

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

S. B. No. 110

Senator Manning

A BILL

To enact section 3302.103 of the Revised Code to 1
modify the operation of academic distress 2
commissions in certain school districts. 3

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

Section 1. That section 3302.103 of the Revised Code be 4
enacted to read as follows: 5

Sec. 3302.103. (A) This section shall apply to any school 6
district that meets both of the following conditions: 7

(1) An academic distress commission was established for 8
the district in 2013 by the superintendent of public instruction 9
under former section 3302.10 of the Revised Code, as it existed 10
prior to October 15, 2015. 11

(2) A new academic distress commission was established for 12
the district by the state superintendent under division (A) (2) 13
of section 3302.10 of the Revised Code. 14

(B) Notwithstanding anything to the contrary in the 15
Revised Code, the board of education of the district to which 16
this section applies shall appoint the treasurer of the district 17
in the manner prescribed under section 3313.22 of the Revised 18

Code. The treasurer shall exercise the powers and duties 19
prescribed under law for the treasurer as chief fiscal officer 20
of the district. Vacancy in the office of treasurer shall be 21
filled in the manner of the original appointment. 22

(C) Notwithstanding division (B) of section 3302.10 of the 23
Revised Code, the academic distress commission established for 24
the district to which this section applies shall consist of five 25
members as follows: 26

(1) Two members appointed by the state superintendent, one 27
of whom is a resident in the county in which a majority of the 28
district's territory is located; 29

(2) One member appointed by the district board, who shall 30
be a teacher employed by the district; 31

(3) Two members appointed by the mayor of the municipality 32
in which a majority of the district's territory is located or, 33
if no such municipality exists, by the mayor of a municipality 34
selected by the state superintendent in which the district has 35
territory. 36

The members appointed to the academic distress commission 37
under division (B) of section 3302.10 of the Revised Code prior 38
to the effective date of this section shall remain members of 39
the commission under this division, except that not later than 40
thirty days after the effective date of this section the state 41
superintendent shall terminate an appointment made by the state 42
superintendent under division (B) of section 3302.10 of the 43
Revised Code to create a vacancy on the commission. The mayor of 44
the municipality shall then make an appointment under this 45
division to fill that vacancy. Any other vacancy on the 46
commission shall be filled in the manner of the original 47

appointment. 48

Members of the academic distress commission shall serve at 49
the pleasure of their appointing authority. The state 50
superintendent shall designate a chairperson for the commission 51
from among the members appointed by the state superintendent. 52
The chairperson shall exercise the powers and duties described 53
in division (B) of section 3302.10 of the Revised Code. 54

(D) The academic distress commission established for the 55
district shall conduct an annual performance evaluation of the 56
chief executive officer appointed by the commission under 57
section 3302.10 of the Revised Code and submit it to the 58
district board. The district board may request, and the academic 59
distress commission shall conduct and submit to the district 60
board, up to three additional performance evaluations of the 61
chief executive officer per year. 62

(E) The chief executive officer of the district shall 63
appear before the district board to make a quarterly report on 64
progress made by the district toward entering and completing the 65
transition period described in division (N) (1) of section 66
3302.10 of the Revised Code and to answer any questions posed by 67
the district board. For those same purposes, the chief executive 68
officer shall, at the request of the district board, appear at 69
any regularly scheduled meeting of the district board. 70

(F) The auditor of state shall conduct a performance audit 71
of a school district to which this section applies in each year 72
in which the district is subject to an academic distress 73
commission. The performance audit shall be conducted as 74
prescribed under section 3316.042 of the Revised Code. 75

(G) The department of education shall initiate a site 76

<u>evaluation of a school district to which this section applies in</u>	77
<u>each year in which the district is subject to an academic</u>	78
<u>distress commission. The site evaluation shall be conducted in a</u>	79
<u>manner similar to the site evaluation prescribed under division</u>	80
<u>(D) (2) of section 3302.04 of the Revised Code.</u>	81