

H. B. No. 178  
As Introduced

\_\_\_\_\_ moved to amend as follows:

- In line 1 of the title, after "3326.11," insert "and"; delete ", and" 1  
2
- In line 2 of the title, delete "4112.01" 3
- In line 5 of the title, after "discrimination" insert "by a public school" 4  
5
- In line 6 of the title, after "styles" insert "and to amend the version of section 3314.03 of the Revised Code that is scheduled to take effect January 1, 2025, to continue the changes on and after that effective date" 6  
7  
8  
9
- In line 8, after "3326.11," insert "and"; delete ", and" 10
- In line 9, delete "4112.01" 11
- Delete lines 11 through 375 12
- After line 375, insert: 13
- "**Sec. 3314.03.** A copy of every contract entered into under this section shall be filed with the director of education" 14  
15



and workforce. The department of education and workforce shall 16  
make available on its web site a copy of every approved, 17  
executed contract filed with the director under this section. 18

(A) Each contract entered into between a sponsor and the 19  
governing authority of a community school shall specify the 20  
following: 21

(1) That the school shall be established as either of the 22  
following: 23

(a) A nonprofit corporation established under Chapter 24  
1702. of the Revised Code, if established prior to April 8, 25  
2003; 26

(b) A public benefit corporation established under Chapter 27  
1702. of the Revised Code, if established after April 8, 2003. 28

(2) The education program of the school, including the 29  
school's mission, the characteristics of the students the school 30  
is expected to attract, the ages and grades of students, and the 31  
focus of the curriculum; 32

(3) The academic goals to be achieved and the method of 33  
measurement that will be used to determine progress toward those 34  
goals, which shall include the statewide achievement 35  
assessments; 36

(4) Performance standards, including but not limited to 37  
all applicable report card measures set forth in section 3302.03 38  
or 3314.017 of the Revised Code, by which the success of the 39  
school will be evaluated by the sponsor; 40

(5) The admission standards of section 3314.06 of the 41  
Revised Code and, if applicable, section 3314.061 of the Revised 42  
Code; 43

(6) (a) Dismissal procedures;	44
(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.	45 46 47 48 49 50
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	51 52
(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.	53 54 55 56 57 58
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	59 60
(a) A detailed description of each facility used for instructional purposes;	61 62
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	63 64
(c) The annual mortgage principal and interest payments that are paid by the school;	65 66
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	67 68 69
(10) Qualifications of employees, including both of the following:	70 71

(a) A requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours or forty hours per week pursuant to section 3319.301 of the Revised Code;	72 73 74 75 76
(b) A prohibition against the school employing an individual described in section 3314.104 of the Revised Code in any position.	77 78 79
(11) That the school will comply with the following requirements:	80 81
(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred twenty hours per school year.	82 83 84
(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school.	85 86 87
(c) The school will be nonsectarian in its programs, admission policies, employment practices, and all other operations, and will not be operated by a sectarian school or religious institution.	88 89 90 91
(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69,	92 93 94 95 96 97 98 99 100

3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 101  
3313.721, 3313.753, 3313.80, 3313.814, 3313.816, 3313.817, 102  
3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 103  
3319.077, 3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 104  
3319.324, 3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 105  
3319.48, 3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.13, 106  
3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 107  
3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 108  
5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 109  
4123., 4141., and 4167. of the Revised Code as if it were a 110  
school district and will comply with section 3301.0714 of the 111  
Revised Code in the manner specified in section 3314.17 of the 112  
Revised Code. 113

(e) The school shall comply with Chapter 102. and section 114  
2921.42 of the Revised Code. 115

(f) The school will comply with sections 3313.61, 116  
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 117  
Revised Code, except that for students who enter ninth grade for 118  
the first time before July 1, 2010, the requirement in sections 119  
3313.61 and 3313.611 of the Revised Code that a person must 120  
successfully complete the curriculum in any high school prior to 121  
receiving a high school diploma may be met by completing the 122  
curriculum adopted by the governing authority of the community 123  
school rather than the curriculum specified in Title XXXIII of 124  
the Revised Code or any rules of the department. Beginning with 125  
students who enter ninth grade for the first time on or after 126  
July 1, 2010, the requirement in sections 3313.61 and 3313.611 127  
of the Revised Code that a person must successfully complete the 128  
curriculum of a high school prior to receiving a high school 129  
diploma shall be met by completing the requirements prescribed 130  
in section 3313.6027 and division (C) of section 3313.603 of the 131

Revised Code, unless the person qualifies under division (D) or 132  
(F) of that section. Each school shall comply with the plan for 133  
awarding high school credit based on demonstration of subject 134  
area competency, and beginning with the 2017-2018 school year, 135  
with the updated plan that permits students enrolled in seventh 136  
and eighth grade to meet curriculum requirements based on 137  
subject area competency adopted by the department under 138  
divisions (J) (1) and (2) of section 3313.603 of the Revised 139  
Code. Beginning with the 2018-2019 school year, the school shall 140  
comply with the framework for granting units of high school 141  
credit to students who demonstrate subject area competency 142  
through work-based learning experiences, internships, or 143  
cooperative education developed by the department under division 144  
(J) (3) of section 3313.603 of the Revised Code. 145

(g) The school governing authority will submit within four 146  
months after the end of each school year a report of its 147  
activities and progress in meeting the goals and standards of 148  
divisions (A) (3) and (4) of this section and its financial 149  
status to the sponsor and the parents of all students enrolled 150  
in the school. 151

(h) The school, unless it is an internet- or computer- 152  
based community school, will comply with section 3313.801 of the 153  
Revised Code as if it were a school district. 154

(i) If the school is the recipient of moneys from a grant 155  
awarded under the federal race to the top program, Division (A), 156  
Title XIV, Sections 14005 and 14006 of the "American Recovery 157  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 158  
the school will pay teachers based upon performance in 159  
accordance with section 3317.141 and will comply with section 160  
3319.111 of the Revised Code as if it were a school district. 161

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

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

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

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

(l) The school will comply with section 3321.191 of the Revised Code, unless it is an internet- or computer-based community school that is subject to section 3314.261 of the Revised Code.

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

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

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

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

(16) Requirements and procedures regarding the disposition 190  
of employees of the school in the event the contract is 191  
terminated or not renewed pursuant to section 3314.07 of the 192  
Revised Code; 193

(17) Whether the school is to be created by converting all 194  
or part of an existing public school or educational service 195  
center building or is to be a new start-up school, and if it is 196  
a converted public school or service center building, 197  
specification of any duties or responsibilities of an employer 198  
that the board of education or service center governing board 199  
that operated the school or building before conversion is 200  
delegating to the governing authority of the community school 201  
with respect to all or any specified group of employees provided 202  
the delegation is not prohibited by a collective bargaining 203  
agreement applicable to such employees; 204

(18) Provisions establishing procedures for resolving 205  
disputes or differences of opinion between the sponsor and the 206  
governing authority of the community school; 207

(19) A provision requiring the governing authority to 208  
adopt a policy regarding the admission of students who reside 209  
outside the district in which the school is located. That policy 210  
shall comply with the admissions procedures specified in 211  
sections 3314.06 and 3314.061 of the Revised Code and, at the 212  
sole discretion of the authority, shall do one of the following: 213

(a) Prohibit the enrollment of students who reside outside 214  
the district in which the school is located; 215

(b) Permit the enrollment of students who reside in 216  
districts adjacent to the district in which the school is 217  
located; 218



(c) Permit the enrollment of students who reside in any other district in the state.	219 220
(20) A provision recognizing the authority of the department to take over the sponsorship of the school in accordance with the provisions of division (C) of section 3314.015 of the Revised Code;	221 222 223 224
(21) A provision recognizing the sponsor's authority to assume the operation of a school under the conditions specified in division (B) of section 3314.073 of the Revised Code;	225 226 227
(22) A provision recognizing both of the following:	228
(a) The authority of public health and safety officials to inspect the facilities of the school and to order the facilities closed if those officials find that the facilities are not in compliance with health and safety laws and regulations;	229 230 231 232
(b) The authority of the department as the community school oversight body to suspend the operation of the school under section 3314.072 of the Revised Code if the department has evidence of conditions or violations of law at the school that pose an imminent danger to the health and safety of the school's students and employees and the sponsor refuses to take such action.	233 234 235 236 237 238 239
(23) A description of the learning opportunities that will be offered to students including both classroom-based and non-classroom-based learning opportunities that is in compliance with criteria for student participation established by the department under division (H) (2) of section 3314.08 of the Revised Code;	240 241 242 243 244 245
(24) The school will comply with sections 3302.04 and	246

3302.041 of the Revised Code, except that any action required to 247  
be taken by a school district pursuant to those sections shall 248  
be taken by the sponsor of the school. 249

(25) Beginning in the 2006-2007 school year, the school 250  
will open for operation not later than the thirtieth day of 251  
September each school year, unless the mission of the school as 252  
specified under division (A)(2) of this section is solely to 253  
serve dropouts. In its initial year of operation, if the school 254  
fails to open by the thirtieth day of September, or within one 255  
year after the adoption of the contract pursuant to division (D) 256  
of section 3314.02 of the Revised Code if the mission of the 257  
school is solely to serve dropouts, the contract shall be void. 258

(26) Whether the school's governing authority is planning 259  
to seek designation for the school as a STEM school equivalent 260  
under section 3326.032 of the Revised Code; 261

(27) That the school's attendance and participation 262  
policies will be available for public inspection; 263

(28) That the school's attendance and participation 264  
records shall be made available to the department, auditor of 265  
state, and school's sponsor to the extent permitted under and in 266  
accordance with the "Family Educational Rights and Privacy Act 267  
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 268  
regulations promulgated under that act, and section 3319.321 of 269  
the Revised Code; 270

(29) If a school operates using the blended learning 271  
model, as defined in section 3301.079 of the Revised Code, all 272  
of the following information: 273

(a) An indication of what blended learning model or models 274  
will be used; 275

(b) A description of how student instructional needs will be determined and documented;	276 277
(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;	278 279
(d) The school's attendance requirements, including how the school will document participation in learning opportunities;	280 281 282
(e) A statement describing how student progress will be monitored;	283 284
(f) A statement describing how private student data will be protected;	285 286
(g) A description of the professional development activities that will be offered to teachers.	287 288
(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;	289 290 291 292
(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.	293 294 295 296 297
(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.	298 299 300 301 302
(33) A provision requiring the governing authority to	303

adopt a student residence and address verification policy for 304  
students enrolling in or attending the school. 305

(B) The community school shall also submit to the sponsor 306  
a comprehensive plan for the school. The plan shall specify the 307  
following: 308

(1) The process by which the governing authority of the 309  
school will be selected in the future; 310

(2) The management and administration of the school; 311

(3) If the community school is a currently existing public 312  
school or educational service center building, alternative 313  
arrangements for current public school students who choose not 314  
to attend the converted school and for teachers who choose not 315  
to teach in the school or building after conversion; 316

(4) The instructional program and educational philosophy 317  
of the school; 318

(5) Internal financial controls. 319

When submitting the plan under this division, the school 320  
shall also submit copies of all policies and procedures 321  
regarding internal financial controls adopted by the governing 322  
authority of the school. 323

(C) A contract entered into under section 3314.02 of the 324  
Revised Code between a sponsor and the governing authority of a 325  
community school may provide for the community school governing 326  
authority to make payments to the sponsor, which is hereby 327  
authorized to receive such payments as set forth in the contract 328  
between the governing authority and the sponsor. The total 329  
amount of such payments for monitoring, oversight, and technical 330  
assistance of the school shall not exceed three per cent of the 331

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 under division (B) of section 3314.015 of the Revised Code and shall include the following:

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

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

(3) Report on an annual basis the results of the evaluation conducted under division (D) (2) of this section to the department 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. 360

(E) Upon the expiration of a contract entered into under 361  
this section, the sponsor of a community school may, with the 362  
approval of the governing authority of the school, renew that 363  
contract for a period of time determined by the sponsor, but not 364  
ending earlier than the end of any school year, if the sponsor 365  
finds that the school's compliance with applicable laws and 366  
terms of the contract and the school's progress in meeting the 367  
academic goals prescribed in the contract have been 368  
satisfactory. Any contract that is renewed under this division 369  
remains subject to the provisions of sections 3314.07, 3314.072, 370  
and 3314.073 of the Revised Code. 371

(F) If a community school fails to open for operation 372  
within one year after the contract entered into under this 373  
section is adopted pursuant to division (D) of section 3314.02 374  
of the Revised Code or permanently closes prior to the 375  
expiration of the contract, the contract shall be void and the 376  
school shall not enter into a contract with any other sponsor. A 377  
school shall not be considered permanently closed because the 378  
operations of the school have been suspended pursuant to section 379  
3314.072 of the Revised Code." 380

In line 377, delete "or private" 381

In line 378, delete "all" and insert "both" 382

In line 386, delete "i;" 383

Delete line 387 384

In line 388, delete "3310.01 of the Revised Code" 385

In line 392, delete "or private" 386

In line 396, delete "or private" 387

Delete lines 399 through 421	388
After line 421, insert:	389
<b>"Sec. 3326.11.</b> Each science, technology, engineering, and	390
mathematics school established under this chapter and its	391
governing body shall comply with sections 9.90, 9.91, 109.65,	392
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43,	393
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14,	394
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48,	395
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318,	396
3313.5319, 3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015,	397
3313.6020, 3313.6021, 3313.6024, 3313.6025, 3313.6026,	398
3313.6028, 3313.6029, 3313.61, 3313.611, 3313.614, 3313.615,	399
3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411,	400
3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667,	401
3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672,	402
3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719,	403
3313.7112, 3313.7117, 3313.721, 3313.753, 3313.80, 3313.801,	404
3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 3313.86,	405
3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.0812,	406
3319.21, 3319.238, 3319.318, 3319.32, 3319.321, 3319.324,	407
3319.35, 3319.39, 3319.391, 3319.393, 3319.41, 3319.45, 3319.46,	408
<u>3319.48,</u> 3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.05,	409
3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191,	410
3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262,	411
5502.703, and 5705.391 and Chapters 102., 117., 1347., 2744.,	412
3307., 3309., 3365., 3742., 4112., 4123., 4141., and 4167. of	413
the Revised Code as if it were a school district."	414
Delete lines 422 through 432	415
After line 432, insert:	416

**"Sec. 3328.24.** A college-preparatory boarding school 417  
established under this chapter and its board of trustees shall 418  
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 419  
3301.0714, 3301.0729, 3301.948, 3302.037, 3313.5318, 3313.5319, 420  
3313.6013, 3313.6021, 3313.6024, 3313.6025, 3313.6026, 421  
3313.6029, 3313.617, 3313.618, 3313.6114, 3313.6411, 3313.6413, 422  
3313.668, 3313.669, 3313.6610, 3313.7112, 3313.7117, 3313.721, 423  
3313.753, 3313.89, 3319.073, 3319.077, 3319.078, 3319.318, 424  
3319.324, 3319.39, 3319.391, 3319.393, 3319.46, 3319.48, 425  
3320.01, 3320.02, 3320.03, 3323.251, and 5502.262, and Chapter 426  
3365. of the Revised Code as if the school were a school 427  
district and the school's board of trustees were a district 428  
board of education." 429

Delete lines 433 through 605 430

In line 606, after "3326.11," insert "and" 431

In line 607, delete ", and 4112.01" 432

After line 607, insert: 433

**"Section 3.** That the version of section 3314.03 of the 434  
Revised Code that is scheduled to take effect on January 1, 435  
2025, be amended to read as follows: 436

**Sec. 3314.03.** A copy of every contract entered into under 437  
this section shall be filed with the director of education and 438  
workforce. The department of education and workforce shall make 439  
available on its web site a copy of every approved, executed 440  
contract filed with the director under this section. 441

(A) Each contract entered into between a sponsor and the 442  
governing authority of a community school shall specify the 443  
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(1) That the school shall be established as either of the	445
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(a) A nonprofit corporation established under Chapter	447
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2003;	449
(b) A public benefit corporation established under Chapter	450
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(2) The education program of the school, including the	452
school's mission, the characteristics of the students the school	453
is expected to attract, the ages and grades of students, and the	454
focus of the curriculum;	455
(3) The academic goals to be achieved and the method of	456
measurement that will be used to determine progress toward those	457
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(6) (a) Dismissal procedures;	467
(b) A requirement that the governing authority adopt an	468
attendance policy that includes a procedure for automatically	469
withdrawing a student from the school if the student without a	470
legitimate excuse fails to participate in seventy-two	471
consecutive hours of the learning opportunities offered to the	472

student.	473
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	474 475
(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.	476 477 478 479 480 481
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	482 483
(a) A detailed description of each facility used for instructional purposes;	484 485
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	486 487
(c) The annual mortgage principal and interest payments that are paid by the school;	488 489
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(10) Qualifications of employees, including both of the following:	493 494
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(b) A prohibition against the school employing an individual described in section 3314.104 of the Revised Code in any position.	500 501 502
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(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school.	508 509 510
(c) The school will be nonsectarian in its programs, admission policies, employment practices, and all other operations, and will not be operated by a sectarian school or religious institution.	511 512 513 514
(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 3313.721, 3313.753, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 3319.39, 3319.391, 3319.393, 3319.41, 3319.46,	515 516 517 518 519 520 521 522 523 524 525 526 527 528

3319.48, 3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.13, 529  
3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 530  
3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 531  
5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 532  
4123., 4141., and 4167. of the Revised Code as if it were a 533  
school district and will comply with section 3301.0714 of the 534  
Revised Code in the manner specified in section 3314.17 of the 535  
Revised Code. 536

(e) The school shall comply with Chapter 102. and section 537  
2921.42 of the Revised Code. 538

(f) The school will comply with sections 3313.61, 539  
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 540  
Revised Code, except that for students who enter ninth grade for 541  
the first time before July 1, 2010, the requirement in sections 542  
3313.61 and 3313.611 of the Revised Code that a person must 543  
successfully complete the curriculum in any high school prior to 544  
receiving a high school diploma may be met by completing the 545  
curriculum adopted by the governing authority of the community 546  
school rather than the curriculum specified in Title XXXVIII of 547  
the Revised Code or any rules of the department. Beginning with 548  
students who enter ninth grade for the first time on or after 549  
July 1, 2010, the requirement in sections 3313.61 and 3313.611 550  
of the Revised Code that a person must successfully complete the 551  
curriculum of a high school prior to receiving a high school 552  
diploma shall be met by completing the requirements prescribed 553  
in section 3313.6027 and division (C) of section 3313.603 of the 554  
Revised Code, unless the person qualifies under division (D) or 555  
(F) of that section. Each school shall comply with the plan for 556  
awarding high school credit based on demonstration of subject 557  
area competency, and beginning with the 2017-2018 school year, 558  
with the updated plan that permits students enrolled in seventh 559

and eighth grade to meet curriculum requirements based on 560  
subject area competency adopted by the department under 561  
divisions (J) (1) and (2) of section 3313.603 of the Revised 562  
Code. Beginning with the 2018-2019 school year, the school shall 563  
comply with the framework for granting units of high school 564  
credit to students who demonstrate subject area competency 565  
through work-based learning experiences, internships, or 566  
cooperative education developed by the department under division 567  
(J) (3) of section 3313.603 of the Revised Code. 568

(g) The school governing authority will submit within four 569  
months after the end of each school year a report of its 570  
activities and progress in meeting the goals and standards of 571  
divisions (A) (3) and (4) of this section and its financial 572  
status to the sponsor and the parents of all students enrolled 573  
in the school. 574

(h) The school, unless it is an internet- or computer- 575  
based community school, will comply with section 3313.801 of the 576  
Revised Code as if it were a school district. 577

(i) If the school is the recipient of moneys from a grant 578  
awarded under the federal race to the top program, Division (A), 579  
Title XIV, Sections 14005 and 14006 of the "American Recovery 580  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 581  
the school will pay teachers based upon performance in 582  
accordance with section 3317.141 and will comply with section 583  
3319.111 of the Revised Code as if it were a school district. 584

(j) If the school operates a preschool program that is 585  
licensed by the department under sections 3301.52 to 3301.59 of 586  
the Revised Code, the school shall comply with sections 3301.50 587  
to 3301.59 of the Revised Code and the minimum standards for 588  
preschool programs prescribed in rules adopted by the department 589

of children and youth under section 3301.53 of the Revised Code.	590
(k) The school will comply with sections 3313.6021 and	591
3313.6023 of the Revised Code as if it were a school district	592
unless it is either of the following:	593
(i) An internet- or computer-based community school;	594
(ii) A community school in which a majority of the	595
enrolled students are children with disabilities as described in	596
division (A) (4) (b) of section 3314.35 of the Revised Code.	597
(1) The school will comply with section 3321.191 of the	598
Revised Code, unless it is an internet- or computer-based	599
community school that is subject to section 3314.261 of the	600
Revised Code.	601
(12) Arrangements for providing health and other benefits	602
to employees;	603
(13) The length of the contract, which shall begin at the	604
beginning of an academic year. No contract shall exceed five	605
years unless such contract has been renewed pursuant to division	606
(E) of this section.	607
(14) The governing authority of the school, which shall be	608
responsible for carrying out the provisions of the contract;	609
(15) A financial plan detailing an estimated school budget	610
for each year of the period of the contract and specifying the	611
total estimated per pupil expenditure amount for each such year.	612
(16) Requirements and procedures regarding the disposition	613
of employees of the school in the event the contract is	614
terminated or not renewed pursuant to section 3314.07 of the	615
Revised Code;	616

(17) Whether the school is to be created by converting all 617  
or part of an existing public school or educational service 618  
center building or is to be a new start-up school, and if it is 619  
a converted public school or service center building, 620  
specification of any duties or responsibilities of an employer 621  
that the board of education or service center governing board 622  
that operated the school or building before conversion is 623  
delegating to the governing authority of the community school 624  
with respect to all or any specified group of employees provided 625  
the delegation is not prohibited by a collective bargaining 626  
agreement applicable to such employees; 627

(18) Provisions establishing procedures for resolving 628  
disputes or differences of opinion between the sponsor and the 629  
governing authority of the community school; 630

(19) A provision requiring the governing authority to 631  
adopt a policy regarding the admission of students who reside 632  
outside the district in which the school is located. That policy 633  
shall comply with the admissions procedures specified in 634  
sections 3314.06 and 3314.061 of the Revised Code and, at the 635  
sole discretion of the authority, shall do one of the following: 636

(a) Prohibit the enrollment of students who reside outside 637  
the district in which the school is located; 638

(b) Permit the enrollment of students who reside in 639  
districts adjacent to the district in which the school is 640  
located; 641

(c) Permit the enrollment of students who reside in any 642  
other district in the state. 643

(20) A provision recognizing the authority of the 644  
department to take over the sponsorship of the school in 645

accordance with the provisions of division (C) of section 646  
3314.015 of the Revised Code; 647

(21) A provision recognizing the sponsor's authority to 648  
assume the operation of a school under the conditions specified 649  
in division (B) of section 3314.073 of the Revised Code; 650

(22) A provision recognizing both of the following: 651

(a) The authority of public health and safety officials to 652  
inspect the facilities of the school and to order the facilities 653  
closed if those officials find that the facilities are not in 654  
compliance with health and safety laws and regulations; 655

(b) The authority of the department as the community 656  
school oversight body to suspend the operation of the school 657  
under section 3314.072 of the Revised Code if the department has 658  
evidence of conditions or violations of law at the school that 659  
pose an imminent danger to the health and safety of the school's 660  
students and employees and the sponsor refuses to take such 661  
action. 662

(23) A description of the learning opportunities that will 663  
be offered to students including both classroom-based and non- 664  
classroom-based learning opportunities that is in compliance 665  
with criteria for student participation established by the 666  
department under division (H) (2) of section 3314.08 of the 667  
Revised Code; 668

(24) The school will comply with sections 3302.04 and 669  
3302.041 of the Revised Code, except that any action required to 670  
be taken by a school district pursuant to those sections shall 671  
be taken by the sponsor of the school. 672

(25) Beginning in the 2006-2007 school year, the school 673



will open for operation not later than the thirtieth day of 674  
September each school year, unless the mission of the school as 675  
specified under division (A)(2) of this section is solely to 676  
serve dropouts. In its initial year of operation, if the school 677  
fails to open by the thirtieth day of September, or within one 678  
year after the adoption of the contract pursuant to division (D) 679  
of section 3314.02 of the Revised Code if the mission of the 680  
school is solely to serve dropouts, the contract shall be void. 681

(26) Whether the school's governing authority is planning 682  
to seek designation for the school as a STEM school equivalent 683  
under section 3326.032 of the Revised Code; 684

(27) That the school's attendance and participation 685  
policies will be available for public inspection; 686

(28) That the school's attendance and participation 687  
records shall be made available to the department, auditor of 688  
state, and school's sponsor to the extent permitted under and in 689  
accordance with the "Family Educational Rights and Privacy Act 690  
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 691  
regulations promulgated under that act, and section 3319.321 of 692  
the Revised Code; 693

(29) If a school operates using the blended learning 694  
model, as defined in section 3301.079 of the Revised Code, all 695  
of the following information: 696

(a) An indication of what blended learning model or models 697  
will be used; 698

(b) A description of how student instructional needs will 699  
be determined and documented; 700

(c) The method to be used for determining competency, 701

granting credit, and promoting students to a higher grade level; 702

(d) The school's attendance requirements, including how 703  
the school will document participation in learning 704  
opportunities; 705

(e) A statement describing how student progress will be 706  
monitored; 707

(f) A statement describing how private student data will 708  
be protected; 709

(g) A description of the professional development 710  
activities that will be offered to teachers. 711

(30) A provision requiring that all moneys the school's 712  
operator loans to the school, including facilities loans or cash 713  
flow assistance, must be accounted for, documented, and bear 714  
interest at a fair market rate; 715

(31) A provision requiring that, if the governing 716  
authority contracts with an attorney, accountant, or entity 717  
specializing in audits, the attorney, accountant, or entity 718  
shall be independent from the operator with which the school has 719  
contracted. 720

(32) A provision requiring the governing authority to 721  
adopt an enrollment and attendance policy that requires a 722  
student's parent to notify the community school in which the 723  
student is enrolled when there is a change in the location of 724  
the parent's or student's primary residence. 725

(33) A provision requiring the governing authority to 726  
adopt a student residence and address verification policy for 727  
students enrolling in or attending the school. 728

(B) The community school shall also submit to the sponsor 729

a comprehensive plan for the school. The plan shall specify the following: 730  
731

(1) The process by which the governing authority of the school will be selected in the future; 732  
733

(2) The management and administration of the school; 734

(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; 735  
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(4) The instructional program and educational philosophy of the school; 740  
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(5) Internal financial controls. 742

When submitting the plan under this division, the school shall also submit copies of all policies and procedures regarding internal financial controls adopted by the governing authority of the school. 743  
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(C) A contract entered into under section 3314.02 of the Revised Code between a sponsor and the governing authority of a community school may provide for the community school governing authority to make payments to the sponsor, which is hereby authorized to receive such payments as set forth in the contract between the governing authority and the sponsor. The total amount of such payments for monitoring, oversight, and technical assistance of the school shall not exceed three per cent of the total amount of payments for operating expenses that the school receives from the state. 747  
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(D) The contract shall specify the duties of the sponsor 757

which shall be in accordance with the written agreement entered 758  
into with the department under division (B) of section 3314.015 759  
of the Revised Code and shall include the following: 760

(1) Monitor the community school's compliance with all 761  
laws applicable to the school and with the terms of the 762  
contract; 763

(2) Monitor and evaluate the academic and fiscal 764  
performance and the organization and operation of the community 765  
school on at least an annual basis; 766

(3) Report on an annual basis the results of the 767  
evaluation conducted under division (D) (2) of this section to 768  
the department and to the parents of students enrolled in the 769  
community school; 770

(4) Provide technical assistance to the community school 771  
in complying with laws applicable to the school and terms of the 772  
contract; 773

(5) Take steps to intervene in the school's operation to 774  
correct problems in the school's overall performance, declare 775  
the school to be on probationary status pursuant to section 776  
3314.073 of the Revised Code, suspend the operation of the 777  
school pursuant to section 3314.072 of the Revised Code, or 778  
terminate the contract of the school pursuant to section 3314.07 779  
of the Revised Code as determined necessary by the sponsor; 780

(6) Have in place a plan of action to be undertaken in the 781  
event the community school experiences financial difficulties or 782  
closes prior to the end of a school year. 783

(E) Upon the expiration of a contract entered into under 784  
this section, the sponsor of a community school may, with the 785

approval of the governing authority of the school, renew that 786  
contract for a period of time determined by the sponsor, but not 787  
ending earlier than the end of any school year, if the sponsor 788  
finds that the school's compliance with applicable laws and 789  
terms of the contract and the school's progress in meeting the 790  
academic goals prescribed in the contract have been 791  
satisfactory. Any contract that is renewed under this division 792  
remains subject to the provisions of sections 3314.07, 3314.072, 793  
and 3314.073 of the Revised Code. 794

(F) If a community school fails to open for operation 795  
within one year after the contract entered into under this 796  
section is adopted pursuant to division (D) of section 3314.02 797  
of the Revised Code or permanently closes prior to the 798  
expiration of the contract, the contract shall be void and the 799  
school shall not enter into a contract with any other sponsor. A 800  
school shall not be considered permanently closed because the 801  
operations of the school have been suspended pursuant to section 802  
3314.072 of the Revised Code. 803

**Section 4.** That the existing version of section 3314.03 of 804  
the Revised Code that is scheduled to take effect on January 1, 805  
2025, is hereby repealed. 806

**Section 5.** Sections 3 and 4 of this act take effect on the 807  
later of January 1, 2025, or the effective date of this 808  
section." 809

In line 608, delete "3" and insert "6" 810

Delete lines 610 through 618 811

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	812
<b>Application of CROWN Act</b>	813
<b>R.C. 3319.48 and 4112.01 (removed)</b>	814
Applies the prohibitions in the CROWN Act to public schools only.	815 816
<b>LSC Technical Amendment</b>	817
<b>R.C. 3314.03, 3326.11, and 3328.24</b>	818
Updates out-of-date Revised Code sections in the bill.	819