

I_135_1522-3

135th General Assembly
Regular Session
2023-2024

Sub. H. B. No. 407

A BILL

To amend sections 3310.13, 3310.15, 3314.03, 1
3319.324, 3326.11, and 3328.24 and to enact 2
sections 3301.165, 3301.166, 3302.0311, and 3
3313.6612 of the Revised Code regarding 4
chartered nonpublic schools that participate in 5
certain scholarship programs and disciplinary 6
record requirements for schools. 7

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

Section 1. That sections 3310.13, 3310.15, 3314.03, 8
3319.324, 3326.11, and 3328.24 be amended and sections 3301.165, 9
3301.166, 3302.0311, and 3313.6612 of the Revised Code be 10
enacted to read as follows: 11

Sec. 3301.165. (A) As used in this section: 12

(1) "Community school" means a community school 13
established under Chapter 3314. of the Revised Code. 14

(2) "Qualifying school" means a chartered nonpublic school 15
in which at least twenty per cent of its total enrollment is 16
made up of scholarship students. 17



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(3) "Scholarship student" means a student who is 18
participating in the educational choice scholarship pilot 19
program established under sections 3310.01 to 3310.17 of the 20
Revised Code or the pilot project scholarship program 21
established under sections 3313.974 to 3313.979 of the Revised 22
Code. 23

(4) "STEM school" means a STEM school established under 24
Chapter 3326. of the Revised Code. 25

(B) Each chartered nonpublic school that enrolls 26
scholarship students shall include in its admission procedure a 27
method to determine which students to admit if the number of 28
applicants for a grade level, school building, or education 29
program exceeds the school's capacity. Each school shall report 30
to the department of education and workforce, in a form and 31
manner established by the department, its method for such 32
determinations. 33

(C) Annually, each qualifying school shall report to the 34
department, in a form and manner established by the department, 35
all of the following for the school year: 36

(1) The school's total enrollment and its capacity limits 37
by grade level, school building, and education program; 38

(2) The number of scholarship students enrolled in the 39
school, disaggregated by whether, in the prior school year, the 40
students were enrolled in one of the following: 41

(a) That school; 42

(b) A different chartered nonpublic school; 43

(c) A nonchartered nonpublic school; 44

(d) A city, local, or exempted village school district; 45

<u>(e) A community school;</u>	46
<u>(f) A STEM school;</u>	47
<u>(g) If the student was not enrolled in a district or</u>	48
<u>school in the prior school year, whether either of the following</u>	49
<u>apply to the student;</u>	50
<u>(i) The student, in the prior school year, was exempted</u>	51
<u>from attendance at school for the purpose of home education</u>	52
<u>under section 3321.042 of the Revised Code.</u>	53
<u>(ii) The student, in the current school year, is enrolling</u>	54
<u>in school in this state for the first time.</u>	55
<u>Sec. 3301.166.</u> (A) As used in this section:	56
<u>(1) "Adjusted gross income" has the same meaning as in</u>	57
<u>section 5747.01 of the Revised Code.</u>	58
<u>(2) "Federal poverty guidelines" has the same meaning as</u>	59
<u>in section 5101.46 of the Revised Code.</u>	60
<u>(3) "Community school" means a community school</u>	61
<u>established under Chapter 3314. of the Revised Code.</u>	62
<u>(4) "Scholarship student" has the same meaning as in</u>	63
<u>section 3301.165 of the Revised Code.</u>	64
<u>(5) "STEM school" means a STEM school established under</u>	65
<u>Chapter 3326. of the Revised Code.</u>	66
<u>(B) The department of education and workforce shall</u>	67
<u>establish a system by which an individual may compare the</u>	68
<u>performance data of scholarship students enrolled in a chartered</u>	69
<u>nonpublic school with the performance data of similar students</u>	70
<u>enrolled in the school district in which the school is located</u>	71
<u>or a community school, STEM school, or other chartered nonpublic</u>	72

school in that district. The department shall make the system 73
available on its publicly accessible web site. 74

In calculating the performance of similar students under 75
this section, the department shall consider age, grade, race and 76
ethnicity, gender, and socioeconomic status. 77

(C) (1) Annually, the department shall post on its publicly 78
accessible web site the number of scholarship students 79
disaggregated according to the following categories: 80

(a) Students with a family adjusted gross income at or 81
below four hundred fifty per cent of the federal poverty 82
guidelines; 83

(b) Students with a family adjusted gross income above 84
four hundred fifty per cent of the federal poverty guidelines, 85
but at or below five hundred per cent of the federal poverty 86
guidelines; 87

(c) Students with a family adjusted gross income above 88
five hundred per cent of the federal poverty guidelines, but at 89
or below five hundred fifty per cent of the federal poverty 90
guidelines; 91

(d) Students with a family adjusted gross income above 92
five hundred fifty per cent of the federal poverty guidelines, 93
but at or below six hundred per cent of the federal poverty 94
guidelines; 95

(e) Students with a family adjusted gross income above six 96
hundred per cent of the federal poverty guidelines, but at or 97
below six hundred fifty per cent of the federal poverty 98
guidelines; 99

(f) Students with a family adjusted gross income above six 100

hundred fifty per cent of the federal poverty guidelines, but at 101
or below seven hundred per cent of the federal poverty 102
guidelines; 103

(g) Students with a family adjusted gross income above 104
seven hundred per cent of the federal poverty guidelines, but at 105
or below seven hundred fifty per cent of the federal poverty 106
guidelines; 107

(h) Students with a family adjusted gross income above 108
seven hundred fifty per cent of the federal poverty guidelines. 109

The department may disaggregate data under division (C) (1) 110
of this section according to other categories that the 111
department determines are appropriate. 112

(2) The department of education and workforce shall 113
request from the department of taxation any data necessary for 114
the department of education and workforce to compute and post 115
data as required under division (C) (1) of this section. 116

Sec. 3302.0311. As used in this section, "qualifying 117
school" has the same meaning as in section 3301.165 of the 118
Revised Code. 119

The department of education and workforce shall establish 120
a report card for qualifying schools. To the extent practicable, 121
the department shall make that report card similar to the report 122
card issued under section 3302.03 of the Revised Code. The 123
department annually shall issue a report card for each 124
qualifying school not later than the fifteenth day of September 125
or the preceding Friday when that day falls on Saturday or 126
Sunday. The department shall include in the report card issued 127
for a qualifying school the report the school is required to 128
make to the department under section 3301.165 of the Revised 129

<u>Code.</u>	130
Sec. 3310.13. (A) No chartered nonpublic school shall	131
charge any student whose family income is at or below two	132
hundred per cent of the federal poverty guidelines, as defined	133
in section 5101.46 of the Revised Code, a tuition fee that is	134
greater than the total amount paid for that student under	135
section 3317.022 of the Revised Code.	136
(B) A chartered nonpublic school may charge any other	137
student who is paid a scholarship under that section up to the	138
difference between the amount of the scholarship and the regular	139
tuition charge of the school. Each chartered nonpublic school	140
may permit such an eligible student's family to provide	141
volunteer services in lieu of cash payment to pay all or part of	142
the amount of the school's tuition not covered by the	143
scholarship paid under section 3317.022 of the Revised Code.	144
(C) Each chartered nonpublic school that charges a	145
scholarship student an additional amount as authorized under	146
division (B) of this section shall annually report to the	147
department of education and workforce in the manner prescribed	148
by the department the following:	149
(1) The number of students charged;	150
(2) The average of the amounts charged to such students.	151
(D) On and after July 1, 2024, the department shall not	152
require the parent of a student to submit a complete copy of the	153
parent's federal income tax return, or a return filed under	154
section 5747.08 of the Revised Code, to determine a student's	155
family income for the purposes of the educational choice	156
scholarship pilot program. Rather, the department may require a	157
parent to submit a partial federal income tax return, or a	158

return filed under section 5747.08 of the Revised Code, that 159
only contains the minimum amount of information necessary to 160
determine a student's family income. 161

(E) No chartered nonpublic school participating in the 162
educational choice scholarship pilot program shall require the 163
parent of a student to disclose, as part of the school's 164
admission procedure, whether the student's family income is at 165
or below two hundred per cent of the federal poverty guidelines. 166

(F) A chartered nonpublic school may accept scholarships 167
issued by a scholarship granting organization authorized under 168
section 5747.73 of the Revised Code as payment for the 169
difference between the amount of the scholarship paid under 170
section 3317.022 of the Revised Code and the regular tuition 171
charge of the school, as well as for any fees regularly charged 172
by the school. Annually, the department shall post on its 173
publicly accessible web site aggregate data including the family 174
income of each student who receives a scholarship from a 175
scholarship granting organization described in this division. 176
The department of education and workforce shall request from the 177
department of taxation any data necessary for the department of 178
education and workforce to aggregate and post data as required 179
under this division. 180

(G) Not later than the thirtieth day of June of each year, 181
each chartered nonpublic school that enrolls students who 182
receive educational choice scholarships shall submit to the 183
department of education and workforce, in a form and manner 184
prescribed by the department, the tuition rates charged by the 185
school for the following school year. 186

Sec. 3310.15. (A) The department of education and 187
workforce annually shall compile the scores attained by 188

scholarship students to whom an assessment is administered under 189
section 3310.14 of the Revised Code. The scores shall be 190
aggregated as follows: 191

(1) By state, which shall include all students awarded a 192
scholarship under the educational choice scholarship pilot 193
program and who were required to take an assessment under 194
section 3310.14 of the Revised Code; 195

(2) By school district, which shall include all 196
scholarship students who were required to take an assessment 197
under section 3310.14 of the Revised Code and for whom the 198
district is the student's resident district; 199

(3) By chartered nonpublic school, which shall include all 200
scholarship students enrolled in that school who were required 201
to take an assessment under section 3310.14 of the Revised Code. 202

(B) The department shall disaggregate the student 203
performance data described in division (A) of this section 204
according to the following categories: 205

(1) Grade level; 206

(2) Race and ethnicity; 207

(3) Gender; 208

(4) Students who have participated in the scholarship 209
program for three or more years; 210

(5) Students who have participated in the scholarship 211
program for more than one year and less than three years; 212

(6) Students who have participated in the scholarship 213
program for one year or less; 214

(7) Economically disadvantaged students. 215

(C) The department shall post the student performance data 216
required under divisions (A) and (B) of this section on its web 217
site and, by the ~~first-fifteenth~~ day of ~~February-September~~ or 218
the preceding Friday when that day falls on a Saturday or Sunday 219
each year, shall distribute that data to the parent of each 220
eligible student. In reporting student performance data under 221
this division, the department shall not include any data that is 222
statistically unreliable or that could result in the 223
identification of individual students. For this purpose, the 224
department shall not report performance data for any group that 225
contains less than ten students. 226

Not later than July 1, 2025, the department shall develop 227
a measure of student growth for scholarship students enrolled in 228
chartered nonpublic schools. The measure of student growth shall 229
be used to report data annually on student growth for students 230
in grades four through eight during the school year in which 231
data is reported. No data shall be reported for schools with 232
fewer than ten scholarship students. The department shall make 233
the growth reports available on its publicly accessible web 234
site. 235

(D) The department shall provide the parent of each 236
scholarship student with information comparing the student's 237
performance on the assessments administered under section 238
3310.14 of the Revised Code with the average performance of 239
similar students enrolled in the building operated by the 240
student's resident district that the scholarship student would 241
otherwise attend. In calculating the performance of similar 242
students, the department shall consider age, grade, race and 243
ethnicity, gender, and socioeconomic status. 244

Sec. 3313.6612. Each school district and chartered 245

nonpublic school shall maintain a disciplinary record for each student who is subject to a disciplinary action. The record shall include a description of each incident that resulted in disciplinary action by the district or school. 246
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The disciplinary record of a student who is enrolled in a public school is subject to section 3319.321 of the Revised Code and the "Family Educational Rights and Privacy Act of 1974," 20 U.S.C. 1232g. 250
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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. 254
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(A) Each contract entered into between a sponsor and the governing authority of a community school shall specify the following: 259
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(1) That the school shall be established as either of the following: 262
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(a) A nonprofit corporation established under Chapter 1702. of the Revised Code, if established prior to April 8, 2003; 264
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(b) A public benefit corporation established under Chapter 1702. of the Revised Code, if established after April 8, 2003. 267
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(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; 269
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(3) The academic goals to be achieved and the method of 273

measurement that will be used to determine progress toward those goals, which shall include the statewide achievement assessments;	274 275 276
(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;	277 278 279 280
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	281 282 283
(6) (a) Dismissal procedures;	284
(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.	285 286 287 288 289 290
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	291 292
(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.	293 294 295 296 297 298
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	299 300
(a) A detailed description of each facility used for	301

instructional purposes;	302
(b) The annual costs associated with leasing each facility	303
that are paid by or on behalf of the school;	304
(c) The annual mortgage principal and interest payments	305
that are paid by the school;	306
(d) The name of the lender or landlord, identified as	307
such, and the lender's or landlord's relationship to the	308
operator, if any.	309
(10) Qualifications of employees, including both of the	310
following:	311
(a) A requirement that the school's classroom teachers be	312
licensed in accordance with sections 3319.22 to 3319.31 of the	313
Revised Code, except that a community school may engage	314
noncertificated persons to teach up to twelve hours or forty	315
hours per week pursuant to section 3319.301 of the Revised Code;	316
(b) A prohibition against the school employing an	317
individual described in section 3314.104 of the Revised Code in	318
any position.	319
(11) That the school will comply with the following	320
requirements:	321
(a) The school will provide learning opportunities to a	322
minimum of twenty-five students for a minimum of nine hundred	323
twenty hours per school year.	324
(b) The governing authority will purchase liability	325
insurance, or otherwise provide for the potential liability of	326
the school.	327
(c) The school will be nonsectarian in its programs,	328

admission policies, employment practices, and all other 329
operations, and will not be operated by a sectarian school or 330
religious institution. 331

(d) The school will comply with sections 9.90, 9.91, 332
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 333
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 334
3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 335
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3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3319.614, 345
3320.01, 3320.02, 3320.03, 3320.04, 3321.01, 3321.041, 3321.13, 346
3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 347
3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 348
5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 349
4123., 4141., and 4167. of the Revised Code as if it were a 350
school district and will comply with section 3301.0714 of the 351
Revised Code in the manner specified in section 3314.17 of the 352
Revised Code. 353

(e) The school shall comply with Chapter 102. and section 354
2921.42 of the Revised Code. 355

(f) The school will comply with sections 3313.61, 356
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 357
Revised Code, except that for students who enter ninth grade for 358

the first time before July 1, 2010, the requirement in sections 359
3313.61 and 3313.611 of the Revised Code that a person must 360
successfully complete the curriculum in any high school prior to 361
receiving a high school diploma may be met by completing the 362
curriculum adopted by the governing authority of the community 363
school rather than the curriculum specified in Title XXXIII of 364
the Revised Code or any rules of the department. Beginning with 365
students who enter ninth grade for the first time on or after 366
July 1, 2010, the requirement in sections 3313.61 and 3313.611 367
of the Revised Code that a person must successfully complete the 368
curriculum of a high school prior to receiving a high school 369
diploma shall be met by completing the requirements prescribed 370
in section 3313.6027 and division (C) of section 3313.603 of the 371
Revised Code, unless the person qualifies under division (D) or 372
(F) of that section. Each school shall comply with the plan for 373
awarding high school credit based on demonstration of subject 374
area competency, and beginning with the 2017-2018 school year, 375
with the updated plan that permits students enrolled in seventh 376
and eighth grade to meet curriculum requirements based on 377
subject area competency adopted by the department under 378
divisions (J) (1) and (2) of section 3313.603 of the Revised 379
Code. Beginning with the 2018-2019 school year, the school shall 380
comply with the framework for granting units of high school 381
credit to students who demonstrate subject area competency 382
through work-based learning experiences, internships, or 383
cooperative education developed by the department under division 384
(J) (3) of section 3313.603 of the Revised Code. 385

(g) The school governing authority will submit within four 386
months after the end of each school year a report of its 387
activities and progress in meeting the goals and standards of 388
divisions (A) (3) and (4) of this section and its financial 389

status to the sponsor and the parents of all students enrolled 390
in the school. 391

(h) The school, unless it is an internet- or computer- 392
based community school, will comply with section 3313.801 of the 393
Revised Code as if it were a school district. 394

(i) If the school is the recipient of moneys from a grant 395
awarded under the federal race to the top program, Division (A), 396
Title XIV, Sections 14005 and 14006 of the "American Recovery 397
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 398
the school will pay teachers based upon performance in 399
accordance with section 3317.141 and will comply with section 400
3319.111 of the Revised Code as if it were a school district. 401

(j) If the school operates a preschool program that is 402
licensed by the department under sections 3301.52 to 3301.59 of 403
the Revised Code, the school shall comply with sections 3301.50 404
to 3301.59 of the Revised Code and the minimum standards for 405
preschool programs prescribed in rules adopted by the department 406
of children and youth under section 3301.53 of the Revised Code. 407

(k) The school will comply with sections 3313.6021 and 408
3313.6023 of the Revised Code as if it were a school district 409
unless it is either of the following: 410

(i) An internet- or computer-based community school; 411

(ii) A community school in which a majority of the 412
enrolled students are children with disabilities as described in 413
division (B) (2) of section 3314.35 of the Revised Code. 414

(l) The school will comply with section 3321.191 of the 415
Revised Code, unless it is an internet- or computer-based 416
community school that is subject to section 3314.261 of the 417
Revised Code. 418

(12) Arrangements for providing health and other benefits	419
to employees;	420
(13) The length of the contract, which shall begin at the	421
beginning of an academic year. No contract shall exceed five	422
years unless such contract has been renewed pursuant to division	423
(E) of this section.	424
(14) The governing authority of the school, which shall be	425
responsible for carrying out the provisions of the contract;	426
(15) A financial plan detailing an estimated school budget	427
for each year of the period of the contract and specifying the	428
total estimated per pupil expenditure amount for each such year.	429
(16) Requirements and procedures regarding the disposition	430
of employees of the school in the event the contract is	431
terminated or not renewed pursuant to section 3314.07 of the	432
Revised Code;	433
(17) Whether the school is to be created by converting all	434
or part of an existing public school or educational service	435
center building or is to be a new start-up school, and if it is	436
a converted public school or service center building,	437
specification of any duties or responsibilities of an employer	438
that the board of education or service center governing board	439
that operated the school or building before conversion is	440
delegating to the governing authority of the community school	441
with respect to all or any specified group of employees provided	442
the delegation is not prohibited by a collective bargaining	443
agreement applicable to such employees;	444
(18) Provisions establishing procedures for resolving	445
disputes or differences of opinion between the sponsor and the	446
governing authority of the community school;	447

(19) A provision requiring the governing authority to 448
adopt a policy regarding the admission of students who reside 449
outside the district in which the school is located. That policy 450
shall comply with the admissions procedures specified in 451
sections 3314.06 and 3314.061 of the Revised Code and, at the 452
sole discretion of the authority, shall do one of the following: 453

(a) Prohibit the enrollment of students who reside outside 454
the district in which the school is located; 455

(b) Permit the enrollment of students who reside in 456
districts adjacent to the district in which the school is 457
located; 458

(c) Permit the enrollment of students who reside in any 459
other district in the state. 460

(20) A provision recognizing the authority of the 461
department to take over the sponsorship of the school in 462
accordance with the provisions of division (C) of section 463
3314.015 of the Revised Code; 464

(21) A provision recognizing the sponsor's authority to 465
assume the operation of a school under the conditions specified 466
in division (B) of section 3314.073 of the Revised Code; 467

(22) A provision recognizing both of the following: 468

(a) The authority of public health and safety officials to 469
inspect the facilities of the school and to order the facilities 470
closed if those officials find that the facilities are not in 471
compliance with health and safety laws and regulations; 472

(b) The authority of the department as the community 473
school oversight body to suspend the operation of the school 474
under section 3314.072 of the Revised Code if the department has 475

evidence of conditions or violations of law at the school that 476
pose an imminent danger to the health and safety of the school's 477
students and employees and the sponsor refuses to take such 478
action. 479

(23) A description of the learning opportunities that will 480
be offered to students including both classroom-based and non- 481
classroom-based learning opportunities that is in compliance 482
with criteria for student participation established by the 483
department under division (H) (2) of section 3314.08 of the 484
Revised Code; 485

(24) The school will comply with sections 3302.04 and 486
3302.041 of the Revised Code, except that any action required to 487
be taken by a school district pursuant to those sections shall 488
be taken by the sponsor of the school. 489

(25) Beginning in the 2006-2007 school year, the school 490
will open for operation not later than the thirtieth day of 491
September each school year, unless the mission of the school as 492
specified under division (A) (2) of this section is solely to 493
serve dropouts. In its initial year of operation, if the school 494
fails to open by the thirtieth day of September, or within one 495
year after the adoption of the contract pursuant to division (D) 496
of section 3314.02 of the Revised Code if the mission of the 497
school is solely to serve dropouts, the contract shall be void. 498

(26) Whether the school's governing authority is planning 499
to seek designation for the school as a STEM school equivalent 500
under section 3326.032 of the Revised Code; 501

(27) That the school's attendance and participation 502
policies will be available for public inspection; 503

(28) That the school's attendance and participation 504

records shall be made available to the department, auditor of 505
state, and school's sponsor to the extent permitted under and in 506
accordance with the "Family Educational Rights and Privacy Act 507
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 508
regulations promulgated under that act, and section 3319.321 of 509
the Revised Code; 510

(29) If a school operates using the blended learning 511
model, as defined in section 3301.079 of the Revised Code, all 512
of the following information: 513

(a) An indication of what blended learning model or models 514
will be used; 515

(b) A description of how student instructional needs will 516
be determined and documented; 517

(c) The method to be used for determining competency, 518
granting credit, and promoting students to a higher grade level; 519

(d) The school's attendance requirements, including how 520
the school will document participation in learning 521
opportunities; 522

(e) A statement describing how student progress will be 523
monitored; 524

(f) A statement describing how private student data will 525
be protected; 526

(g) A description of the professional development 527
activities that will be offered to teachers. 528

(30) A provision requiring that all moneys the school's 529
operator loans to the school, including facilities loans or cash 530
flow assistance, must be accounted for, documented, and bear 531
interest at a fair market rate; 532

(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.

(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.

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

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

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

(2) The management and administration of the school;

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

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

(5) Internal financial controls.

When submitting the plan under this division, the school

shall also submit copies of all policies and procedures 561
regarding internal financial controls adopted by the governing 562
authority of the school. 563

(C) A contract entered into under section 3314.02 of the 564
Revised Code between a sponsor and the governing authority of a 565
community school may provide for the community school governing 566
authority to make payments to the sponsor, which is hereby 567
authorized to receive such payments as set forth in the contract 568
between the governing authority and the sponsor. The total 569
amount of such payments for monitoring, oversight, and technical 570
assistance of the school shall not exceed three per cent of the 571
total amount of payments for operating expenses that the school 572
receives from the state. 573

(D) The contract shall specify the duties of the sponsor 574
which shall be in accordance with the written agreement entered 575
into with the department under division (B) of section 3314.015 576
of the Revised Code and shall include the following: 577

(1) Monitor the community school's compliance with all 578
laws applicable to the school and with the terms of the 579
contract; 580

(2) Monitor and evaluate the academic and fiscal 581
performance and the organization and operation of the community 582
school on at least an annual basis; 583

(3) Provide technical assistance to the community school 584
in complying with laws applicable to the school and terms of the 585
contract; 586

(4) Take steps to intervene in the school's operation to 587
correct problems in the school's overall performance, declare 588
the school to be on probationary status pursuant to section 589

3314.073 of the Revised Code, suspend the operation of the 590
school pursuant to section 3314.072 of the Revised Code, or 591
terminate the contract of the school pursuant to section 3314.07 592
of the Revised Code as determined necessary by the sponsor; 593

(5) Have in place a plan of action to be undertaken in the 594
event the community school experiences financial difficulties or 595
closes prior to the end of a school year. 596

(E) Upon the expiration of a contract entered into under 597
this section, the sponsor of a community school may, with the 598
approval of the governing authority of the school, renew that 599
contract for a period of time determined by the sponsor, but not 600
ending earlier than the end of any school year, if the sponsor 601
finds that the school's compliance with applicable laws and 602
terms of the contract and the school's progress in meeting the 603
academic goals prescribed in the contract have been 604
satisfactory. Any contract that is renewed under this division 605
remains subject to the provisions of sections 3314.07, 3314.072, 606
and 3314.073 of the Revised Code. 607

(F) If a community school fails to open for operation 608
within one year after the contract entered into under this 609
section is adopted pursuant to division (D) of section 3314.02 610
of the Revised Code or permanently closes prior to the 611
expiration of the contract, the contract shall be void and the 612
school shall not enter into a contract with any other sponsor. A 613
school shall not be considered permanently closed because the 614
operations of the school have been suspended pursuant to section 615
3314.072 of the Revised Code. 616

Sec. 3319.324. (A) As used in this section, "school 617
records" includes any academic records, student assessment data, 618
disciplinary record, or other information for which there is a 619

legitimate educational interest. 620

(B) Except as provided for in division (C) of this 621
section, when any school district or chartered nonpublic school 622
receives a request from another district or school to which a 623
student has transferred for that student's school records, the 624
district or school receiving the request shall respond, within 625
five school days after receiving the request, by transmitting to 626
the requesting district or school either the student's school 627
records as authorized under section 3319.321 of the Revised Code 628
or, if the district or school has no record of the student's 629
attendance, a statement of that fact. 630

(C) A district or school may withhold a student's school 631
records if there is two thousand five hundred dollars or more of 632
outstanding debt attributed to the student. The district or 633
school shall transmit the student's school records in the manner 634
specified under division (A) of this section once the debt is 635
paid. 636

(D) The provisions of this section are in addition to, and 637
do not affect the obligations of a school district or school to 638
comply with, the requirements of division (D) of section 639
3313.642 and section 3313.672 of the Revised Code. 640

Sec. 3326.11. Each science, technology, engineering, and 641
mathematics school established under this chapter and its 642
governing body shall comply with sections 9.90, 9.91, 109.65, 643
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 644
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 645
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 646
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318, 647
3313.5319, 3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6020, 648
3313.6021, 3313.6023, 3313.6024, 3313.6025, 3313.6026, 649

3313.6028, 3313.6029, 3313.61, 3313.611, 3313.614, 3313.615, 650
3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 651
3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 652
3313.668, 3313.669, 3313.6610, 3313.6612, 3313.67, 3313.671, 653
3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.717, 654
3313.718, 3313.719, 3313.7112, 3313.7117, 3313.721, 3313.753, 655
3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 3313.818, 656
3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 657
3319.078, 3319.0812, 3319.21, 3319.238, 3319.318, 3319.32, 658
3319.321, 3319.324, 3319.35, 3319.39, 3319.391, 3319.393, 659
3319.41, 3319.45, 3319.46, 3319.614, 3320.01, 3320.02, 3320.03, 660
3320.04, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 661
3321.17, 3321.18, 3321.19, 3321.191, 3322.20, 3322.24, 3323.251, 662
3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and 663
Chapters 102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 664
4112., 4123., 4141., and 4167. of the Revised Code as if it were 665
a school district. 666

Sec. 3328.24. A college-preparatory boarding school 667
established under this chapter and its board of trustees shall 668
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 669
3301.0714, 3301.0729, 3301.948, 3302.037, 3313.5318, 3313.5319, 670
3313.6013, 3313.6021, 3313.6023, 3313.6024, 3313.6025, 671
3313.6026, 3313.6029, 3313.617, 3313.618, 3313.6114, 3313.6411, 672
3313.6413, 3313.668, 3313.669, 3313.6610, 3313.6612, 3313.717, 673
3313.7112, 3313.7117, 3313.721, 3313.753, 3313.89, 3319.073, 674
3319.077, 3319.078, 3319.318, 3319.324, 3319.39, 3319.391, 675
3319.393, 3319.46, 3320.01, 3320.02, 3320.03, 3320.04, 3323.251, 676
and 5502.262, and Chapter 3365. of the Revised Code as if the 677
school were a school district and the school's board of trustees 678
were a district board of education. 679

Section 2. That existing sections 3310.13, 3310.15, 680

3314.03, 3319.324, 3326.11, and 3328.24 of the Revised Code are 681
hereby repealed. 682

Section 3. The General Assembly, applying the principle 683
stated in division (B) of section 1.52 of the Revised Code that 684
amendments are to be harmonized if reasonably capable of 685
simultaneous operation, finds that the following sections, 686
presented in this act as composites of the sections as amended 687
by the acts indicated, are the resulting versions of the 688
sections in effect prior to the effective date of the sections 689
as presented in this act: 690

Section 3314.03 of the Revised Code as amended by H.B. 691
214, H.B. 250, and S.B. 168, all of the 135th General Assembly. 692

Section 3326.11 of the Revised Code as amended by H.B. 47, 693
H.B. 214, and S.B. 168, all of the 135th General Assembly. 694

Section 3328.24 of the Revised Code as amended by both 695
H.B. 47 and H.B. 214 of the 135th General Assembly. 696