

I_135_1135-2

135th General Assembly
Regular Session
2023-2024

Sub. H. B. No. 214

A BILL

To amend sections 3314.03 and 3326.11 and to enact
section 3319.614 of the Revised Code to require
each public school to adopt a policy regarding
certain expectations related to the performance
of staff member professional duties 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.

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

Section 1. That sections 3314.03 and 3326.11 be amended
and section 3319.614 of the Revised Code be enacted to read as
follows:

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



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

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

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

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

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

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

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

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

(6) (a) Dismissal procedures;

(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically

withdrawing a student from the school if the student without a 46
legitimate excuse fails to participate in seventy-two 47
consecutive hours of the learning opportunities offered to the 48
student. 49

(7) The ways by which the school will achieve racial and 50
ethnic balance reflective of the community it serves; 51

(8) Requirements for financial audits by the auditor of 52
state. The contract shall require financial records of the 53
school to be maintained in the same manner as are financial 54
records of school districts, pursuant to rules of the auditor of 55
state. Audits shall be conducted in accordance with section 56
117.10 of the Revised Code. 57

(9) An addendum to the contract outlining the facilities 58
to be used that contains at least the following information: 59

(a) A detailed description of each facility used for 60
instructional purposes; 61

(b) The annual costs associated with leasing each facility 62
that are paid by or on behalf of the school; 63

(c) The annual mortgage principal and interest payments 64
that are paid by the school; 65

(d) The name of the lender or landlord, identified as 66
such, and the lender's or landlord's relationship to the 67
operator, if any. 68

(10) Qualifications of employees, including both of the 69
following: 70

(a) A requirement that the school's classroom teachers be 71
licensed in accordance with sections 3319.22 to 3319.31 of the 72
Revised Code, except that a community school may engage 73

noncertificated persons to teach up to twelve hours or forty 74
hours per week pursuant to section 3319.301 of the Revised Code; 75

(b) A prohibition against the school employing an 76
individual described in section 3314.104 of the Revised Code in 77
any position. 78

(11) That the school will comply with the following 79
requirements: 80

(a) The school will provide learning opportunities to a 81
minimum of twenty-five students for a minimum of nine hundred 82
twenty hours per school year. 83

(b) The governing authority will purchase liability 84
insurance, or otherwise provide for the potential liability of 85
the school. 86

(c) The school will be nonsectarian in its programs, 87
admission policies, employment practices, and all other 88
operations, and will not be operated by a sectarian school or 89
religious institution. 90

(d) The school will comply with sections 9.90, 9.91, 91
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 92
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 93
3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 94
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3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 105
3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 106
3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and 107
Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., 108
and 4167. of the Revised Code as if it were a school district 109
and will comply with section 3301.0714 of the Revised Code in 110
the manner specified in section 3314.17 of the Revised Code. 111

(e) The school shall comply with Chapter 102. and section 112
2921.42 of the Revised Code. 113

(f) The school will comply with sections 3313.61, 114
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 115
Revised Code, except that for students who enter ninth grade for 116
the first time before July 1, 2010, the requirement in sections 117
3313.61 and 3313.611 of the Revised Code that a person must 118
successfully complete the curriculum in any high school prior to 119
receiving a high school diploma may be met by completing the 120
curriculum adopted by the governing authority of the community 121
school rather than the curriculum specified in Title XXXIII of 122
the Revised Code or any rules of the department. Beginning with 123
students who enter ninth grade for the first time on or after 124
July 1, 2010, the requirement in sections 3313.61 and 3313.611 125
of the Revised Code that a person must successfully complete the 126
curriculum of a high school prior to receiving a high school 127
diploma shall be met by completing the requirements prescribed 128
in section 3313.6027 and division (C) of section 3313.603 of the 129
Revised Code, unless the person qualifies under division (D) or 130
(F) of that section. Each school shall comply with the plan for 131
awarding high school credit based on demonstration of subject 132
area competency, and beginning with the 2017-2018 school year, 133

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

(g) The school governing authority will submit within four 144
months after the end of each school year a report of its 145
activities and progress in meeting the goals and standards of 146
divisions (A) (3) and (4) of this section and its financial 147
status to the sponsor and the parents of all students enrolled 148
in the school. 149

(h) The school, unless it is an internet- or computer- 150
based community school, will comply with section 3313.801 of the 151
Revised Code as if it were a school district. 152

(i) If the school is the recipient of moneys from a grant 153
awarded under the federal race to the top program, Division (A), 154
Title XIV, Sections 14005 and 14006 of the "American Recovery 155
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 156
the school will pay teachers based upon performance in 157
accordance with section 3317.141 and will comply with section 158
3319.111 of the Revised Code as if it were a school district. 159

(j) If the school operates a preschool program that is 160
licensed by the department under sections 3301.52 to 3301.59 of 161
the Revised Code, the school shall comply with sections 3301.50 162
to 3301.59 of the Revised Code and the minimum standards for 163

preschool programs prescribed in rules adopted by the department	164
under section 3301.53 of the Revised Code.	165
(k) The school will comply with sections 3313.6021 and	166
3313.6023 of the Revised Code as if it were a school district	167
unless it is either of the following:	168
(i) An internet- or computer-based community school;	169
(ii) A community school in which a majority of the	170
enrolled students are children with disabilities as described in	171
division (A) (4) (b) of section 3314.35 of the Revised Code.	172
(l) The school will comply with section 3321.191 of the	173
Revised Code, unless it is an internet- or computer-based	174
community school that is subject to section 3314.261 of the	175
Revised Code.	176
(12) Arrangements for providing health and other benefits	177
to employees;	178
(13) The length of the contract, which shall begin at the	179
beginning of an academic year. No contract shall exceed five	180
years unless such contract has been renewed pursuant to division	181
(E) of this section.	182
(14) The governing authority of the school, which shall be	183
responsible for carrying out the provisions of the contract;	184
(15) A financial plan detailing an estimated school budget	185
for each year of the period of the contract and specifying the	186
total estimated per pupil expenditure amount for each such year.	187
(16) Requirements and procedures regarding the disposition	188
of employees of the school in the event the contract is	189
terminated or not renewed pursuant to section 3314.07 of the	190
Revised Code;	191

(17) Whether the school is to be created by converting all 192
or part of an existing public school or educational service 193
center building or is to be a new start-up school, and if it is 194
a converted public school or service center building, 195
specification of any duties or responsibilities of an employer 196
that the board of education or service center governing board 197
that operated the school or building before conversion is 198
delegating to the governing authority of the community school 199
with respect to all or any specified group of employees provided 200
the delegation is not prohibited by a collective bargaining 201
agreement applicable to such employees; 202

(18) Provisions establishing procedures for resolving 203
disputes or differences of opinion between the sponsor and the 204
governing authority of the community school; 205

(19) A provision requiring the governing authority to 206
adopt a policy regarding the admission of students who reside 207
outside the district in which the school is located. That policy 208
shall comply with the admissions procedures specified in 209
sections 3314.06 and 3314.061 of the Revised Code and, at the 210
sole discretion of the authority, shall do one of the following: 211

(a) Prohibit the enrollment of students who reside outside 212
the district in which the school is located; 213

(b) Permit the enrollment of students who reside in 214
districts adjacent to the district in which the school is 215
located; 216

(c) Permit the enrollment of students who reside in any 217
other district in the state. 218

(20) A provision recognizing the authority of the 219
department to take over the sponsorship of the school in 220

accordance with the provisions of division (C) of section	221
3314.015 of the Revised Code;	222
(21) A provision recognizing the sponsor's authority to	223
assume the operation of a school under the conditions specified	224
in division (B) of section 3314.073 of the Revised Code;	225
(22) A provision recognizing both of the following:	226
(a) The authority of public health and safety officials to	227
inspect the facilities of the school and to order the facilities	228
closed if those officials find that the facilities are not in	229
compliance with health and safety laws and regulations;	230
(b) The authority of the department as the community	231
school oversight body to suspend the operation of the school	232
under section 3314.072 of the Revised Code if the department has	233
evidence of conditions or violations of law at the school that	234
pose an imminent danger to the health and safety of the school's	235
students and employees and the sponsor refuses to take such	236
action.	237
(23) A description of the learning opportunities that will	238
be offered to students including both classroom-based and non-	239
classroom-based learning opportunities that is in compliance	240
with criteria for student participation established by the	241
department under division (H) (2) of section 3314.08 of the	242
Revised Code;	243
(24) The school will comply with sections 3302.04 and	244
3302.041 of the Revised Code, except that any action required to	245
be taken by a school district pursuant to those sections shall	246
be taken by the sponsor of the school.	247
(25) Beginning in the 2006-2007 school year, the school	248
will open for operation not later than the thirtieth day of	249

September each school year, unless the mission of the school as 250
specified under division (A) (2) of this section is solely to 251
serve dropouts. In its initial year of operation, if the school 252
fails to open by the thirtieth day of September, or within one 253
year after the adoption of the contract pursuant to division (D) 254
of section 3314.02 of the Revised Code if the mission of the 255
school is solely to serve dropouts, the contract shall be void. 256

(26) Whether the school's governing authority is planning 257
to seek designation for the school as a STEM school equivalent 258
under section 3326.032 of the Revised Code; 259

(27) That the school's attendance and participation 260
policies will be available for public inspection; 261

(28) That the school's attendance and participation 262
records shall be made available to the department, auditor of 263
state, and school's sponsor to the extent permitted under and in 264
accordance with the "Family Educational Rights and Privacy Act 265
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 266
regulations promulgated under that act, and section 3319.321 of 267
the Revised Code; 268

(29) If a school operates using the blended learning 269
model, as defined in section 3301.079 of the Revised Code, all 270
of the following information: 271

(a) An indication of what blended learning model or models 272
will be used; 273

(b) A description of how student instructional needs will 274
be determined and documented; 275

(c) The method to be used for determining competency, 276
granting credit, and promoting students to a higher grade level; 277

(d) The school's attendance requirements, including how the school will document participation in learning opportunities;	278 279 280
(e) A statement describing how student progress will be monitored;	281 282
(f) A statement describing how private student data will be protected;	283 284
(g) A description of the professional development activities that will be offered to teachers.	285 286
(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;	287 288 289 290
(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.	291 292 293 294 295
(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.	296 297 298 299 300
(33) A provision requiring the governing authority to adopt a student residence and address verification policy for students enrolling in or attending the school.	301 302 303
(B) The community school shall also submit to the sponsor a comprehensive plan for the school. The plan shall specify the	304 305

following:	306
(1) The process by which the governing authority of the school will be selected in the future;	307 308
(2) The management and administration of the school;	309
(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;	310 311 312 313 314
(4) The instructional program and educational philosophy of the school;	315 316
(5) Internal financial controls.	317
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.	318 319 320 321
(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.	322 323 324 325 326 327 328 329 330 331
(D) The contract shall specify the duties of the sponsor which shall be in accordance with the written agreement entered	332 333

into with the department under division (B) of section 3314.015 334
of the Revised Code and shall include the following: 335

(1) Monitor the community school's compliance with all 336
laws applicable to the school and with the terms of the 337
contract; 338

(2) Monitor and evaluate the academic and fiscal 339
performance and the organization and operation of the community 340
school on at least an annual basis; 341

(3) Report on an annual basis the results of the 342
evaluation conducted under division (D) (2) of this section to 343
the department and to the parents of students enrolled in the 344
community school; 345

(4) Provide technical assistance to the community school 346
in complying with laws applicable to the school and terms of the 347
contract; 348

(5) Take steps to intervene in the school's operation to 349
correct problems in the school's overall performance, declare 350
the school to be on probationary status pursuant to section 351
3314.073 of the Revised Code, suspend the operation of the 352
school pursuant to section 3314.072 of the Revised Code, or 353
terminate the contract of the school pursuant to section 3314.07 354
of the Revised Code as determined necessary by the sponsor; 355

(6) Have in place a plan of action to be undertaken in the 356
event the community school experiences financial difficulties or 357
closes prior to the end of a school year. 358

(E) Upon the expiration of a contract entered into under 359
this section, the sponsor of a community school may, with the 360
approval of the governing authority of the school, renew that 361
contract for a period of time determined by the sponsor, but not 362

ending earlier than the end of any school year, if the sponsor 363
finds that the school's compliance with applicable laws and 364
terms of the contract and the school's progress in meeting the 365
academic goals prescribed in the contract have been 366
satisfactory. Any contract that is renewed under this division 367
remains subject to the provisions of sections 3314.07, 3314.072, 368
and 3314.073 of the Revised Code. 369

(F) If a community school fails to open for operation 370
within one year after the contract entered into under this 371
section is adopted pursuant to division (D) of section 3314.02 372
of the Revised Code or permanently closes prior to the 373
expiration of the contract, the contract shall be void and the 374
school shall not enter into a contract with any other sponsor. A 375
school shall not be considered permanently closed because the 376
operations of the school have been suspended pursuant to section 377
3314.072 of the Revised Code. 378

Sec. 3319.614. (A) Within ninety days after the effective 379
date of this section, the board of education of each school 380
district shall adopt a policy that states all of the following: 381

(1) The school district shall not solicit or require an 382
employee, student, or applicant for employment or academic 383
admission to affirmatively ascribe to specific beliefs, 384
affiliations, ideals, or principles concerning political 385
movements, or ideology. 386

(2) The school district shall not use statements of 387
commitment to specific beliefs, affiliations, ideals, or 388
principles concerning political movements, or ideology as part 389
of the evaluation criteria for employees or applicants for 390
employment, or employees that are seeking career progression or 391
benefits. 392

(3) The school district shall not use statements of 393
commitment to specific beliefs, affiliations, ideals, or 394
principles concerning political movements or ideology as part of 395
the academic evaluation of students. 396

(B) Nothing in this act shall be construed to prohibit, 397
limit, or restrict any of the following: 398

(1) A school district's authority to require a student or 399
employee to comply with federal or state law, including anti- 400
discrimination laws, or to take action against a student or 401
employee for violation of federal or state law; 402

(2) An educator's academic freedom; 403

(3) An educator's ability to research or write 404
publications about specific beliefs, affiliations, ideals, or 405
principles concerning political movements, ideology, or social 406
action; 407

(4) A school district's authority to consider an applicant 408
for employment's scholarship, teaching, or subject matter 409
expertise in the applicant's given academic field. 410

(C) Each school district shall make publicly available all 411
policies, district guidance, and training materials used for 412
students, educators, and staff on all matters regarding specific 413
beliefs, affiliations, ideals, or principles concerning 414
political movements, or ideology. 415

Nothing in this section shall be construed to require 416
school districts to make protected legal communications or 417
guidance publicly available. 418

Sec. 3326.11. Each science, technology, engineering, and 419
mathematics school established under this chapter and its 420

governing body shall comply with sections 9.90, 9.91, 109.65, 421
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 422
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 423
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 424
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318, 425
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3313.6028, 3313.6029, 3313.61, 3313.611, 3313.614, 3313.615, 428
3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 429
3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 430
3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 431
3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 432
3313.7112, 3313.7117, 3313.721, 3313.80, 3313.801, 3313.814, 433
3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 434
3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.21, 435
3319.238, 3319.318, 3319.32, 3319.321, 3319.324, 3319.35, 436
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3319.614, 3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.05, 438
3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 439
3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 440
5502.703, and 5705.391 and Chapters 102., 117., 1347., 2744., 441
3307., 3309., 3365., 3742., 4112., 4123., 4141., and 4167. of 442
the Revised Code as if it were a school district. 443

Section 2. That existing sections 3314.03 and 3326.11 of 444
the Revised Code are hereby repealed. 445

Section 3. That the version of section 3314.03 of the 446
Revised Code that is scheduled to take effect on January 1, 447
2025, be amended to read as follows: 448

Sec. 3314.03. A copy of every contract entered into under 449
this section shall be filed with the director of education and 450

workforce. The department of education and workforce shall make 451
available on its web site a copy of every approved, executed 452
contract filed with the director under this section. 453

(A) Each contract entered into between a sponsor and the 454
governing authority of a community school shall specify the 455
following: 456

(1) That the school shall be established as either of the 457
following: 458

(a) A nonprofit corporation established under Chapter 459
1702. of the Revised Code, if established prior to April 8, 460
2003; 461

(b) A public benefit corporation established under Chapter 462
1702. of the Revised Code, if established after April 8, 2003. 463

(2) The education program of the school, including the 464
school's mission, the characteristics of the students the school 465
is expected to attract, the ages and grades of students, and the 466
focus of the curriculum; 467

(3) The academic goals to be achieved and the method of 468
measurement that will be used to determine progress toward those 469
goals, which shall include the statewide achievement 470
assessments; 471

(4) Performance standards, including but not limited to 472
all applicable report card measures set forth in section 3302.03 473
or 3314.017 of the Revised Code, by which the success of the 474
school will be evaluated by the sponsor; 475

(5) The admission standards of section 3314.06 of the 476
Revised Code and, if applicable, section 3314.061 of the Revised 477
Code; 478

(6) (a) Dismissal procedures;	479
(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.	480 481 482 483 484 485
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	486 487
(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.	488 489 490 491 492 493
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	494 495
(a) A detailed description of each facility used for instructional purposes;	496 497
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	498 499
(c) The annual mortgage principal and interest payments that are paid by the school;	500 501
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	502 503 504
(10) Qualifications of employees, including both of the following:	505 506

(a) A requirement that the school's classroom teachers be 507
licensed in accordance with sections 3319.22 to 3319.31 of the 508
Revised Code, except that a community school may engage 509
noncertificated persons to teach up to twelve hours or forty 510
hours per week pursuant to section 3319.301 of the Revised Code; 511

(b) A prohibition against the school employing an 512
individual described in section 3314.104 of the Revised Code in 513
any position. 514

(11) That the school will comply with the following 515
requirements: 516

(a) The school will provide learning opportunities to a 517
minimum of twenty-five students for a minimum of nine hundred 518
twenty hours per school year. 519

(b) The governing authority will purchase liability 520
insurance, or otherwise provide for the potential liability of 521
the school. 522

(c) The school will be nonsectarian in its programs, 523
admission policies, employment practices, and all other 524
operations, and will not be operated by a sectarian school or 525
religious institution. 526

(d) The school will comply with sections 9.90, 9.91, 527
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 528
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 529
3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 530
3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 531
3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 532
3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 533
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 534
3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 535

3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 536
3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 537
3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 538
3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 539
3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3319.614, 540
3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 541
3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 542
3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and 543
Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., 544
and 4167. of the Revised Code as if it were a school district 545
and will comply with section 3301.0714 of the Revised Code in 546
the manner specified in section 3314.17 of the Revised Code. 547

(e) The school shall comply with Chapter 102. and section 548
2921.42 of the Revised Code. 549

(f) The school will comply with sections 3313.61, 550
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 551
Revised Code, except that for students who enter ninth grade for 552
the first time before July 1, 2010, the requirement in sections 553
3313.61 and 3313.611 of the Revised Code that a person must 554
successfully complete the curriculum in any high school prior to 555
receiving a high school diploma may be met by completing the 556
curriculum adopted by the governing authority of the community 557
school rather than the curriculum specified in Title XXXIII of 558
the Revised Code or any rules of the department. Beginning with 559
students who enter ninth grade for the first time on or after 560
July 1, 2010, the requirement in sections 3313.61 and 3313.611 561
of the Revised Code that a person must successfully complete the 562
curriculum of a high school prior to receiving a high school 563
diploma shall be met by completing the requirements prescribed 564
in section 3313.6027 and division (C) of section 3313.603 of the 565
Revised Code, unless the person qualifies under division (D) or 566

(F) of that section. Each school shall comply with the plan for 567
awarding high school credit based on demonstration of subject 568
area competency, and beginning with the 2017-2018 school year, 569
with the updated plan that permits students enrolled in seventh 570
and eighth grade to meet curriculum requirements based on 571
subject area competency adopted by the department under 572
divisions (J) (1) and (2) of section 3313.603 of the Revised 573
Code. Beginning with the 2018-2019 school year, the school shall 574
comply with the framework for granting units of high school 575
credit to students who demonstrate subject area competency 576
through work-based learning experiences, internships, or 577
cooperative education developed by the department under division 578
(J) (3) of section 3313.603 of the Revised Code. 579

(g) The school governing authority will submit within four 580
months after the end of each school year a report of its 581
activities and progress in meeting the goals and standards of 582
divisions (A) (3) and (4) of this section and its financial 583
status to the sponsor and the parents of all students enrolled 584
in the school. 585

(h) The school, unless it is an internet- or computer- 586
based community school, will comply with section 3313.801 of the 587
Revised Code as if it were a school district. 588

(i) If the school is the recipient of moneys from a grant 589
awarded under the federal race to the top program, Division (A), 590
Title XIV, Sections 14005 and 14006 of the "American Recovery 591
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 592
the school will pay teachers based upon performance in 593
accordance with section 3317.141 and will comply with section 594
3319.111 of the Revised Code as if it were a school district. 595

(j) If the school operates a preschool program that is 596

licensed by the department under sections 3301.52 to 3301.59 of 597
the Revised Code, the school shall comply with sections 3301.50 598
to 3301.59 of the Revised Code and the minimum standards for 599
preschool programs prescribed in rules adopted by the department 600
of children and youth under section 3301.53 of the Revised Code. 601

(k) The school will comply with sections 3313.6021 and 602
3313.6023 of the Revised Code as if it were a school district 603
unless it is either of the following: 604

(i) An internet- or computer-based community school; 605

(ii) A community school in which a majority of the 606
enrolled students are children with disabilities as described in 607
division (A) (4) (b) of section 3314.35 of the Revised Code. 608

(l) The school will comply with section 3321.191 of the 609
Revised Code, unless it is an internet- or computer-based 610
community school that is subject to section 3314.261 of the 611
Revised Code. 612

(12) Arrangements for providing health and other benefits 613
to employees; 614

(13) The length of the contract, which shall begin at the 615
beginning of an academic year. No contract shall exceed five 616
years unless such contract has been renewed pursuant to division 617
(E) of this section. 618

(14) The governing authority of the school, which shall be 619
responsible for carrying out the provisions of the contract; 620

(15) A financial plan detailing an estimated school budget 621
for each year of the period of the contract and specifying the 622
total estimated per pupil expenditure amount for each such year. 623

(16) Requirements and procedures regarding the disposition 624

of employees of the school in the event the contract is 625
terminated or not renewed pursuant to section 3314.07 of the 626
Revised Code; 627

(17) Whether the school is to be created by converting all 628
or part of an existing public school or educational service 629
center building or is to be a new start-up school, and if it is 630
a converted public school or service center building, 631
specification of any duties or responsibilities of an employer 632
that the board of education or service center governing board 633
that operated the school or building before conversion is 634
delegating to the governing authority of the community school 635
with respect to all or any specified group of employees provided 636
the delegation is not prohibited by a collective bargaining 637
agreement applicable to such employees; 638

(18) Provisions establishing procedures for resolving 639
disputes or differences of opinion between the sponsor and the 640
governing authority of the community school; 641

(19) A provision requiring the governing authority to 642
adopt a policy regarding the admission of students who reside 643
outside the district in which the school is located. That policy 644
shall comply with the admissions procedures specified in 645
sections 3314.06 and 3314.061 of the Revised Code and, at the 646
sole discretion of the authority, shall do one of the following: 647

(a) Prohibit the enrollment of students who reside outside 648
the district in which the school is located; 649

(b) Permit the enrollment of students who reside in 650
districts adjacent to the district in which the school is 651
located; 652

(c) Permit the enrollment of students who reside in any 653

other district in the state. 654

(20) A provision recognizing the authority of the 655
department to take over the sponsorship of the school in 656
accordance with the provisions of division (C) of section 657
3314.015 of the Revised Code; 658

(21) A provision recognizing the sponsor's authority to 659
assume the operation of a school under the conditions specified 660
in division (B) of section 3314.073 of the Revised Code; 661

(22) A provision recognizing both of the following: 662

(a) The authority of public health and safety officials to 663
inspect the facilities of the school and to order the facilities 664
closed if those officials find that the facilities are not in 665
compliance with health and safety laws and regulations; 666

(b) The authority of the department as the community 667
school oversight body to suspend the operation of the school 668
under section 3314.072 of the Revised Code if the department has 669
evidence of conditions or violations of law at the school that 670
pose an imminent danger to the health and safety of the school's 671
students and employees and the sponsor refuses to take such 672
action. 673

(23) A description of the learning opportunities that will 674
be offered to students including both classroom-based and non- 675
classroom-based learning opportunities that is in compliance 676
with criteria for student participation established by the 677
department under division (H) (2) of section 3314.08 of the 678
Revised Code; 679

(24) The school will comply with sections 3302.04 and 680
3302.041 of the Revised Code, except that any action required to 681
be taken by a school district pursuant to those sections shall 682

be taken by the sponsor of the school. 683

(25) Beginning in the 2006-2007 school year, the school 684
will open for operation not later than the thirtieth day of 685
September each school year, unless the mission of the school as 686
specified under division (A) (2) of this section is solely to 687
serve dropouts. In its initial year of operation, if the school 688
fails to open by the thirtieth day of September, or within one 689
year after the adoption of the contract pursuant to division (D) 690
of section 3314.02 of the Revised Code if the mission of the 691
school is solely to serve dropouts, the contract shall be void. 692

(26) Whether the school's governing authority is planning 693
to seek designation for the school as a STEM school equivalent 694
under section 3326.032 of the Revised Code; 695

(27) That the school's attendance and participation 696
policies will be available for public inspection; 697

(28) That the school's attendance and participation 698
records shall be made available to the department, auditor of 699
state, and school's sponsor to the extent permitted under and in 700
accordance with the "Family Educational Rights and Privacy Act 701
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 702
regulations promulgated under that act, and section 3319.321 of 703
the Revised Code; 704

(29) If a school operates using the blended learning 705
model, as defined in section 3301.079 of the Revised Code, all 706
of the following information: 707

(a) An indication of what blended learning model or models 708
will be used; 709

(b) A description of how student instructional needs will 710
be determined and documented; 711

(c) The method to be used for determining competency,	712
granting credit, and promoting students to a higher grade level;	713
(d) The school's attendance requirements, including how	714
the school will document participation in learning	715
opportunities;	716
(e) A statement describing how student progress will be	717
monitored;	718
(f) A statement describing how private student data will	719
be protected;	720
(g) A description of the professional development	721
activities that will be offered to teachers.	722
(30) A provision requiring that all moneys the school's	723
operator loans to the school, including facilities loans or cash	724
flow assistance, must be accounted for, documented, and bear	725
interest at a fair market rate;	726
(31) A provision requiring that, if the governing	727
authority contracts with an attorney, accountant, or entity	728
specializing in audits, the attorney, accountant, or entity	729
shall be independent from the operator with which the school has	730
contracted.	731
(32) A provision requiring the governing authority to	732
adopt an enrollment and attendance policy that requires a	733
student's parent to notify the community school in which the	734
student is enrolled when there is a change in the location of	735
the parent's or student's primary residence.	736
(33) A provision requiring the governing authority to	737
adopt a student residence and address verification policy for	738
students enrolling in or attending the school.	739

(B) The community school shall also submit to the sponsor 740
a comprehensive plan for the school. The plan shall specify the 741
following: 742

(1) The process by which the governing authority of the 743
school will be selected in the future; 744

(2) The management and administration of the school; 745

(3) If the community school is a currently existing public 746
school or educational service center building, alternative 747
arrangements for current public school students who choose not 748
to attend the converted school and for teachers who choose not 749
to teach in the school or building after conversion; 750

(4) The instructional program and educational philosophy 751
of the school; 752

(5) Internal financial controls. 753

When submitting the plan under this division, the school 754
shall also submit copies of all policies and procedures 755
regarding internal financial controls adopted by the governing 756
authority of the school. 757

(C) A contract entered into under section 3314.02 of the 758
Revised Code between a sponsor and the governing authority of a 759
community school may provide for the community school governing 760
authority to make payments to the sponsor, which is hereby 761
authorized to receive such payments as set forth in the contract 762
between the governing authority and the sponsor. The total 763
amount of such payments for monitoring, oversight, and technical 764
assistance of the school shall not exceed three per cent of the 765
total amount of payments for operating expenses that the school 766
receives from the state. 767

(D) The contract shall specify the duties of the sponsor 768
which shall be in accordance with the written agreement entered 769
into with the department under division (B) of section 3314.015 770
of the Revised Code and shall include the following: 771

(1) Monitor the community school's compliance with all 772
laws applicable to the school and with the terms of the 773
contract; 774

(2) Monitor and evaluate the academic and fiscal 775
performance and the organization and operation of the community 776
school on at least an annual basis; 777

(3) Report on an annual basis the results of the 778
evaluation conducted under division (D) (2) of this section to 779
the department and to the parents of students enrolled in the 780
community school; 781

(4) Provide technical assistance to the community school 782
in complying with laws applicable to the school and terms of the 783
contract; 784

(5) Take steps to intervene in the school's operation to 785
correct problems in the school's overall performance, declare 786
the school to be on probationary status pursuant to section 787
3314.073 of the Revised Code, suspend the operation of the 788
school pursuant to section 3314.072 of the Revised Code, or 789
terminate the contract of the school pursuant to section 3314.07 790
of the Revised Code as determined necessary by the sponsor; 791

(6) Have in place a plan of action to be undertaken in the 792
event the community school experiences financial difficulties or 793
closes prior to the end of a school year. 794

(E) Upon the expiration of a contract entered into under 795
this section, the sponsor of a community school may, with the 796

approval of the governing authority of the school, renew that 797
contract for a period of time determined by the sponsor, but not 798
ending earlier than the end of any school year, if the sponsor 799
finds that the school's compliance with applicable laws and 800
terms of the contract and the school's progress in meeting the 801
academic goals prescribed in the contract have been 802
satisfactory. Any contract that is renewed under this division 803
remains subject to the provisions of sections 3314.07, 3314.072, 804
and 3314.073 of the Revised Code. 805

(F) If a community school fails to open for operation 806
within one year after the contract entered into under this 807
section is adopted pursuant to division (D) of section 3314.02 808
of the Revised Code or permanently closes prior to the 809
expiration of the contract, the contract shall be void and the 810
school shall not enter into a contract with any other sponsor. A 811
school shall not be considered permanently closed because the 812
operations of the school have been suspended pursuant to section 813
3314.072 of the Revised Code. 814

Section 4. That the existing version of section 3314.03 of 815
the Revised Code that is scheduled to take effect on January 1, 816
2025, is hereby repealed. 817

Section 5. Sections 3 and 4 of this act take effect on 818
January 1, 2025. 819