>	47

when a credible threat has been identified so that such 48  
disciplinary actions do not discriminate against students in a 49  
protected class based on membership in that class, or are not 50  
applied disproportionately to students in any protected class. 51

(C) The department shall adopt a model curriculum and 52  
materials and develop a list of approved training programs, to 53  
be posted on its web site, for instruction in suicide awareness 54  
and prevention and violence prevention as prescribed under 55  
division (A) (5) (h) of section 3313.60 and division (D) of 56  
section 3319.073 of the Revised Code. The list of approved 57  
training programs shall include options that are free or of no 58  
cost to schools. The model curriculum and approved training 59  
materials and programs shall be peer-reviewed and evidence-based 60  
and include the following: 61

(1) How to instruct school personnel to identify the signs 62  
and symptoms of depression, suicide, and self-harm in students; 63

(2) How to instruct students to identify the signs and 64  
symptoms of depression, suicide, and self-harm in their peers; 65

(3) How to identify appropriate mental health services 66  
within schools and within larger communities, and when and how 67  
to refer youth and their families to those services; 68

(4) How to teach students about mental health and 69  
depression, warning signs of suicide, and the importance of and 70  
processes for seeking help on behalf of self and peers and 71  
reporting of these behaviors. 72

(D) The department shall adopt a model curriculum and 73  
materials and develop a list of approved training programs, to 74  
be posted on its web site, for instruction in social inclusion 75  
as prescribed by division (A) (5) (i) of section 3313.60 of the 76

Revised Code. The list of approved training programs shall 77  
include options that are free or of no cost to schools. The 78  
model curriculum and approved training programs shall be peer- 79  
reviewed and evidence-based and include the following: 80

(1) What social isolation is and how to identify it in 81  
others; 82

(2) The importance of social inclusion and establishing 83  
connections with peers; 84

(3) When and how to seek help for peers who may be 85  
socially isolated; 86

(4) How to utilize strategies for more social inclusion in 87  
classrooms and the school community. 88

**Sec. 3301.23.** (A) The department of education, in 89  
collaboration with other state agencies, shall develop a 90  
statewide anonymous reporting program that enables any person to 91  
anonymously report any dangerous, violent, or unlawful activity 92  
that occurs or may occur on school property or relates to a 93  
school community. The program shall do all of the following: 94

(1) Provide technical support twenty-four hours per day, 95  
seven days per week; 96

(2) Promptly forward reported information to the 97  
appropriate school threat assessment teams, as described under 98  
section 3313.669 of the Revised Code, law enforcement agencies, 99  
and other necessary personnel, as determined by the 100  
superintendent of public instruction; 101

(3) Coordinate with the appropriate entities listed in 102  
school comprehensive emergency management plans, as prescribed 103  
in division (B) of section 3313.536 of the Revised Code; 104

(4) Promote awareness and education in all public schools and school communities about the program and reporting methods; 105  
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(5) Coordinate with existing student and school training programs on how to identify, assess, and respond to threatening behaviors before they escalate to violence, the procedures for making a report, and collaborating to prevent dangerous, violent, or unlawful activity; 107  
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(6) Comply with section 3319.321 of the Revised Code and the "Family Educational Rights and Privacy Act of 1974," 20 U.S.C. 1232g. 112  
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(B) The department may enter into a contract with a qualified organization to assist in meeting the requirements of this section. 115  
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(C) Each school district and public school shall participate in the program in accordance with section 3313.6610 of the Revised Code. 118  
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(D) The department shall identify and compile a database of individuals responsible for the implementation, coordination, and delivery of the program for each school. The database shall at least include the following: 121  
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(1) A point of contact within each law enforcement agency that has jurisdiction over each school; 125  
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(2) A primary point of contact within each school who is responsible for managing the school threat assessment team described in section 3313.669 of the Revised Code. 127  
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**Sec. 3313.536.** (A) As used in this section: 130

(1) "Administrator" means the superintendent, principal, chief administrative officer, or other person having supervisory 131  
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authority of any of the following:	133
(a) A city, exempted village, local, or joint vocational school district;	134 135
(b) A community school established under Chapter 3314. of the Revised Code, as required through reference in division (A) (11) (d) of section 3314.03 of the Revised Code;	136 137 138
(c) A STEM school established under Chapter 3326. of the Revised Code, as required through reference in section 3326.11 of the Revised Code;	139 140 141
(d) A college-preparatory boarding school established under Chapter 3328. of the Revised Code;	142 143
(e) A district or school operating a career-technical education program approved by the department of education under section 3317.161 of the Revised Code;	144 145 146
(f) A chartered nonpublic school;	147
(g) An educational service center;	148
(h) A preschool program or school-age child care program licensed by the department of education;	149 150
(i) Any other facility that primarily provides educational services to children subject to regulation by the department of education.	151 152 153
(2) "Emergency management test" means a regularly scheduled drill, exercise, or activity designed to assess and evaluate an emergency management plan under this section.	154 155 156
(3) "Building" means any school, school building, facility, program, or center.	157 158
(B) (1) Each administrator shall develop and adopt a	159

comprehensive emergency management plan, in accordance with 160  
rules adopted by the state board of education pursuant to 161  
division (F) of this section, and a school threat assessment  
plan for each building under the administrator's control. The 162  
administrator shall examine the environmental conditions and 163  
operations of each building to determine potential hazards to 164  
student and staff safety and shall propose operating changes to 165  
promote the prevention of potentially dangerous problems and 166  
circumstances. In developing the plan for each building, the 167  
administrator shall involve community law enforcement and safety 168  
officials, parents of students who are assigned to the building, 169  
and teachers and nonteaching employees who are assigned to the 170  
building. The administrator shall incorporate remediation 171  
strategies into the plan for any building where documented 172  
safety problems have occurred. 173  
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(2) Each administrator shall also incorporate into the 175  
emergency management plan and the school threat assessment plan 176  
adopted under division (B) (1) of this section all of the 177  
following: 178

(a) A protocol for addressing serious threats to the 179  
safety of property, students, employees, or administrators; 180

(b) A protocol for responding to any emergency events that 181  
occur and compromise the safety of property, students, 182  
employees, or administrators. This protocol shall include, but 183  
not be limited to, all of the following: 184

(i) A floor plan that is unique to each floor of the 185  
building; 186

(ii) A site plan that includes all building property and 187  
surrounding property; 188

(iii) An emergency contact information sheet.	189
(3) Each protocol described in divisions (B) (2) (a) and (b) of this section shall include procedures determined to be appropriate by the administrator for responding to threats and emergency events, respectively, including such things as notification of appropriate law enforcement personnel, calling upon specified emergency response personnel for assistance, and informing parents of affected students.	190 191 192 193 194 195 196
Prior to the opening day of each school year, the administrator shall inform each student or child enrolled in the school and the student's or child's parent of the parental notification procedures included in the protocol.	197 198 199 200
(4) Each administrator shall keep a copy of the emergency management plan <u>and the school threat assessment plan</u> adopted pursuant to this section in a secure place.	201 202 203
(C) (1) The administrator shall submit to the department of education, in accordance with rules adopted by the state board of education pursuant to division (F) of this section, an electronic copy of the emergency management plan prescribed by division (B) of this section not less than once every three years <u>and a school threat assessment plan prescribed by division (B) of this section not less than once every two years</u> , whenever a major modification to the building requires changes in the procedures outlined in the plan, and whenever information on the emergency contact information sheet changes.	204 205 206 207 208 209 210 211 212 213
(2) The administrator also shall file a copy of the <del>plan</del> <u>plans</u> with each law enforcement agency that has jurisdiction over the school building and, upon request, to any of the following:	214 215 216 217



(a) The fire department that serves the political 218  
subdivision in which the building is located; 219

(b) The emergency medical service organization that serves 220  
the political subdivision in which the building is located; 221

(c) The county emergency management agency for the county 222  
in which the building is located. 223

(3) Upon receipt of an emergency management plan and the 224  
school threat assessment plan, the department of education shall 225  
submit the information in accordance with rules adopted by the 226  
state board of education pursuant to division (F) of this 227  
section, to both of the following: 228

(a) The attorney general, who shall post that information 229  
on the Ohio law enforcement gateway or its successor; 230

(b) The director of public safety, who shall post the 231  
information on the contact and information management system. 232

(4) Any department or entity to which copies of an 233  
emergency management plan are filed under this section shall 234  
keep the copies in a secure place. 235

(D) (1) Not later than the first day of July of each year, 236  
each administrator shall review the emergency management plan 237  
and the school threat assessment plan and certify to the 238  
department of education that the ~~plan is~~ plans are current and 239  
accurate. 240

(2) Anytime that an administrator updates the emergency 241  
management plan pursuant to division (C) (1) of this section, the 242  
administrator shall file copies, not later than the tenth day 243  
after the revision is adopted and in accordance with rules 244  
adopted by the state board pursuant to division (F) of this 245

section, to the department of education and to any entity with 246  
which the administrator filed a copy under division (C) (2) of 247  
this section. 248

(E) Each administrator shall do both of the following: 249

(1) Prepare and conduct at least one annual emergency 250  
management test, as defined in division (A) (2) of this section, 251  
in accordance with rules adopted by the state board pursuant to 252  
division (F) of this section; 253

(2) Grant access to each building under the control of the 254  
administrator to law enforcement personnel and to entities 255  
described in division (C) (2) of this section, to enable the 256  
personnel and entities to hold training sessions for responding 257  
to threats and emergency events affecting the building, provided 258  
that the access occurs outside of student instructional hours 259  
and the administrator, or the administrator's designee, is 260  
present in the building during the training sessions. 261

(F) The state board of education, in accordance with 262  
Chapter 119. of the Revised Code, shall adopt rules regarding 263  
emergency management plans and school threat assessment plans 264  
under this section, including the content of the plans and 265  
procedures for filing the plans. The rules shall specify that 266  
plans and information required under division (B) of this 267  
section be submitted on standardized forms developed by the 268  
department of education for such purpose. The rules shall also 269  
specify the requirements and procedures for emergency management 270  
tests conducted pursuant to division (E) (1) of this section. 271  
Failure to comply with the rules may result in discipline 272  
pursuant to section 3319.31 of the Revised Code or any other 273  
action against the administrator as prescribed by rule. 274

(G) Division (B) of section 3319.31 of the Revised Code 275  
applies to any administrator who is subject to the requirements 276  
of this section and is not exempt under division (H) of this 277  
section and who is an applicant for a license or holds a license 278  
from the state board pursuant to section 3319.22 of the Revised 279  
Code. 280

(H) The superintendent of public instruction may exempt 281  
any administrator from the requirements of this section, if the 282  
superintendent determines that the requirements do not otherwise 283  
apply to a building or buildings under the control of that 284  
administrator. 285

(I) Copies of the emergency management plan, threat 286  
assessment plan, and other information required under division 287  
(B) of this section are security records and are not public 288  
records pursuant to section 149.433 of the Revised Code. In 289  
addition, the information posted to the contact and information 290  
management system, pursuant to division (C) (3) (b) of this 291  
section, is exempt from public disclosure or release in 292  
accordance with sections 149.43, 149.433, and 5502.03 of the 293  
Revised Code. 294

Notwithstanding section 149.433 of the Revised Code, a 295  
floor plan filed with the attorney general pursuant to this 296  
section is not a public record to the extent it is a record kept 297  
by the attorney general. 298

**Sec. 3313.60.** Notwithstanding division (D) of section 299  
3311.52 of the Revised Code, divisions (A) to (E) of this 300  
section do not apply to any cooperative education school 301  
district established pursuant to divisions (A) to (C) of section 302  
3311.52 of the Revised Code. 303

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

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

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

(3) Mathematics;

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

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

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

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

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

(d) In grades kindergarten through six, instruction in

personal safety and assault prevention, except that upon written 332  
request of the student's parent or guardian, a student shall be 333  
excused from taking instruction in personal safety and assault 334  
prevention; 335

(e) In grades seven through twelve, age-appropriate 336  
instruction in dating violence prevention education, which shall 337  
include instruction in recognizing dating violence warning signs 338  
and characteristics of healthy relationships. 339

In order to assist school districts in developing a dating 340  
violence prevention education curriculum, the department of 341  
education shall provide on its web site links to free curricula 342  
addressing dating violence prevention. 343

If the parent or legal guardian of a student less than 344  
eighteen years of age submits to the principal of the student's 345  
school a written request to examine the dating violence 346  
prevention instruction materials used at that school, the 347  
principal, within a reasonable period of time after the request 348  
is made, shall allow the parent or guardian to examine those 349  
materials at that school. 350

(f) Prescription opioid abuse prevention, with an emphasis 351  
on the prescription drug epidemic and the connection between 352  
prescription opioid abuse and addiction to other drugs, such as 353  
heroin; 354

(g) The process of making an anatomical gift under Chapter 355  
2108. of the Revised Code, with an emphasis on the life-saving 356  
and life-enhancing effects of organ and tissue donation; 357

(h) Beginning with the first day of the next school year 358  
that begins at least two years after the effective date of this 359  
amendment, in grades six through twelve, at least one hour per 360

school year of evidence-based suicide awareness and prevention 361  
and at least one hour per year of safety training and violence 362  
prevention; 363

(i) Beginning with the first day of the next school year 364  
that begins at least two years after the effective date of this 365  
amendment, in grades six through twelve, at least one hour per 366  
school year of evidence-based social inclusion instruction. 367

For the instruction required under divisions (A) (5) (h) and 368  
(i) of this section, the board may use the model policies and 369  
training approved by the department of education under section 370  
3301.221 of the Revised Code. 371

(6) Physical education; 372

(7) The fine arts, including music; 373

(8) First aid, including a training program in 374  
cardiopulmonary resuscitation, which shall comply with section 375  
3313.6021 of the Revised Code when offered in any of grades nine 376  
through twelve, safety, and fire prevention. However, upon 377  
written request of the student's parent or guardian, a student 378  
shall be excused from taking instruction in cardiopulmonary 379  
resuscitation. 380

(B) Except as provided in division (E) of this section, 381  
every school or school district shall include in the 382  
requirements for promotion from the eighth grade to the ninth 383  
grade one year's course of study of American history. A board 384  
may waive this requirement for academically accelerated students 385  
who, in accordance with procedures adopted by the board, are 386  
able to demonstrate mastery of essential concepts and skills of 387  
the eighth grade American history course of study. 388

(C) As specified in divisions (B) (6) and (C) (6) of section 389

3313.603 of the Revised Code, except as provided in division (E) 390  
of this section, every high school shall include in the 391  
requirements for graduation from any curriculum one-half unit 392  
each of American history and government. 393

(D) Except as provided in division (E) of this section, 394  
basic instruction or demonstrated mastery in geography, United 395  
States history, the government of the United States, the 396  
government of the state of Ohio, local government in Ohio, the 397  
Declaration of Independence, the United States Constitution, and 398  
the Constitution of the state of Ohio shall be required before 399  
pupils may participate in courses involving the study of social 400  
problems, economics, foreign affairs, United Nations, world 401  
government, socialism, and communism. 402

(E) For each cooperative education school district 403  
established pursuant to section 3311.521 of the Revised Code and 404  
each city, exempted village, and local school district that has 405  
territory within such a cooperative district, the curriculum 406  
adopted pursuant to divisions (A) to (D) of this section shall 407  
only include the study of the subjects that apply to the grades 408  
operated by each such school district. The curriculums for such 409  
schools, when combined, shall provide to each student of these 410  
districts all of the subjects required under divisions (A) to 411  
(D) of this section. 412

(F) The board of education of any cooperative education 413  
school district established pursuant to divisions (A) to (C) of 414  
section 3311.52 of the Revised Code shall prescribe a curriculum 415  
for the subject areas and grade levels offered in any school 416  
under its control. 417

(G) Upon the request of any parent or legal guardian of a 418  
student, the board of education of any school district shall 419

permit the parent or guardian to promptly examine, with respect 420  
to the parent's or guardian's own child: 421

(1) Any survey or questionnaire, prior to its 422  
administration to the child; 423

(2) Any textbook, workbook, software, video, or other 424  
instructional materials being used by the district in connection 425  
with the instruction of the child; 426

(3) Any completed and graded test taken or survey or 427  
questionnaire filled out by the child; 428

(4) Copies of the statewide academic standards and each 429  
model curriculum developed pursuant to section 3301.079 of the 430  
Revised Code, which copies shall be available at all times 431  
during school hours in each district school building. 432

Sec. 3313.669. (A) (1) Beginning not later than two years 433  
after the effective date of this section, the board of education 434  
of each local, city, exempted village, and joint vocational 435  
school district shall create a certified threat assessment team 436  
for each school building in the district serving grades six 437  
through twelve. Upon appointment and once every three years 438  
thereafter, each team member shall complete an approved 439  
evidence-based threat assessment training program. 440

(2) Each district shall annually submit proof of 441  
completion and certification of each team and its members to the 442  
department of education. Each team shall be multidisciplinary, 443  
when possible, and may include school administrators, mental 444  
health professionals, school resource officers, and other 445  
necessary personnel. 446

(B) An approved threat assessment training must be a peer- 447  
reviewed, evidence-based program that provides instruction in 448



<u>the following:</u>	449
<u>(1) Identifying behaviors, signs, and threats that may</u>	450
<u>lead to a violent act;</u>	451
<u>(2) Determining the seriousness of a threat;</u>	452
<u>(3) Developing intervention plans that protect the</u>	453
<u>potential victims and address the underlying problem or conflict</u>	454
<u>that initiated the behavior and assessments of plan results.</u>	455
<u>Sec. 3313.6610. (A) Beginning not later than two years</u>	456
<u>after the effective date of this section, each local, city,</u>	457
<u>exempted village, and joint vocational school district shall</u>	458
<u>participate in the anonymous reporting program developed under</u>	459
<u>section 3301.23 of the Revised Code.</u>	460
<u>(B) Each district shall submit a report to the department</u>	461
<u>of education at the end of the first full school year of the</u>	462
<u>district's participation in the program, and at the end of each</u>	463
<u>school year thereafter, disaggregated by school. The report</u>	464
<u>shall include the following:</u>	465
<u>(1) The number of anonymous reports and the method by</u>	466
<u>which they were received;</u>	467
<u>(2) The number and type of disciplinary actions taken in</u>	468
<u>the previous twelve months as a result of anonymous reports;</u>	469
<u>(3) The number and type of mental wellness referrals;</u>	470
<u>(4) The race and gender of the students subject to the</u>	471
<u>disciplinary actions and mental wellness referrals;</u>	472
<u>(5) The number of intentionally false tips received, if</u>	473
<u>any;</u>	474
<u>(6) Any other information the department deems necessary.</u>	475

Sec. 3313.6611. (A) No adult, as defined in section 476  
2151.011 of the Revised Code, shall recklessly make or cause 477  
another adult to make a false report against a student through 478  
the anonymous reporting program developed under section 3301.23 479  
of the Revised Code. 480

(B) Whoever violates division (A) of this section is 481  
guilty of making false alarms against a minor, a misdemeanor of 482  
the third degree. 483

(C) If an anonymous report filed through the program is 484  
determined to be false, information about the student who is the 485  
subject of the false report shall be immediately removed from 486  
the student's record, including those records held by the 487  
school, school district, and any law enforcement agency. 488

Sec. 3313.6612. The board of education of a local, city, 489  
exempted village, and joint vocational school district shall 490  
create a student-led violence prevention club for each school 491  
building in the district serving grades six through twelve. Each 492  
club shall do the following: 493

(A) Be open to all members of the student body; 494

(B) Have at least one identified adult advisor; 495

(C) Implement and sustain suicide and violence prevention 496  
and social inclusion training and awareness activities in a 497  
manner that is in agreement with section 3301.221 of the Revised 498  
Code; 499

(D) Foster opportunities for student leadership 500  
development. 501

Sec. 3314.03. A copy of every contract entered into under 502  
this section shall be filed with the superintendent of public 503

instruction. The department of education shall make available on 504  
its web site a copy of every approved, executed contract filed 505  
with the superintendent under this section. 506

(A) Each contract entered into between a sponsor and the 507  
governing authority of a community school shall specify the 508  
following: 509

(1) That the school shall be established as either of the 510  
following: 511

(a) A nonprofit corporation established under Chapter 512  
1702. of the Revised Code, if established prior to April 8, 513  
2003; 514

(b) A public benefit corporation established under Chapter 515  
1702. of the Revised Code, if established after April 8, 2003. 516

(2) The education program of the school, including the 517  
school's mission, the characteristics of the students the school 518  
is expected to attract, the ages and grades of students, and the 519  
focus of the curriculum; 520

(3) The academic goals to be achieved and the method of 521  
measurement that will be used to determine progress toward those 522  
goals, which shall include the statewide achievement 523  
assessments; 524

(4) Performance standards, including but not limited to 525  
all applicable report card measures set forth in section 3302.03 526  
or 3314.017 of the Revised Code, by which the success of the 527  
school will be evaluated by the sponsor; 528

(5) The admission standards of section 3314.06 of the 529  
Revised Code and, if applicable, section 3314.061 of the Revised 530  
Code; 531

(6) (a) Dismissal procedures;	532
(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in seventy-two consecutive hours of the learning opportunities offered to the student.	533 534 535 536 537 538
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	539 540
(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.	541 542 543 544 545 546
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	547 548
(a) A detailed description of each facility used for instructional purposes;	549 550
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	551 552
(c) The annual mortgage principal and interest payments that are paid by the school;	553 554
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	555 556 557
(10) Qualifications of teachers, including a requirement that the school's classroom teachers be licensed in accordance	558 559

with sections 3319.22 to 3319.31 of the Revised Code, except 560  
that a community school may engage noncertificated persons to 561  
teach up to twelve hours per week pursuant to section 3319.301 562  
of the Revised Code. 563

(11) That the school will comply with the following 564  
requirements: 565

(a) The school will provide learning opportunities to a 566  
minimum of twenty-five students for a minimum of nine hundred 567  
twenty hours per school year. 568

(b) The governing authority will purchase liability 569  
insurance, or otherwise provide for the potential liability of 570  
the school. 571

(c) The school will be nonsectarian in its programs, 572  
admission policies, employment practices, and all other 573  
operations, and will not be operated by a sectarian school or 574  
religious institution. 575

(d) The school will comply with sections 9.90, 9.91, 576  
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 577  
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3313.472, 578  
3313.50, 3313.536, 3313.539, 3313.5310, 3313.608, 3313.609, 579  
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.643, 580  
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 581  
3313.667, 3313.668, 3313.669, 3313.6610, 3313.6611, 3313.6612, 582  
3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 583  
3313.716, 3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 584  
3313.814, 3313.816, 3313.817, 3313.86, 3313.89, 3313.96, 585  
3319.073, 3319.074, 3319.321, 3319.39, 3319.391, 3319.41, 586  
3319.46, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 587  
3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 4113.52, and 588

5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 589  
4123., 4141., and 4167. of the Revised Code as if it were a 590  
school district and will comply with section 3301.0714 of the 591  
Revised Code in the manner specified in section 3314.17 of the 592  
Revised Code. 593

(e) The school shall comply with Chapter 102. and section 594  
2921.42 of the Revised Code. 595

(f) The school will comply with sections 3313.61, 596  
3313.611, and 3313.614 of the Revised Code, except that for 597  
students who enter ninth grade for the first time before July 1, 598  
2010, the requirement in sections 3313.61 and 3313.611 of the 599  
Revised Code that a person must successfully complete the 600  
curriculum in any high school prior to receiving a high school 601  
diploma may be met by completing the curriculum adopted by the 602  
governing authority of the community school rather than the 603  
curriculum specified in Title XXXVIII of the Revised Code or any 604  
rules of the state board of education. Beginning with students 605  
who enter ninth grade for the first time on or after July 1, 606  
2010, the requirement in sections 3313.61 and 3313.611 of the 607  
Revised Code that a person must successfully complete the 608  
curriculum of a high school prior to receiving a high school 609  
diploma shall be met by completing the requirements prescribed 610  
in division (C) of section 3313.603 of the Revised Code, unless 611  
the person qualifies under division (D) or (F) of that section. 612  
Each school shall comply with the plan for awarding high school 613  
credit based on demonstration of subject area competency, and 614  
beginning with the 2017-2018 school year, with the updated plan 615  
that permits students enrolled in seventh and eighth grade to 616  
meet curriculum requirements based on subject area competency 617  
adopted by the state board of education under divisions (J) (1) 618  
and (2) of section 3313.603 of the Revised Code. Beginning with 619

the 2018-2019 school year, the school shall comply with the 620  
framework for granting units of high school credit to students 621  
who demonstrate subject area competency through work-based 622  
learning experiences, internships, or cooperative education 623  
developed by the department under division (J) (3) of section 624  
3313.603 of the Revised Code. 625

(g) The school governing authority will submit within four 626  
months after the end of each school year a report of its 627  
activities and progress in meeting the goals and standards of 628  
divisions (A) (3) and (4) of this section and its financial 629  
status to the sponsor and the parents of all students enrolled 630  
in the school. 631

(h) The school, unless it is an internet- or computer- 632  
based community school, will comply with section 3313.801 of the 633  
Revised Code as if it were a school district. 634

(i) If the school is the recipient of moneys from a grant 635  
awarded under the federal race to the top program, Division (A), 636  
Title XIV, Sections 14005 and 14006 of the "American Recovery 637  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 638  
the school will pay teachers based upon performance in 639  
accordance with section 3317.141 and will comply with section 640  
3319.111 of the Revised Code as if it were a school district. 641

(j) If the school operates a preschool program that is 642  
licensed by the department of education under sections 3301.52 643  
to 3301.59 of the Revised Code, the school shall comply with 644  
sections 3301.50 to 3301.59 of the Revised Code and the minimum 645  
standards for preschool programs prescribed in rules adopted by 646  
the state board under section 3301.53 of the Revised Code. 647

(k) The school will comply with sections 3313.6021 and 648

3313.6023 of the Revised Code as if it were a school district 649  
unless it is either of the following: 650

(i) An internet- or computer-based community school; 651

(ii) A community school in which a majority of the 652  
enrolled students are children with disabilities as described in 653  
division (A) (4) (b) of section 3314.35 of the Revised Code. 654

(12) Arrangements for providing health and other benefits 655  
to employees; 656

(13) The length of the contract, which shall begin at the 657  
beginning of an academic year. No contract shall exceed five 658  
years unless such contract has been renewed pursuant to division 659  
(E) of this section. 660

(14) The governing authority of the school, which shall be 661  
responsible for carrying out the provisions of the contract; 662

(15) A financial plan detailing an estimated school budget 663  
for each year of the period of the contract and specifying the 664  
total estimated per pupil expenditure amount for each such year. 665

(16) Requirements and procedures regarding the disposition 666  
of employees of the school in the event the contract is 667  
terminated or not renewed pursuant to section 3314.07 of the 668  
Revised Code; 669

(17) Whether the school is to be created by converting all 670  
or part of an existing public school or educational service 671  
center building or is to be a new start-up school, and if it is 672  
a converted public school or service center building, 673  
specification of any duties or responsibilities of an employer 674  
that the board of education or service center governing board 675  
that operated the school or building before conversion is 676



delegating to the governing authority of the community school 677  
with respect to all or any specified group of employees provided 678  
the delegation is not prohibited by a collective bargaining 679  
agreement applicable to such employees; 680

(18) Provisions establishing procedures for resolving 681  
disputes or differences of opinion between the sponsor and the 682  
governing authority of the community school; 683

(19) A provision requiring the governing authority to 684  
adopt a policy regarding the admission of students who reside 685  
outside the district in which the school is located. That policy 686  
shall comply with the admissions procedures specified in 687  
sections 3314.06 and 3314.061 of the Revised Code and, at the 688  
sole discretion of the authority, shall do one of the following: 689

(a) Prohibit the enrollment of students who reside outside 690  
the district in which the school is located; 691

(b) Permit the enrollment of students who reside in 692  
districts adjacent to the district in which the school is 693  
located; 694

(c) Permit the enrollment of students who reside in any 695  
other district in the state. 696

(20) A provision recognizing the authority of the 697  
department of education to take over the sponsorship of the 698  
school in accordance with the provisions of division (C) of 699  
section 3314.015 of the Revised Code; 700

(21) A provision recognizing the sponsor's authority to 701  
assume the operation of a school under the conditions specified 702  
in division (B) of section 3314.073 of the Revised Code; 703

(22) A provision recognizing both of the following: 704

(a) The authority of public health and safety officials to 705  
inspect the facilities of the school and to order the facilities 706  
closed if those officials find that the facilities are not in 707  
compliance with health and safety laws and regulations; 708

(b) The authority of the department of education as the 709  
community school oversight body to suspend the operation of the 710  
school under section 3314.072 of the Revised Code if the 711  
department has evidence of conditions or violations of law at 712  
the school that pose an imminent danger to the health and safety 713  
of the school's students and employees and the sponsor refuses 714  
to take such action. 715

(23) A description of the learning opportunities that will 716  
be offered to students including both classroom-based and non- 717  
classroom-based learning opportunities that is in compliance 718  
with criteria for student participation established by the 719  
department under division (H) (2) of section 3314.08 of the 720  
Revised Code; 721

(24) The school will comply with sections 3302.04 and 722  
3302.041 of the Revised Code, except that any action required to 723  
be taken by a school district pursuant to those sections shall 724  
be taken by the sponsor of the school. However, the sponsor 725  
shall not be required to take any action described in division 726  
(F) of section 3302.04 of the Revised Code. 727

(25) Beginning in the 2006-2007 school year, the school 728  
will open for operation not later than the thirtieth day of 729  
September each school year, unless the mission of the school as 730  
specified under division (A) (2) of this section is solely to 731  
serve dropouts. In its initial year of operation, if the school 732  
fails to open by the thirtieth day of September, or within one 733  
year after the adoption of the contract pursuant to division (D) 734

of section 3314.02 of the Revised Code if the mission of the school is solely to serve dropouts, the contract shall be void.

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

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

(28) That the school's attendance and participation records shall be made available to the department of education, auditor of state, and school's sponsor to the extent permitted under and in accordance with the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any regulations promulgated under that act, and section 3319.321 of the Revised Code;

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

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

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

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

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

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

(f) A statement describing how private student data will be protected;	763 764
(g) A description of the professional development activities that will be offered to teachers.	765 766
(30) A provision requiring that all moneys the school's operator loans to the school, including facilities loans or cash flow assistance, must be accounted for, documented, and bear interest at a fair market rate;	767 768 769 770
(31) A provision requiring that, if the governing authority contracts with an attorney, accountant, or entity specializing in audits, the attorney, accountant, or entity shall be independent from the operator with which the school has contracted.	771 772 773 774 775
(32) A provision requiring the governing authority to adopt an enrollment and attendance policy that requires a student's parent to notify the community school in which the student is enrolled when there is a change in the location of the parent's or student's primary residence.	776 777 778 779 780
(33) A provision requiring the governing authority to adopt a student residence and address verification policy for students enrolling in or attending the school.	781 782 783
(B) The community school shall also submit to the sponsor a comprehensive plan for the school. The plan shall specify the following:	784 785 786
(1) The process by which the governing authority of the school will be selected in the future;	787 788
(2) The management and administration of the school;	789
(3) If the community school is a currently existing public	790

school or educational service center building, alternative 791  
arrangements for current public school students who choose not 792  
to attend the converted school and for teachers who choose not 793  
to teach in the school or building after conversion; 794

(4) The instructional program and educational philosophy 795  
of the school; 796

(5) Internal financial controls. 797

When submitting the plan under this division, the school 798  
shall also submit copies of all policies and procedures 799  
regarding internal financial controls adopted by the governing 800  
authority of the school. 801

(C) A contract entered into under section 3314.02 of the 802  
Revised Code between a sponsor and the governing authority of a 803  
community school may provide for the community school governing 804  
authority to make payments to the sponsor, which is hereby 805  
authorized to receive such payments as set forth in the contract 806  
between the governing authority and the sponsor. The total 807  
amount of such payments for monitoring, oversight, and technical 808  
assistance of the school shall not exceed three per cent of the 809  
total amount of payments for operating expenses that the school 810  
receives from the state. 811

(D) The contract shall specify the duties of the sponsor 812  
which shall be in accordance with the written agreement entered 813  
into with the department of education under division (B) of 814  
section 3314.015 of the Revised Code and shall include the 815  
following: 816

(1) Monitor the community school's compliance with all 817  
laws applicable to the school and with the terms of the 818  
contract; 819

- (2) Monitor and evaluate the academic and fiscal performance and the organization and operation of the community school on at least an annual basis;
- (3) Report on an annual basis the results of the evaluation conducted under division (D)(2) of this section to the department of education and to the parents of students enrolled in the community school;
- (4) Provide technical assistance to the community school in complying with laws applicable to the school and terms of the contract;
- (5) Take steps to intervene in the school's operation to correct problems in the school's overall performance, declare the school to be on probationary status pursuant to section 3314.073 of the Revised Code, suspend the operation of the school pursuant to section 3314.072 of the Revised Code, or terminate the contract of the school pursuant to section 3314.07 of the Revised Code as determined necessary by the sponsor;
- (6) Have in place a plan of action to be undertaken in the event the community school experiences financial difficulties or closes prior to the end of a school year.
- (E) Upon the expiration of a contract entered into under this section, the sponsor of a community school may, with the approval of the governing authority of the school, renew that contract for a period of time determined by the sponsor, but not ending earlier than the end of any school year, if the sponsor finds that the school's compliance with applicable laws and terms of the contract and the school's progress in meeting the academic goals prescribed in the contract have been satisfactory. Any contract that is renewed under this division

remains subject to the provisions of sections 3314.07, 3314.072, 849  
and 3314.073 of the Revised Code. 850

(F) If a community school fails to open for operation 851  
within one year after the contract entered into under this 852  
section is adopted pursuant to division (D) of section 3314.02 853  
of the Revised Code or permanently closes prior to the 854  
expiration of the contract, the contract shall be void and the 855  
school shall not enter into a contract with any other sponsor. A 856  
school shall not be considered permanently closed because the 857  
operations of the school have been suspended pursuant to section 858  
3314.072 of the Revised Code. 859

**Sec. 3319.073.** (A) The board of education of each city and 860  
exempted village school district and the governing board of each 861  
educational service center shall adopt or adapt the curriculum 862  
developed by the department of education for, or shall develop 863  
in consultation with public or private agencies or persons 864  
involved in child abuse prevention or intervention programs, a 865  
program of in-service training in the prevention of child abuse, 866  
violence, and substance abuse and the promotion of positive 867  
youth development. Each person employed by any school district 868  
or service center to work in a school as a nurse, teacher, 869  
counselor, school psychologist, or administrator shall complete 870  
at least four hours of the in-service training within two years 871  
of commencing employment with the district or center, and every 872  
five years thereafter. A person who is employed by any school 873  
district or service center to work in an elementary school as a 874  
nurse, teacher, counselor, school psychologist, or administrator 875  
on March 30, 2007, shall complete at least four hours of the in- 876  
service training not later than March 30, 2009, and every five 877  
years thereafter. A person who is employed by any school 878  
district or service center to work in a middle or high school as 879

a nurse, teacher, counselor, school psychologist, or 880  
administrator on October 16, 2009, shall complete at least four 881  
hours of the in-service training not later than October 16, 882  
2011, and every five years thereafter. 883

(B) Each board shall incorporate training in school safety 884  
and violence prevention, including human trafficking content, 885  
into the in-service training required by division (A) of this 886  
section. For this purpose, the board shall adopt or adapt the 887  
curriculum developed by the department or shall develop its own 888  
curriculum in consultation with public or private agencies or 889  
persons involved in school safety and violence prevention 890  
programs. 891

(C) Each board shall incorporate training on the board's 892  
harassment, intimidation, or bullying policy adopted under 893  
section 3313.666 of the Revised Code into the in-service 894  
training required by division (A) of this section. Each board 895  
also shall incorporate training in the prevention of dating 896  
violence into the in-service training required by that division 897  
for middle and high school employees. The board shall develop 898  
its own curricula for these purposes. 899

(D) Each board shall incorporate training in youth suicide 900  
awareness and prevention into the in-service training required 901  
by division (A) of this section for each person employed by a 902  
school district or service center to work in a school as a 903  
nurse, teacher, counselor, school psychologist, or 904  
administrator, and any other personnel that the board determines 905  
appropriate. The board shall require each such person to undergo 906  
training in youth suicide awareness and prevention programs once 907  
every two years. For this purpose, the board shall adopt or 908  
adapt the curriculum developed by the department under division 909



(C) of section 3301.221 of the Revised Code or shall develop its 910  
own curriculum in consultation with public or private agencies 911  
or persons involved in youth suicide awareness and prevention 912  
programs. 913

The training completed under this division shall count 914  
toward the satisfaction of requirements for professional 915  
development required by the school district or service center 916  
board, and the training may be accomplished through self-review 917  
of suitable suicide prevention materials approved by the board. 918

**Sec. 3326.11.** Each science, technology, engineering, and 919  
mathematics school established under this chapter and its 920  
governing body shall comply with sections 9.90, 9.91, 109.65, 921  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 922  
3301.0714, 3301.0715, 3301.0729, 3301.948, 3313.14, 3313.15, 923  
3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 924  
3313.481, 3313.482, 3313.50, 3313.536, 3313.539, 3313.5310, 925  
3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 926  
3313.6021, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 927  
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 928  
3313.667, 3313.668, 3313.669, 3313.6610, 3313.6611, 3313.6612, 929  
3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 930  
3313.716, 3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 931  
3313.801, 3313.814, 3313.816, 3313.817, 3313.86, 3313.89, 932  
3313.96, 3319.073, 3319.21, 3319.32, 3319.321, 3319.35, 3319.39, 933  
3319.391, 3319.41, 3319.45, 3319.46, 3321.01, 3321.041, 3321.05, 934  
3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 935  
3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 102., 117., 936  
1347., 2744., 3307., 3309., 3365., 3742., 4112., 4123., 4141., 937  
and 4167. of the Revised Code as if it were a school district. 938

**Sec. 3328.24.** A college-preparatory boarding school 939

established under this chapter and its board of trustees shall 940  
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 941  
3301.0714, 3301.0729, 3301.948, 3313.536, 3313.6013, 3313.6021, 942  
3313.6411, 3313.669, 3313.6610, 3313.6611, 3313.6612, 3313.7112, 943  
3313.721, 3313.89, 3319.073, 3319.39, 3319.391, and 3319.46 and 944  
Chapter 3365. of the Revised Code as if the school were a school 945  
district and the school's board of trustees were a district 946  
board of education. 947

**Section 2.** That existing sections 3313.536, 3313.60, 948  
3314.03, 3319.073, 3326.11, and 3328.24 of the Revised Code are 949  
hereby repealed. 950

**Section 3.** To offset any costs associated with the 951  
implementation of the provisions of law amended or enacted by 952  
this act, the Department of Education is encouraged to apply for 953  
any federal or other funding available for the purposes of 954  
increasing school safety. 955

**Section 4.** Section 3328.24 of the Revised Code is 956  
presented in this act as a composite of the section as amended 957  
by both Am. Sub. H.B. 410 and Sub. S.B. 3 of the 131st General 958  
Assembly. The General Assembly, applying the principle stated in 959  
division (B) of section 1.52 of the Revised Code that amendments 960  
are to be harmonized if reasonably capable of simultaneous 961  
operation, finds that the composite is the resulting version of 962  
the section in effect prior to the effective date of the section 963  
as presented in this act. 964