

H. B. No. 571
As Introduced

_____ moved to amend as follows:

- In line 2 of the title, delete the second "and" and insert ",," 1
- In line 3 of the title, after "3345.371" insert ", and 3345.87" 2
- In line 7 of the title, delete "amend" 3
- Delete lines 8 through 10 of the title 4
- In line 11 of the title, delete "that date" and insert "require 5
higher education institutions to provide information about declarations 6
for mental health treatment" 7
- In line 13, delete the second "and" and insert ",,;" after "3345.371" 8
insert ", and 3345.87" 9
- In line 19, after "following" insert ", if provided or used by the 10
school" 11
- In line 22, after "student" insert "after the effective date of this 12
section" 13
- Delete lines 25 through 390 14
- After line 390, insert: 15



"Sec. 3314.03. A copy of every contract entered into 16
under this section shall be filed with the director of education 17
and workforce. The department of education and workforce shall 18
make available on its web site a copy of every approved, 19
executed contract filed with the director under this section. 20

(A) Each contract entered into between a sponsor and the 21
governing authority of a community school shall specify the 22
following: 23

(1) That the school shall be established as either of the 24
following: 25

(a) A nonprofit corporation established under Chapter 26
1702. of the Revised Code, if established prior to April 8, 27
2003; 28

(b) A public benefit corporation established under Chapter 29
1702. of the Revised Code, if established after April 8, 2003. 30

(2) The education program of the school, including the 31
school's mission, the characteristics of the students the school 32
is expected to attract, the ages and grades of students, and the 33
focus of the curriculum; 34

(3) The academic goals to be achieved and the method of 35
measurement that will be used to determine progress toward those 36
goals, which shall include the statewide achievement 37
assessments; 38

(4) Performance standards, including but not limited to 39
all applicable report card measures set forth in section 3302.03 40
or 3314.017 of the Revised Code, by which the success of the 41
school will be evaluated by the sponsor; 42

(5) The admission standards of section 3314.06 of the 43

Revised Code and, if applicable, section 3314.061 of the Revised Code;	44 45
(6) (a) Dismissal procedures;	46
(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.	47 48 49 50 51 52
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	53 54
(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.	55 56 57 58 59 60
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	61 62
(a) A detailed description of each facility used for instructional purposes;	63 64
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	65 66
(c) The annual mortgage principal and interest payments that are paid by the school;	67 68
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	69 70 71

(10) Qualifications of employees, including both of the	72
following:	73
(a) A requirement that the school's classroom teachers be	74
licensed in accordance with sections 3319.22 to 3319.31 of the	75
Revised Code, except that a community school may engage	76
noncertificated persons to teach up to twelve hours or forty	77
hours per week pursuant to section 3319.301 of the Revised Code;	78
(b) A prohibition against the school employing an	79
individual described in section 3314.104 of the Revised Code in	80
any position.	81
(11) That the school will comply with the following	82
requirements:	83
(a) The school will provide learning opportunities to a	84
minimum of twenty-five students for a minimum of nine hundred	85
twenty hours per school year.	86
(b) The governing authority will purchase liability	87
insurance, or otherwise provide for the potential liability of	88
the school.	89
(c) The school will be nonsectarian in its programs,	90
admission policies, employment practices, and all other	91
operations, and will not be operated by a sectarian school or	92
religious institution.	93
(d) The school will comply with sections 9.90, 9.91,	94
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710,	95
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037,	96
3313.472, <u>3313.473</u> , 3313.50, 3313.539, 3313.5310, 3313.5318,	97
3313.5319, 3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014,	98
3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028,	99

3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 100
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 101
3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 102
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 103
3313.721, 3313.753, 3313.80, 3313.814, 3313.816, 3313.817, 104
3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 105
3319.077, 3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 106
3319.324, 3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 107
3319.614, 3320.01, 3320.02, 3320.03, 3320.04, 3321.01, 3321.041, 108
3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 109
3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 110
5502.703, and 5705.391 and Chapters 117., 1347., 2744., 3365., 111
3742., 4112., 4123., 4141., and 4167. of the Revised Code as if 112
it were a school district and will comply with section 3301.0714 113
of the Revised Code in the manner specified in section 3314.17 114
of the Revised Code. 115

(e) The school shall comply with Chapter 102. and section 116
2921.42 of the Revised Code. 117

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

curriculum of a high school prior to receiving a high school diploma shall be met by completing the requirements prescribed in section 3313.6027 and division (C) of section 3313.603 of the Revised Code, unless the person qualifies under division (D) or (F) of that section. Each school shall comply with the plan for awarding high school credit based on demonstration of subject area competency, and beginning with the 2017-2018 school year, with the updated plan that permits students enrolled in seventh and eighth grade to meet curriculum requirements based on subject area competency adopted by the department under divisions (J) (1) and (2) of section 3313.603 of the Revised Code. Beginning with the 2018-2019 school year, the school shall comply with the framework for granting units of high school credit to students who demonstrate subject area competency through work-based learning experiences, internships, or cooperative education developed by the department under division (J) (3) of section 3313.603 of the Revised Code.

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

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

(i) If the school is the recipient of moneys from a grant awarded under the federal race to the top program, Division (A), Title XIV, Sections 14005 and 14006 of the "American Recovery and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115,

the school will pay teachers based upon performance in 161
accordance with section 3317.141 and will comply with section 162
3319.111 of the Revised Code as if it were a school district. 163

(j) If the school operates a preschool program that is 164
licensed by the department under sections 3301.52 to 3301.59 of 165
the Revised Code, the school shall comply with sections 3301.50 166
to 3301.59 of the Revised Code and the minimum standards for 167
preschool programs prescribed in rules adopted by the department 168
of children and youth under section 3301.53 of the Revised Code. 169

(k) The school will comply with sections 3313.6021 and 170
3313.6023 of the Revised Code as if it were a school district 171
unless it is either of the following: 172

(i) An internet- or computer-based community school; 173

(ii) A community school in which a majority of the 174
enrolled students are children with disabilities as described in 175
division (B) (2) of section 3314.35 of the Revised Code. 176

(l) The school will comply with section 3321.191 of the 177
Revised Code, unless it is an internet- or computer-based 178
community school that is subject to section 3314.261 of the 179
Revised Code. 180

(12) Arrangements for providing health and other benefits 181
to employees; 182

(13) The length of the contract, which shall begin at the 183
beginning of an academic year. No contract shall exceed five 184
years unless such contract has been renewed pursuant to division 185
(E) of this section. 186

(14) The governing authority of the school, which shall be 187
responsible for carrying out the provisions of the contract; 188

(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.	189 190 191
(16) Requirements and procedures regarding the disposition of employees of the school in the event the contract is terminated or not renewed pursuant to section 3314.07 of the Revised Code;	192 193 194 195
(17) Whether the school is to be created by converting all or part of an existing public school or educational service center building or is to be a new start-up school, and if it is a converted public school or service center building, specification of any duties or responsibilities of an employer that the board of education or service center governing board that operated the school or building before conversion is delegating to the governing authority of the community school with respect to all or any specified group of employees provided the delegation is not prohibited by a collective bargaining agreement applicable to such employees;	196 197 198 199 200 201 202 203 204 205 206
(18) Provisions establishing procedures for resolving disputes or differences of opinion between the sponsor and the governing authority of the community school;	207 208 209
(19) A provision requiring the governing authority to adopt a policy regarding the admission of students who reside outside the district in which the school is located. That policy shall comply with the admissions procedures specified in sections 3314.06 and 3314.061 of the Revised Code and, at the sole discretion of the authority, shall do one of the following:	210 211 212 213 214 215
(a) Prohibit the enrollment of students who reside outside the district in which the school is located;	216 217

(b) Permit the enrollment of students who reside in districts adjacent to the district in which the school is located;	218 219 220
(c) Permit the enrollment of students who reside in any other district in the state.	221 222
(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;	223 224 225 226
(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;	227 228 229
(22) A provision recognizing both of the following:	230
(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;	231 232 233 234
(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.	235 236 237 238 239 240 241
(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	242 243 244 245

department under division (H) (2) of section 3314.08 of the Revised Code;

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

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

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

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

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

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

of the following information:	275
(a) An indication of what blended learning model or models will be used;	276 277
(b) A description of how student instructional needs will be determined and documented;	278 279
(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;	280 281
(d) The school's attendance requirements, including how the school will document participation in learning opportunities;	282 283 284
(e) A statement describing how student progress will be monitored;	285 286
(f) A statement describing how private student data will be protected;	287 288
(g) A description of the professional development activities that will be offered to teachers.	289 290
(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;	291 292 293 294
(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.	295 296 297 298 299
(32) A provision requiring the governing authority to adopt an enrollment and attendance policy that requires a	300 301

student's parent to notify the community school in which the 302
student is enrolled when there is a change in the location of 303
the parent's or student's primary residence. 304

(33) A provision requiring the governing authority to 305
adopt a student residence and address verification policy for 306
students enrolling in or attending the school. 307

(B) The community school shall also submit to the sponsor 308
a comprehensive plan for the school. The plan shall specify the 309
following: 310

(1) The process by which the governing authority of the 311
school will be selected in the future; 312

(2) The management and administration of the school; 313

(3) If the community school is a currently existing public 314
school or educational service center building, alternative 315
arrangements for current public school students who choose not 316
to attend the converted school and for teachers who choose not 317
to teach in the school or building after conversion; 318

(4) The instructional program and educational philosophy 319
of the school; 320

(5) Internal financial controls. 321

When submitting the plan under this division, the school 322
shall also submit copies of all policies and procedures 323
regarding internal financial controls adopted by the governing 324
authority of the school. 325

(C) A contract entered into under section 3314.02 of the 326
Revised Code between a sponsor and the governing authority of a 327
community school may provide for the community school governing 328
authority to make payments to the sponsor, which is hereby 329

authorized to receive such payments as set forth in the contract 330
between the governing authority and the sponsor. The total 331
amount of such payments for monitoring, oversight, and technical 332
assistance of the school shall not exceed three per cent of the 333
total amount of payments for operating expenses that the school 334
receives from the state. 335

(D) The contract shall specify the duties of the sponsor 336
which shall be in accordance with the written agreement entered 337
into with the department under division (B) of section 3314.015 338
of the Revised Code and shall include the following: 339

(1) Monitor the community school's compliance with all 340
laws applicable to the school and with the terms of the 341
contract; 342

(2) Monitor and evaluate the academic and fiscal 343
performance and the organization and operation of the community 344
school on at least an annual basis; 345

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

(4) 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

(5) 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

Delete lines 391 through 415 379

After line 415, insert: 380

"Sec. 3326.11. Each science, technology, engineering, and 381
mathematics school established under this chapter and its 382
governing body shall comply with sections 9.90, 9.91, 109.65, 383
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 384
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 385
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 386
3313.473, 3313.48, 3313.481, 3313.482, 3313.50, 3313.539, 387
3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.6012, 3313.6013, 388

3313.6014, 3313.6020, 3313.6021, 3313.6023, 3313.6024, 389
 3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.61, 3313.611, 390
 3313.614, 3313.615, 3313.617, 3313.618, 3313.6114, 3313.643, 391
 3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 392
 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 393
 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 394
 3313.717, 3313.718, 3313.719, 3313.7112, 3313.7117, 3313.721, 395
 3313.753, 3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 396
 3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 397
 3319.077, 3319.078, 3319.0812, 3319.21, 3319.238, 3319.318, 398
 3319.32, 3319.321, 3319.324, 3319.35, 3319.39, 3319.391, 399
 3319.393, 3319.41, 3319.45, 3319.46, 3319.614, 3320.01, 3320.02, 400
 3320.03, 3320.04, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 401
 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3322.20, 3322.24, 402
 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 403
 5705.391 and Chapters 102., 117., 1347., 2744., 3307., 3309., 404
 3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code 405
 as if it were a school district." 406
 Delete lines 416 through 427 407
 After line 427, insert: 408
 "Sec. 3328.24. A college-preparatory boarding school 409
 established under this chapter and its board of trustees shall 410
 comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 411
 3301.0714, 3301.0729, 3301.948, 3302.037, 3313.473, 3313.5318, 412
 3313.5319, 3313.6013, 3313.6021, 3313.6023, 3313.6024, 413
 3313.6025, 3313.6026, 3313.6029, 3313.617, 3313.618, 3313.6114, 414
 3313.6411, 3313.6413, 3313.668, 3313.669, 3313.6610, 3313.717, 415
 3313.7112, 3313.7117, 3313.721, 3313.753, 3313.89, 3319.073, 416
 3319.077, 3319.078, 3319.318, 3319.324, 3319.39, 3319.391, 417
 3319.393, 3319.46, 3320.01, 3320.02, 3320.03, 3320.04, 3323.251, 418

and 5502.262, and Chapter 3365. of the Revised Code as if the 419
school were a school district and the school's board of trustees 420
were a district board of education." 421

In line 471, after "students" insert ", if provided or used by the 422
institution" 423

In line 478, after "students" insert ", if provided or used by the 424
private college" 425

After line 478, insert: 426

"Sec. 3345.87. (A) Each institution of higher education, 427
as defined in section 3345.19 of the Revised Code, shall provide 428
new students and the parents or guardians of the new students 429
information about declarations for mental health treatment, as 430
described in Chapter 2135. of the Revised Code, including how to 431
access and execute a declaration and considerations to determine 432
whether a declaration would be beneficial to a student. The 433
information shall be provided as part of the institution's 434
orientation, onboarding, or transfer materials and programs. 435

(B) The chancellor of higher education, in collaboration 436
with the director of mental health and addiction services, shall 437
create a standard information sheet that may be used by 438
institutions of higher education to convey the information 439
described in division (A) of this section." 440

Delete lines 481 through 849 441

After line 849, insert: 442

"Section 3. Nothing in this act prohibits a city, local, 443
or exempted village school district or chartered nonpublic 444
school serving any of grades nine through twelve from issuing or 445
providing a student identification card or planner that does not 446

include the telephone number for the National Suicide and Crisis 447
Lifeline in accordance with section 3313.473 of the Revised 448
Code, if the identification card or planner was printed before 449
the effective date of this section. 450

Nothing in this act prohibits a state institution of 451
higher education or a private college from issuing or providing 452
a student identification card that does not include the 453
telephone number for the National Suicide and Crisis Lifeline in 454
accordance with section 3345.37 or 3345.371 of the Revised Code, 455
if the identification card was printed before the effective date 456
of this section. 457

Section 4. The General Assembly, applying the principle 458
stated in division (B) of section 1.52 of the Revised Code that 459
amendments are to be harmonized if reasonably capable of 460
simultaneous operation, finds that the following sections, 461
presented in this act as composites of the sections as amended 462
by the acts indicated, are the resulting versions of the 463
sections in effect prior to the effective date of the sections 464
as presented in this act: 465

Section 3314.03 of the Revised Code as amended by H.B. 466
214, H.B. 250, and S.B. 168, all of the 135th General Assembly. 467

Section 3326.11 of the Revised Code as amended by H.B. 47, 468
H.B. 214, and S.B. 168, all of the 135th General Assembly. 469

Section 3328.24 of the Revised Code as amended by both 470
H.B. 47 and H.B. 214 of the 135th General Assembly." 471

Delete lines 850 through 855 472

The motion was _____ agreed to.

SYNOPSIS

473

Notification of mental health resources

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R.C. 3313.473, 3345.37, 3345.371, and 3345.87; Section 3

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Requires institutions of higher education to provide
information about declarations for mental health treatment as
part of the institution's orientation, onboarding, or transfer
materials and programs.

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Clarifies that the requirement to include the National
Suicide and Crisis Lifeline telephone number on student
identification cards and planners is limited to those the school
provides or issues after the act's effective date and that the
school may continue to use identification cards and planners
that were printed before the act's effective date.

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