

**As Introduced**

**135th General Assembly  
Regular Session  
2023-2024**

**H. B. No. 266**

**Representative Wiggam**

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**A BILL**

To amend sections 3314.03, 3326.11, and 3328.24 and 1  
to enact section 5502.264 of the Revised Code to 2  
require school districts and schools to update 3  
emergency management plans to include evacuation 4  
procedures for individuals with disabilities and 5  
to amend the version of section 3314.03 of the 6  
Revised Code that is scheduled to take effect 7  
January 1, 2025, to continue the changes on and 8  
after that effective date. 9

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

**Section 1.** That sections 3314.03, 3326.11, and 3328.24 be 10  
amended and section 5502.264 of the Revised Code be enacted to 11  
read as follows: 12

**Sec. 3314.03.** A copy of every contract entered into under 13  
this section shall be filed with the director of education and 14  
workforce. The department of education and workforce shall make 15  
available on its web site a copy of every approved, executed 16  
contract filed with the director under this section. 17

(A) Each contract entered into between a sponsor and the 18  
governing authority of a community school shall specify the 19

following:	20
(1) That the school shall be established as either of the	21
following:	22
(a) A nonprofit corporation established under Chapter	23
1702. of the Revised Code, if established prior to April 8,	24
2003;	25
(b) A public benefit corporation established under Chapter	26
1702. of the Revised Code, if established after April 8, 2003.	27
(2) The education program of the school, including the	28
school's mission, the characteristics of the students the school	29
is expected to attract, the ages and grades of students, and the	30
focus of the curriculum;	31
(3) The academic goals to be achieved and the method of	32
measurement that will be used to determine progress toward those	33
goals, which shall include the statewide achievement	34
assessments;	35
(4) Performance standards, including but not limited to	36
all applicable report card measures set forth in section 3302.03	37
or 3314.017 of the Revised Code, by which the success of the	38
school will be evaluated by the sponsor;	39
(5) The admission standards of section 3314.06 of the	40
Revised Code and, if applicable, section 3314.061 of the Revised	41
Code;	42
(6) (a) Dismissal procedures;	43
(b) A requirement that the governing authority adopt an	44
attendance policy that includes a procedure for automatically	45
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 student. 48  
49

(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves; 50  
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(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. 52  
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(9) An addendum to the contract outlining the facilities to be used that contains at least the following information: 58  
59

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

(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school; 62  
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(c) The annual mortgage principal and interest payments that are paid by the school; 64  
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(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any. 66  
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(10) Qualifications of employees, including both of the following: 69  
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(a) A requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours or forty hours per week pursuant to section 3319.301 of the Revised Code; 71  
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(b) A prohibition against the school employing an individual described in section 3314.104 of the Revised Code in any position.

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

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

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

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

(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3320.01, 3320.02,

3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 105  
3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 106  
4113.52, 5502.262, 5502.264, 5502.703, and 5705.391 and Chapters 107  
117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. 108  
of the Revised Code as if it were a school district and will 109  
comply with section 3301.0714 of the Revised Code in the manner 110  
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 278  
the school will document participation in learning 279

opportunities;	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 following:	304 305 306
(1) The process by which the governing authority of the	307

school will be selected in the future;	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 into with the department under division (B) of section 3314.015 of the Revised Code and shall include the following:	332 333 334 335

(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. 3326.11.** Each science, technology, engineering, and 379  
mathematics school established under this chapter and its 380  
governing body shall comply with sections 9.90, 9.91, 109.65, 381  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 382  
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 383  
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 384  
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318, 385  
3313.5319, 3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 386  
3313.6020, 3313.6021, 3313.6024, 3313.6025, 3313.6026, 387  
3313.6028, 3313.6029, 3313.61, 3313.611, 3313.614, 3313.615, 388  
3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 389  
3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 390  
3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 391  
3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 392  
3313.7112, 3313.7117, 3313.721, 3313.80, 3313.801, 3313.814, 393  
3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 394  
3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.21, 395

3319.238, 3319.318, 3319.32, 3319.321, 3319.324, 3319.35, 396  
3319.39, 3319.391, 3319.393, 3319.41, 3319.45, 3319.46, 3320.01, 397  
3320.02, 3320.03, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 398  
3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3322.20, 3322.24, 399  
3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.264, 400  
5502.703, and 5705.391 and Chapters 102., 117., 1347., 2744., 401  
3307., 3309., 3365., 3742., 4112., 4123., 4141., and 4167. of 402  
the Revised Code as if it were a school district. 403

**Sec. 3328.24.** A college-preparatory boarding school 404  
established under this chapter and its board of trustees shall 405  
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 406  
3301.0714, 3301.0729, 3301.948, 3302.037, 3313.5318, 3313.5319, 407  
3313.6013, 3313.6021, 3313.6024, 3313.6025, 3313.6026, 408  
3313.6029, 3313.617, 3313.618, 3313.6114, 3313.6411, 3313.6413, 409  
3313.668, 3313.669, 3313.6610, 3313.7112, 3313.7117, 3313.721, 410  
3313.89, 3319.073, 3319.077, 3319.078, 3319.318, 3319.324, 411  
3319.39, 3319.391, 3319.393, 3319.46, 3320.01, 3320.02, 3320.03, 412  
3323.251, ~~and~~ 5502.262 and 5502.264, and Chapter 3365. of the 413  
Revised Code as if the school were a school district and the 414  
school's board of trustees were a district board of education. 415

**Sec. 5502.264.** (A) As used in this section, 416  
"administrator" has the same meaning as in section 5502.262 of 417  
the Revised Code. 418

(B) Not later than December 1, 2024, the department of 419  
public safety, in consultation with disability advocacy groups, 420  
shall update the requirements for emergency management plans 421  
required under section 5502.262 of the Revised Code to include 422  
accommodations and safeguards with regard to the evacuation of 423  
students, staff, and visitors with disabilities while on school 424  
grounds in accordance with the "Americans with Disabilities Act 425

of 1990," 42 U.S.C. 12102. 426

The department is not required to update emergency 427  
management plans under this section of single-story school 428  
building that has a ramp with a nonslip surface located at each 429  
entrance and exit. 430

(C) Not later than July 1, 2025, each administrator shall 431  
update the emergency management plan for the administrator's 432  
district or school in accordance with the requirements updated 433  
under this section. 434

(D) For each student with an individualized education 435  
program or who has been identified, based on an evaluation 436  
conducted in accordance with section 3323.03 of the Revised Code 437  
or section 504 of the "Rehabilitation Act of 1973," 29 U.S.C. 438  
794, as amended, as a child with a disability, the administrator 439  
shall update the student's education plan to include a specific 440  
description of accommodations for evacuating the student in an 441  
emergency, if it does not currently include such a description. 442

**Section 2.** That existing sections 3314.03, 3326.11, and 443  
3328.24 of the Revised Code are hereby repealed. 444

**Section 3.** That the version of section 3314.03 of the 445  
Revised Code that is scheduled to take effect January 1, 2025, 446  
be amended to read as follows: 447

**Sec. 3314.03.** A copy of every contract entered into under 448  
this section shall be filed with the director of education and 449  
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legitimate excuse fails to participate in seventy-two	482

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(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	493 494
(a) A detailed description of each facility used for instructional purposes;	495 496
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	497 498
(c) The annual mortgage principal and interest payments that are paid by the school;	499 500
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	501 502 503
(10) Qualifications of employees, including both of the following:	504 505
(a) A requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours or forty hours per week pursuant to section 3319.301 of the Revised Code;	506 507 508 509 510

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

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

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

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

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

(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3320.01, 3320.02,

3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 540  
3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 541  
4113.52, 5502.262, 5502.264, 5502.703, and 5705.391 and Chapters 542  
117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. 543  
of the Revised Code as if it were a school district and will 544  
comply with section 3301.0714 of the Revised Code in the manner 545  
specified in section 3314.17 of the Revised Code. 546

(e) The school shall comply with Chapter 102. and section 547  
2921.42 of the Revised Code. 548

(f) The school will comply with sections 3313.61, 549  
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 550  
Revised Code, except that for students who enter ninth grade for 551  
the first time before July 1, 2010, the requirement in sections 552  
3313.61 and 3313.611 of the Revised Code that a person must 553  
successfully complete the curriculum in any high school prior to 554  
receiving a high school diploma may be met by completing the 555  
curriculum adopted by the governing authority of the community 556  
school rather than the curriculum specified in Title XXXIII of 557  
the Revised Code or any rules of the department. Beginning with 558  
students who enter ninth grade for the first time on or after 559  
July 1, 2010, the requirement in sections 3313.61 and 3313.611 560  
of the Revised Code that a person must successfully complete the 561  
curriculum of a high school prior to receiving a high school 562  
diploma shall be met by completing the requirements prescribed 563  
in section 3313.6027 and division (C) of section 3313.603 of the 564  
Revised Code, unless the person qualifies under division (D) or 565  
(F) of that section. Each school shall comply with the plan for 566  
awarding high school credit based on demonstration of subject 567  
area competency, and beginning with the 2017-2018 school year, 568  
with the updated plan that permits students enrolled in seventh 569  
and eighth grade to meet curriculum requirements based on 570

subject area competency adopted by the department under 571  
divisions (J) (1) and (2) of section 3313.603 of the Revised 572  
Code. Beginning with the 2018-2019 school year, the school shall 573  
comply with the framework for granting units of high school 574  
credit to students who demonstrate subject area competency 575  
through work-based learning experiences, internships, or 576  
cooperative education developed by the department under division 577  
(J) (3) of section 3313.603 of the Revised Code. 578

(g) The school governing authority will submit within four 579  
months after the end of each school year a report of its 580  
activities and progress in meeting the goals and standards of 581  
divisions (A) (3) and (4) of this section and its financial 582  
status to the sponsor and the parents of all students enrolled 583  
in the school. 584

(h) The school, unless it is an internet- or computer- 585  
based community school, will comply with section 3313.801 of the 586  
Revised Code as if it were a school district. 587

(i) If the school is the recipient of moneys from a grant 588  
awarded under the federal race to the top program, Division (A), 589  
Title XIV, Sections 14005 and 14006 of the "American Recovery 590  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 591  
the school will pay teachers based upon performance in 592  
accordance with section 3317.141 and will comply with section 593  
3319.111 of the Revised Code as if it were a school district. 594

(j) If the school operates a preschool program that is 595  
licensed by the department under sections 3301.52 to 3301.59 of 596  
the Revised Code, the school shall comply with sections 3301.50 597  
to 3301.59 of the Revised Code and the minimum standards for 598  
preschool programs prescribed in rules adopted by the department 599  
of children and youth under section 3301.53 of the Revised Code. 600

(k) The school will comply with sections 3313.6021 and 601  
3313.6023 of the Revised Code as if it were a school district 602  
unless it is either of the following: 603

(i) An internet- or computer-based community school; 604

(ii) A community school in which a majority of the 605  
enrolled students are children with disabilities as described in 606  
division (A) (4) (b) of section 3314.35 of the Revised Code. 607

(l) The school will comply with section 3321.191 of the 608  
Revised Code, unless it is an internet- or computer-based 609  
community school that is subject to section 3314.261 of the 610  
Revised Code. 611

(12) Arrangements for providing health and other benefits 612  
to employees; 613

(13) The length of the contract, which shall begin at the 614  
beginning of an academic year. No contract shall exceed five 615  
years unless such contract has been renewed pursuant to division 616  
(E) of this section. 617

(14) The governing authority of the school, which shall be 618  
responsible for carrying out the provisions of the contract; 619

(15) A financial plan detailing an estimated school budget 620  
for each year of the period of the contract and specifying the 621  
total estimated per pupil expenditure amount for each such year. 622

(16) Requirements and procedures regarding the disposition 623  
of employees of the school in the event the contract is 624  
terminated or not renewed pursuant to section 3314.07 of the 625  
Revised Code; 626

(17) Whether the school is to be created by converting all 627  
or part of an existing public school or educational service 628

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

(18) Provisions establishing procedures for resolving 638  
disputes or differences of opinion between the sponsor and the 639  
governing authority of the community school; 640

(19) A provision requiring the governing authority to 641  
adopt a policy regarding the admission of students who reside 642  
outside the district in which the school is located. That policy 643  
shall comply with the admissions procedures specified in 644  
sections 3314.06 and 3314.061 of the Revised Code and, at the 645  
sole discretion of the authority, shall do one of the following: 646

(a) Prohibit the enrollment of students who reside outside 647  
the district in which the school is located; 648

(b) Permit the enrollment of students who reside in 649  
districts adjacent to the district in which the school is 650  
located; 651

(c) Permit the enrollment of students who reside in any 652  
other district in the state. 653

(20) A provision recognizing the authority of the 654  
department to take over the sponsorship of the school in 655  
accordance with the provisions of division (C) of section 656  
3314.015 of the Revised Code; 657

(21) A provision recognizing the sponsor's authority to 658  
assume the operation of a school under the conditions specified 659  
in division (B) of section 3314.073 of the Revised Code; 660

(22) A provision recognizing both of the following: 661

(a) The authority of public health and safety officials to 662  
inspect the facilities of the school and to order the facilities 663  
closed if those officials find that the facilities are not in 664  
compliance with health and safety laws and regulations; 665

(b) The authority of the department as the community 666  
school oversight body to suspend the operation of the school 667  
under section 3314.072 of the Revised Code if the department has 668  
evidence of conditions or violations of law at the school that 669  
pose an imminent danger to the health and safety of the school's 670  
students and employees and the sponsor refuses to take such 671  
action. 672

(23) A description of the learning opportunities that will 673  
be offered to students including both classroom-based and non- 674  
classroom-based learning opportunities that is in compliance 675  
with criteria for student participation established by the 676  
department under division (H) (2) of section 3314.08 of the 677  
Revised Code; 678

(24) The school will comply with sections 3302.04 and 679  
3302.041 of the Revised Code, except that any action required to 680  
be taken by a school district pursuant to those sections shall 681  
be taken by the sponsor of the school. 682

(25) Beginning in the 2006-2007 school year, the school 683  
will open for operation not later than the thirtieth day of 684  
September each school year, unless the mission of the school as 685  
specified under division (A) (2) of this section is solely to 686



serve dropouts. In its initial year of operation, if the school 687  
fails to open by the thirtieth day of September, or within one 688  
year after the adoption of the contract pursuant to division (D) 689  
of section 3314.02 of the Revised Code if the mission of the 690  
school is solely to serve dropouts, the contract shall be void. 691

(26) Whether the school's governing authority is planning 692  
to seek designation for the school as a STEM school equivalent 693  
under section 3326.032 of the Revised Code; 694

(27) That the school's attendance and participation 695  
policies will be available for public inspection; 696

(28) That the school's attendance and participation 697  
records shall be made available to the department, auditor of 698  
state, and school's sponsor to the extent permitted under and in 699  
accordance with the "Family Educational Rights and Privacy Act 700  
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 701  
regulations promulgated under that act, and section 3319.321 of 702  
the Revised Code; 703

(29) If a school operates using the blended learning 704  
model, as defined in section 3301.079 of the Revised Code, all 705  
of the following information: 706

(a) An indication of what blended learning model or models 707  
will be used; 708

(b) A description of how student instructional needs will 709  
be determined and documented; 710

(c) The method to be used for determining competency, 711  
granting credit, and promoting students to a higher grade level; 712

(d) The school's attendance requirements, including how 713  
the school will document participation in learning 714

opportunities;	715
(e) A statement describing how student progress will be monitored;	716 717
(f) A statement describing how private student data will be protected;	718 719
(g) A description of the professional development activities that will be offered to teachers.	720 721
(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;	722 723 724 725
(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.	726 727 728 729 730
(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.	731 732 733 734 735
(33) A provision requiring the governing authority to adopt a student residence and address verification policy for students enrolling in or attending the school.	736 737 738
(B) The community school shall also submit to the sponsor a comprehensive plan for the school. The plan shall specify the following:	739 740 741
(1) The process by which the governing authority of the	742

school will be selected in the future;	743
(2) The management and administration of the school;	744
(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;	745 746 747 748 749
(4) The instructional program and educational philosophy of the school;	750 751
(5) Internal financial controls.	752
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.	753 754 755 756
(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.	757 758 759 760 761 762 763 764 765 766
(D) The contract shall specify the duties of the sponsor which shall be in accordance with the written agreement entered into with the department under division (B) of section 3314.015 of the Revised Code and shall include the following:	767 768 769 770

- (1) Monitor the community school's compliance with all laws applicable to the school and with the terms of the contract;
- (2) Monitor and evaluate the academic and fiscal performance and the organization and operation of the community school on at least an annual basis;
- (3) Report on an annual basis the results of the evaluation conducted under division (D) (2) of this section to the department and to the parents of students enrolled in the community school;
- (4) Provide technical assistance to the community school in complying with laws applicable to the school and terms of the contract;
- (5) Take steps to intervene in the school's operation to correct problems in the school's overall performance, declare the school to be on probationary status pursuant to section 3314.073 of the Revised Code, suspend the operation of the school pursuant to section 3314.072 of the Revised Code, or terminate the contract of the school pursuant to section 3314.07 of the Revised Code as determined necessary by the sponsor;
- (6) Have in place a plan of action to be undertaken in the event the community school experiences financial difficulties or closes prior to the end of a school year.
- (E) Upon the expiration of a contract entered into under this section, the sponsor of a community school may, with the approval of the governing authority of the school, renew that contract for a period of time determined by the sponsor, but not ending earlier than the end of any school year, if the sponsor finds that the school's compliance with applicable laws and

terms of the contract and the school's progress in meeting the 800  
academic goals prescribed in the contract have been 801  
satisfactory. Any contract that is renewed under this division 802  
remains subject to the provisions of sections 3314.07, 3314.072, 803  
and 3314.073 of the Revised Code. 804

(F) If a community school fails to open for operation 805  
within one year after the contract entered into under this 806  
section is adopted pursuant to division (D) of section 3314.02 807  
of the Revised Code or permanently closes prior to the 808  
expiration of the contract, the contract shall be void and the 809  
school shall not enter into a contract with any other sponsor. A 810  
school shall not be considered permanently closed because the 811  
operations of the school have been suspended pursuant to section 812  
3314.072 of the Revised Code. 813

**Section 4.** That the existing version of section 3314.03 of 814  
the Revised Code that is scheduled to take effect January 1, 815  
2025, is hereby repealed. 816

**Section 5.** Sections 3 and 4 of this act take effect on 817  
January 1, 2025. 818