

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 633

Representatives Miller, J., Hall

**Cosponsors: Representatives Russo, Brown, Click, Denson, Piccolantonio,
McNally, Brennan, Abdullahi**

A BILL

To amend sections 3314.03 and 3326.11 and to enact 1
sections 3313.7118 and 3707.61 of the Revised 2
Code to require the Department of Health to 3
develop type 1 diabetes informational materials 4
for parents and guardians of elementary school 5
students and to amend the version of section 6
3314.03 of the Revised Code that is scheduled to 7
take effect January 1, 2025, to continue the 8
changes on and after that date. 9

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

Section 1. That sections 3314.03 and 3326.11 be amended 10
and sections 3313.7118 and 3707.61 of the Revised Code be 11
enacted to read as follows: 12

Sec. 3313.7118. Each public school, as defined in section 13
3301.28 of the Revised Code, and chartered nonpublic school that 14
serves elementary school students shall provide a copy of the 15
informational materials described in section 3707.61 of the 16
Revised Code to each student's parent or guardian on the 17
student's enrollment in elementary school. 18

Sec. 3314.03. A copy of every contract entered into under 19
this section shall be filed with the director of education and 20
workforce. The department of education and workforce shall make 21
available on its web site a copy of every approved, executed 22
contract filed with the director under this section. 23

(A) Each contract entered into between a sponsor and the 24
governing authority of a community school shall specify the 25
following: 26

(1) That the school shall be established as either of the 27
following: 28

(a) A nonprofit corporation established under Chapter 29
1702. of the Revised Code, if established prior to April 8, 30
2003; 31

(b) A public benefit corporation established under Chapter 32
1702. of the Revised Code, if established after April 8, 2003. 33

(2) The education program of the school, including the 34
school's mission, the characteristics of the students the school 35
is expected to attract, the ages and grades of students, and the 36
focus of the curriculum; 37

(3) The academic goals to be achieved and the method of 38
measurement that will be used to determine progress toward those 39
goals, which shall include the statewide achievement 40
assessments; 41

(4) Performance standards, including but not limited to 42
all applicable report card measures set forth in section 3302.03 43
or 3314.017 of the Revised Code, by which the success of the 44
school will be evaluated by the sponsor; 45

(5) The admission standards of section 3314.06 of the 46

Revised Code and, if applicable, section 3314.061 of the Revised Code;	47 48
(6) (a) Dismissal procedures;	49
(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.	50 51 52 53 54 55
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	56 57
(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.	58 59 60 61 62 63
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	64 65
(a) A detailed description of each facility used for instructional purposes;	66 67
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	68 69
(c) The annual mortgage principal and interest payments that are paid by the school;	70 71
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	72 73 74

(10) Qualifications of employees, including both of the	75
following:	76
(a) A requirement that the school's classroom teachers be	77
licensed in accordance with sections 3319.22 to 3319.31 of the	78
Revised Code, except that a community school may engage	79
noncertificated persons to teach up to twelve hours or forty	80
hours per week pursuant to section 3319.301 of the Revised Code;	81
(b) A prohibition against the school employing an	82
individual described in section 3314.104 of the Revised Code in	83
any position.	84
(11) That the school will comply with the following	85
requirements:	86
(a) The school will provide learning opportunities to a	87
minimum of twenty-five students for a minimum of nine hundred	88
twenty hours per school year.	89
(b) The governing authority will purchase liability	90
insurance, or otherwise provide for the potential liability of	91
the school.	92
(c) The school will be nonsectarian in its programs,	93
admission policies, employment practices, and all other	94
operations, and will not be operated by a sectarian school or	95
religious institution.	96
(d) The school will comply with sections 9.90, 9.91,	97
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710,	98
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037,	99
3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319,	100
3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015,	101
3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028,	102
3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66,	103

3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 104
3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 105
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 106
3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 107
3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 108
3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 109
3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3320.01, 3320.02, 110
3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 111
3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 112
4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 117., 113
1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of 114
the Revised Code as if it were a school district and will comply 115
with section 3301.0714 of the Revised Code in the manner 116
specified in section 3314.17 of the Revised Code. 117

(e) The school shall comply with Chapter 102. and section 118
2921.42 of the Revised Code. 119

(f) The school will comply with sections 3313.61, 120
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 121
Revised Code, except that for students who enter ninth grade for 122
the first time before July 1, 2010, the requirement in sections 123
3313.61 and 3313.611 of the Revised Code that a person must 124
successfully complete the curriculum in any high school prior to 125
receiving a high school diploma may be met by completing the 126
curriculum adopted by the governing authority of the community 127
school rather than the curriculum specified in Title XXXIII of 128
the Revised Code or any rules of the department. Beginning with 129
students who enter ninth grade for the first time on or after 130
July 1, 2010, the requirement in sections 3313.61 and 3313.611 131
of the Revised Code that a person must successfully complete the 132
curriculum of a high school prior to receiving a high school 133
diploma shall be met by completing the requirements prescribed 134

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 accordance with section 3317.141 and will comply with section

3319.111 of the Revised Code as if it were a school district.	165
(j) If the school operates a preschool program that is licensed by the department under sections 3301.52 to 3301.59 of the Revised Code, the school shall comply with sections 3301.50 to 3301.59 of the Revised Code and the minimum standards for preschool programs prescribed in rules adopted by the department under section 3301.53 of the Revised Code.	166 167 168 169 170 171
(k) The school will comply with sections 3313.6021 and 3313.6023 of the Revised Code as if it were a school district unless it is either of the following:	172 173 174
(i) An internet- or computer-based community school;	175
(ii) A community school in which a majority of the enrolled students are children with disabilities as described in division (A) (4) (b) of section 3314.35 of the Revised Code.	176 177 178
(l) The school will comply with section 3321.191 of the Revised Code, unless it is an internet- or computer-based community school that is subject to section 3314.261 of the Revised Code.	179 180 181 182
<u>(m) The school will comply with section 3313.7118 of the Revised Code if it serves elementary school students.</u>	183 184
(12) Arrangements for providing health and other benefits to employees;	185 186
(13) The length of the contract, which shall begin at the beginning of an academic year. No contract shall exceed five years unless such contract has been renewed pursuant to division (E) of this section.	187 188 189 190
(14) The governing authority of the school, which shall be responsible for carrying out the provisions of the contract;	191 192

(15) A financial plan detailing an estimated school budget	193
for each year of the period of the contract and specifying the	194
total estimated per pupil expenditure amount for each such year.	195
(16) Requirements and procedures regarding the disposition	196
of employees of the school in the event the contract is	197
terminated or not renewed pursuant to section 3314.07 of the	198
Revised Code;	199
(17) Whether the school is to be created by converting all	200
or part of an existing public school or educational service	201
center building or is to be a new start-up school, and if it is	202
a converted public school or service center building,	203
specification of any duties or responsibilities of an employer	204
that the board of education or service center governing board	205
that operated the school or building before conversion is	206
delegating to the governing authority of the community school	207
with respect to all or any specified group of employees provided	208
the delegation is not prohibited by a collective bargaining	209
agreement applicable to such employees;	210
(18) Provisions establishing procedures for resolving	211
disputes or differences of opinion between the sponsor and the	212
governing authority of the community school;	213
(19) A provision requiring the governing authority to	214
adopt a policy regarding the admission of students who reside	215
outside the district in which the school is located. That policy	216
shall comply with the admissions procedures specified in	217
sections 3314.06 and 3314.061 of the Revised Code and, at the	218
sole discretion of the authority, shall do one of the following:	219
(a) Prohibit the enrollment of students who reside outside	220
the district in which the school is located;	221

(b) Permit the enrollment of students who reside in districts adjacent to the district in which the school is located;	222 223 224
(c) Permit the enrollment of students who reside in any other district in the state.	225 226
(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;	227 228 229 230
(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;	231 232 233
(22) A provision recognizing both of the following:	234
(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;	235 236 237 238
(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.	239 240 241 242 243 244 245
(23) A description of the learning opportunities that will be offered to students including both classroom-based and non-classroom-based learning opportunities that is in compliance with criteria for student participation established by the department under division (H) (2) of section 3314.08 of the	246 247 248 249 250

Revised Code;	251
(24) The school will comply with sections 3302.04 and	252
3302.041 of the Revised Code, except that any action required to	253
be taken by a school district pursuant to those sections shall	254
be taken by the sponsor of the school.	255
(25) Beginning in the 2006-2007 school year, the school	256
will open for operation not later than the thirtieth day of	257
September each school year, unless the mission of the school as	258
specified under division (A) (2) of this section is solely to	259
serve dropouts. In its initial year of operation, if the school	260
fails to open by the thirtieth day of September, or within one	261
year after the adoption of the contract pursuant to division (D)	262
of section 3314.02 of the Revised Code if the mission of the	263
school is solely to serve dropouts, the contract shall be void.	264
(26) Whether the school's governing authority is planning	265
to seek designation for the school as a STEM school equivalent	266
under section 3326.032 of the Revised Code;	267
(27) That the school's attendance and participation	268
policies will be available for public inspection;	269
(28) That the school's attendance and participation	270
records shall be made available to the department, auditor of	271
state, and school's sponsor to the extent permitted under and in	272
accordance with the "Family Educational Rights and Privacy Act	273
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any	274
regulations promulgated under that act, and section 3319.321 of	275
the Revised Code;	276
(29) If a school operates using the blended learning	277
model, as defined in section 3301.079 of the Revised Code, all	278
of the following information:	279

(a) An indication of what blended learning model or models will be used;	280 281
(b) A description of how student instructional needs will be determined and documented;	282 283
(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;	284 285
(d) The school's attendance requirements, including how the school will document participation in learning opportunities;	286 287 288
(e) A statement describing how student progress will be monitored;	289 290
(f) A statement describing how private student data will be protected;	291 292
(g) A description of the professional development activities that will be offered to teachers.	293 294
(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;	295 296 297 298
(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.	299 300 301 302 303
(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	304 305 306 307

the parent's or student's primary residence.	308
(33) A provision requiring the governing authority to	309
adopt a student residence and address verification policy for	310
students enrolling in or attending the school.	311
(B) The community school shall also submit to the sponsor	312
a comprehensive plan for the school. The plan shall specify the	313
following:	314
(1) The process by which the governing authority of the	315
school will be selected in the future;	316
(2) The management and administration of the school;	317
(3) If the community school is a currently existing public	318
school or educational service center building, alternative	319
arrangements for current public school students who choose not	320
to attend the converted school and for teachers who choose not	321
to teach in the school or building after conversion;	322
(4) The instructional program and educational philosophy	323
of the school;	324
(5) Internal financial controls.	325
When submitting the plan under this division, the school	326
shall also submit copies of all policies and procedures	327
regarding internal financial controls adopted by the governing	328
authority of the school.	329
(C) A contract entered into under section 3314.02 of the	330
Revised Code between a sponsor and the governing authority of a	331
community school may provide for the community school governing	332
authority to make payments to the sponsor, which is hereby	333
authorized to receive such payments as set forth in the contract	334
between the governing authority and the sponsor. The total	335

amount of such payments for monitoring, oversight, and technical 336
assistance of the school shall not exceed three per cent of the 337
total amount of payments for operating expenses that the school 338
receives from the state. 339

(D) The contract shall specify the duties of the sponsor 340
which shall be in accordance with the written agreement entered 341
into with the department under division (B) of section 3314.015 342
of the Revised Code and shall include the following: 343

(1) Monitor the community school's compliance with all 344
laws applicable to the school and with the terms of the 345
contract; 346

(2) Monitor and evaluate the academic and fiscal 347
performance and the organization and operation of the community 348
school on at least an annual basis; 349

(3) Report on an annual basis the results of the 350
evaluation conducted under division (D) (2) of this section to 351
the department and to the parents of students enrolled in the 352
community school; 353

(4) Provide technical assistance to the community school 354
in complying with laws applicable to the school and terms of the 355
contract; 356

(5) Take steps to intervene in the school's operation to 357
correct problems in the school's overall performance, declare 358
the school to be on probationary status pursuant to section 359
3314.073 of the Revised Code, suspend the operation of the 360
school pursuant to section 3314.072 of the Revised Code, or 361
terminate the contract of the school pursuant to section 3314.07 362
of the Revised Code as determined necessary by the sponsor; 363

(6) Have in place a plan of action to be undertaken in the 364

event the community school experiences financial difficulties or 365
closes prior to the end of a school year. 366

(E) Upon the expiration of a contract entered into under 367
this section, the sponsor of a community school may, with the 368
approval of the governing authority of the school, renew that 369
contract for a period of time determined by the sponsor, but not 370
ending earlier than the end of any school year, if the sponsor 371
finds that the school's compliance with applicable laws and 372
terms of the contract and the school's progress in meeting the 373
academic goals prescribed in the contract have been 374
satisfactory. Any contract that is renewed under this division 375
remains subject to the provisions of sections 3314.07, 3314.072, 376
and 3314.073 of the Revised Code. 377

(F) If a community school fails to open for operation 378
within one year after the contract entered into under this 379
section is adopted pursuant to division (D) of section 3314.02 380
of the Revised Code or permanently closes prior to the 381
expiration of the contract, the contract shall be void and the 382
school shall not enter into a contract with any other sponsor. A 383
school shall not be considered permanently closed because the 384
operations of the school have been suspended pursuant to section 385
3314.072 of the Revised Code. 386

Sec. 3326.11. Each science, technology, engineering, and 387
mathematics school established under this chapter and its 388
governing body shall comply with sections 9.90, 9.91, 109.65, 389
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 390
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 391
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 392
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318, 393
3313.5319, 3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 394

3313.6020, 3313.6021, 3313.6024, 3313.6025, 3313.6026, 395
3313.6028, 3313.6029, 3313.61, 3313.611, 3313.614, 3313.615, 396
3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 397
3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 398
3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 399
3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 400
3313.7112, 3313.7117, 3313.7118, 3313.721, 3313.80, 3313.801, 401
3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 402
3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 403
3319.21, 3319.238, 3319.318, 3319.32, 3319.321, 3319.324, 404
3319.35, 3319.39, 3319.391, 3319.393, 3319.41, 3319.45, 3319.46, 405
3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.05, 3321.13, 406
3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3322.20, 407
3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 408
5502.703, and 5705.391 and Chapters 102., 117., 1347., 2744., 409
3307., 3309., 3365., 3742., 4112., 4123., 4141., and 4167. of 410
the Revised Code as if it were a school district. 411

Sec. 3707.61. (A) The department of health shall create 412
informational materials on type 1 diabetes for parents, 413
guardians, educators, and other persons having care or charge of 414
children. The materials shall include pertinent information to 415
inform and educate parents, guardians, educators, and other 416
caretakers about type 1 diabetes in children, including the 417
following: 418

(1) A description of type 1 diabetes; 419

(2) A description of type 1 diabetes risk factors and 420
warning signs; 421

(3) A recommendation that the parents or guardian of a 422
student who is displaying type 1 diabetes warning signs should 423
immediately consult with the student's primary care provider to 424

determine if immediate screening is appropriate; 425

(4) A description of the type 1 diabetes screening 426
process, the significance of the three stages of type 1 427
diabetes, and the implications of test results identifying the 428
presence of each stage; 429

(5) A recommendation that, following a diagnosis of type 1 430
diabetes, the student's parents or guardian should consult with 431
the student's primary care provider to develop an appropriate 432
treatment plan, which may include consultation with and 433
examination by a specialty care provider, including a properly 434
qualified endocrinologist. 435

(B) The department shall make the informational materials 436
available on its internet web site in a format suitable for easy 437
downloading and printing. 438

Section 2. That existing sections 3314.03 and 3326.11 of 439
the Revised Code are hereby repealed. 440

Section 3. That the version of section 3314.03 of the 441
Revised Code scheduled to take effect January 1, 2025, be 442
amended to read as follows: 443

Sec. 3314.03. A copy of every contract entered into under 444
this section shall be filed with the director of education and 445
workforce. The department of education and workforce shall make 446
available on its web site a copy of every approved, executed 447
contract filed with the director under this section. 448

(A) Each contract entered into between a sponsor and the 449
governing authority of a community school shall specify the 450
following: 451

(1) That the school shall be established as either of the 452

following:	453
(a) A nonprofit corporation established under Chapter 1702. of the Revised Code, if established prior to April 8, 2003;	454 455 456
(b) A public benefit corporation established under Chapter 1702. of the Revised Code, if established after April 8, 2003.	457 458
(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;	459 460 461 462
(3) The academic goals to be achieved and the method of measurement that will be used to determine progress toward those goals, which shall include the statewide achievement assessments;	463 464 465 466
(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;	467 468 469 470
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	471 472 473
(6) (a) Dismissal procedures;	474
(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.	475 476 477 478 479 480

(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	481 482
(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.	483 484 485 486 487 488
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	489 490
(a) A detailed description of each facility used for instructional purposes;	491 492
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	493 494
(c) The annual mortgage principal and interest payments that are paid by the school;	495 496
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	497 498 499
(10) Qualifications of employees, including both of the following:	500 501
(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;	502 503 504 505 506
(b) A prohibition against the school employing an individual described in section 3314.104 of the Revised Code in	507 508

any position. 509

(11) That the school will comply with the following 510
requirements: 511

(a) The school will provide learning opportunities to a 512
minimum of twenty-five students for a minimum of nine hundred 513
twenty hours per school year. 514

(b) The governing authority will purchase liability 515
insurance, or otherwise provide for the potential liability of 516
the school. 517

(c) The school will be nonsectarian in its programs, 518
admission policies, employment practices, and all other 519
operations, and will not be operated by a sectarian school or 520
religious institution. 521

(d) The school will comply with sections 9.90, 9.91, 522
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 523
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 524
3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 525
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3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 527
3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 528
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 529
3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 530
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 531
3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 532
3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 533
3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 534
3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3320.01, 3320.02, 535
3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 536
3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 537

4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 117., 538
1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of 539
the Revised Code as if it were a school district and will comply 540
with section 3301.0714 of the Revised Code in the manner 541
specified in section 3314.17 of the Revised Code. 542

(e) The school shall comply with Chapter 102. and section 543
2921.42 of the Revised Code. 544

(f) The school will comply with sections 3313.61, 545
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 546
Revised Code, except that for students who enter ninth grade for 547
the first time before July 1, 2010, the requirement in sections 548
3313.61 and 3313.611 of the Revised Code that a person must 549
successfully complete the curriculum in any high school prior to 550
receiving a high school diploma may be met by completing the 551
curriculum adopted by the governing authority of the community 552
school rather than the curriculum specified in Title XXXIII of 553
the Revised Code or any rules of the department. Beginning with 554
students who enter ninth grade for the first time on or after 555
July 1, 2010, the requirement in sections 3313.61 and 3313.611 556
of the Revised Code that a person must successfully complete the 557
curriculum of a high school prior to receiving a high school 558
diploma shall be met by completing the requirements prescribed 559
in section 3313.6027 and division (C) of section 3313.603 of the 560
Revised Code, unless the person qualifies under division (D) or 561
(F) of that section. Each school shall comply with the plan for 562
awarding high school credit based on demonstration of subject 563
area competency, and beginning with the 2017-2018 school year, 564
with the updated plan that permits students enrolled in seventh 565
and eighth grade to meet curriculum requirements based on 566
subject area competency adopted by the department under 567
divisions (J) (1) and (2) of section 3313.603 of the Revised 568

Code. Beginning with the 2018-2019 school year, the school shall 569
comply with the framework for granting units of high school 570
credit to students who demonstrate subject area competency 571
through work-based learning experiences, internships, or 572
cooperative education developed by the department under division 573
(J) (3) of section 3313.603 of the Revised Code. 574

(g) The school governing authority will submit within four 575
months after the end of each school year a report of its 576
activities and progress in meeting the goals and standards of 577
divisions (A) (3) and (4) of this section and its financial 578
status to the sponsor and the parents of all students enrolled 579
in the school. 580

(h) The school, unless it is an internet- or computer- 581
based community school, will comply with section 3313.801 of the 582
Revised Code as if it were a school district. 583

(i) If the school is the recipient of moneys from a grant 584
awarded under the federal race to the top program, Division (A), 585
Title XIV, Sections 14005 and 14006 of the "American Recovery 586
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 587
the school will pay teachers based upon performance in 588
accordance with section 3317.141 and will comply with section 589
3319.111 of the Revised Code as if it were a school district. 590

(j) If the school operates a preschool program that is 591
licensed by the department under sections 3301.52 to 3301.59 of 592
the Revised Code, the school shall comply with sections 3301.50 593
to 3301.59 of the Revised Code and the minimum standards for 594
preschool programs prescribed in rules adopted by the department 595
of children and youth under section 3301.53 of the Revised Code. 596

(k) The school will comply with sections 3313.6021 and 597

3313.6023 of the Revised Code as if it were a school district 598
unless it is either of the following: 599

(i) An internet- or computer-based community school; 600

(ii) A community school in which a majority of the 601
enrolled students are children with disabilities as described in 602
division (A) (4) (b) of section 3314.35 of the Revised Code. 603

(l) The school will comply with section 3321.191 of the 604
Revised Code, unless it is an internet- or computer-based 605
community school that is subject to section 3314.261 of the 606
Revised Code. 607

(m) The school will comply with section 3313.7118 of the 608
Revised Code if it serves elementary school students. 609

(12) Arrangements for providing health and other benefits 610
to employees; 611

(13) The length of the contract, which shall begin at the 612
beginning of an academic year. No contract shall exceed five 613
years unless such contract has been renewed pursuant to division 614
(E) of this section. 615

(14) The governing authority of the school, which shall be 616
responsible for carrying out the provisions of the contract; 617

(15) A financial plan detailing an estimated school budget 618
for each year of the period of the contract and specifying the 619
total estimated per pupil expenditure amount for each such year. 620

(16) Requirements and procedures regarding the disposition 621
of employees of the school in the event the contract is 622
terminated or not renewed pursuant to section 3314.07 of the 623
Revised Code; 624

(17) Whether the school is to be created by converting all 625
or part of an existing public school or educational service 626
center building or is to be a new start-up school, and if it is 627
a converted public school or service center building, 628
specification of any duties or responsibilities of an employer 629
that the board of education or service center governing board 630
that operated the school or building before conversion is 631
delegating to the governing authority of the community school 632
with respect to all or any specified group of employees provided 633
the delegation is not prohibited by a collective bargaining 634
agreement applicable to such employees; 635

(18) Provisions establishing procedures for resolving 636
disputes or differences of opinion between the sponsor and the 637
governing authority of the community school; 638

(19) A provision requiring the governing authority to 639
adopt a policy regarding the admission of students who reside 640
outside the district in which the school is located. That policy 641
shall comply with the admissions procedures specified in 642
sections 3314.06 and 3314.061 of the Revised Code and, at the 643
sole discretion of the authority, shall do one of the following: 644

(a) Prohibit the enrollment of students who reside outside 645
the district in which the school is located; 646

(b) Permit the enrollment of students who reside in 647
districts adjacent to the district in which the school is 648
located; 649

(c) Permit the enrollment of students who reside in any 650
other district in the state. 651

(20) A provision recognizing the authority of the 652
department to take over the sponsorship of the school in 653

accordance with the provisions of division (C) of section 654
3314.015 of the Revised Code; 655

(21) A provision recognizing the sponsor's authority to 656
assume the operation of a school under the conditions specified 657
in division (B) of section 3314.073 of the Revised Code; 658

(22) A provision recognizing both of the following: 659

(a) The authority of public health and safety officials to 660
inspect the facilities of the school and to order the facilities 661
closed if those officials find that the facilities are not in 662
compliance with health and safety laws and regulations; 663

(b) The authority of the department as the community 664
school oversight body to suspend the operation of the school 665
under section 3314.072 of the Revised Code if the department has 666
evidence of conditions or violations of law at the school that 667
pose an imminent danger to the health and safety of the school's 668
students and employees and the sponsor refuses to take such 669
action. 670

(23) A description of the learning opportunities that will 671
be offered to students including both classroom-based and non- 672
classroom-based learning opportunities that is in compliance 673
with criteria for student participation established by the 674
department under division (H) (2) of section 3314.08 of the 675
Revised Code; 676

(24) The school will comply with sections 3302.04 and 677
3302.041 of the Revised Code, except that any action required to 678
be taken by a school district pursuant to those sections shall 679
be taken by the sponsor of the school. 680

(25) Beginning in the 2006-2007 school year, the school 681
will open for operation not later than the thirtieth day of 682

September each school year, unless the mission of the school as 683
specified under division (A) (2) of this section is solely to 684
serve dropouts. In its initial year of operation, if the school 685
fails to open by the thirtieth day of September, or within one 686
year after the adoption of the contract pursuant to division (D) 687
of section 3314.02 of the Revised Code if the mission of the 688
school is solely to serve dropouts, the contract shall be void. 689

(26) Whether the school's governing authority is planning 690
to seek designation for the school as a STEM school equivalent 691
under section 3326.032 of the Revised Code; 692

(27) That the school's attendance and participation 693
policies will be available for public inspection; 694

(28) That the school's attendance and participation 695
records shall be made available to the department, auditor of 696
state, and school's sponsor to the extent permitted under and in 697
accordance with the "Family Educational Rights and Privacy Act 698
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 699
regulations promulgated under that act, and section 3319.321 of 700
the Revised Code; 701

(29) If a school operates using the blended learning 702
model, as defined in section 3301.079 of the Revised Code, all 703
of the following information: 704

(a) An indication of what blended learning model or models 705
will be used; 706

(b) A description of how student instructional needs will 707
be determined and documented; 708

(c) The method to be used for determining competency, 709
granting credit, and promoting students to a higher grade level; 710

(d) The school's attendance requirements, including how 711
the school will document participation in learning 712
opportunities; 713

(e) A statement describing how student progress will be 714
monitored; 715

(f) A statement describing how private student data will 716
be protected; 717

(g) A description of the professional development 718
activities that will be offered to teachers. 719

(30) A provision requiring that all moneys the school's 720
operator loans to the school, including facilities loans or cash 721
flow assistance, must be accounted for, documented, and bear 722
interest at a fair market rate; 723

(31) A provision requiring that, if the governing 724
authority contracts with an attorney, accountant, or entity 725
specializing in audits, the attorney, accountant, or entity 726
shall be independent from the operator with which the school has 727
contracted. 728

(32) A provision requiring the governing authority to 729
adopt an enrollment and attendance policy that requires a 730
student's parent to notify the community school in which the 731
student is enrolled when there is a change in the location of 732
the parent's or student's primary residence. 733

(33) A provision requiring the governing authority to 734
adopt a student residence and address verification policy for 735
students enrolling in or attending the school. 736

(B) The community school shall also submit to the sponsor 737
a comprehensive plan for the school. The plan shall specify the 738

following:	739
(1) The process by which the governing authority of the school will be selected in the future;	740 741
(2) The management and administration of the school;	742
(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;	743 744 745 746 747
(4) The instructional program and educational philosophy of the school;	748 749
(5) Internal financial controls.	750
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.	751 752 753 754
(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.	755 756 757 758 759 760 761 762 763 764
(D) The contract shall specify the duties of the sponsor which shall be in accordance with the written agreement entered	765 766

into with the department under division (B) of section 3314.015 767
of the Revised Code and shall include the following: 768

(1) Monitor the community school's compliance with all 769
laws applicable to the school and with the terms of the 770
contract; 771

(2) Monitor and evaluate the academic and fiscal 772
performance and the organization and operation of the community 773
school on at least an annual basis; 774

(3) Report on an annual basis the results of the 775
evaluation conducted under division (D) (2) of this section to 776
the department and to the parents of students enrolled in the 777
community school; 778

(4) Provide technical assistance to the community school 779
in complying with laws applicable to the school and terms of the 780
contract; 781

(5) Take steps to intervene in the school's operation to 782
correct problems in the school's overall performance, declare 783
the school to be on probationary status pursuant to section 784
3314.073 of the Revised Code, suspend the operation of the 785
school pursuant to section 3314.072 of the Revised Code, or 786
terminate the contract of the school pursuant to section 3314.07 787
of the Revised Code as determined necessary by the sponsor; 788

(6) Have in place a plan of action to be undertaken in the 789
event the community school experiences financial difficulties or 790
closes prior to the end of a school year. 791

(E) Upon the expiration of a contract entered into under 792
this section, the sponsor of a community school may, with the 793
approval of the governing authority of the school, renew that 794
contract for a period of time determined by the sponsor, but not 795

ending earlier than the end of any school year, if the sponsor 796
finds that the school's compliance with applicable laws and 797
terms of the contract and the school's progress in meeting the 798
academic goals prescribed in the contract have been 799
satisfactory. Any contract that is renewed under this division 800
remains subject to the provisions of sections 3314.07, 3314.072, 801
and 3314.073 of the Revised Code. 802

(F) If a community school fails to open for operation 803
within one year after the contract entered into under this 804
section is adopted pursuant to division (D) of section 3314.02 805
of the Revised Code or permanently closes prior to the 806
expiration of the contract, the contract shall be void and the 807
school shall not enter into a contract with any other sponsor. A 808
school shall not be considered permanently closed because the 809
operations of the school have been suspended pursuant to section 810
3314.072 of the Revised Code. 811

Section 4. That the version of section 3314.03 of the 812
Revised Code scheduled to take effect January 1, 2025, is hereby 813
repealed. 814

Section 5. Sections 3 and 4 of this act take effect 815
January 1, 2025. 816