

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 82

Representatives Loychik, Pavliga

Cosponsors: Representatives Hoops, Cross, Klopfenstein

A BILL

To amend sections 3313.5310, 3314.03, 3319.303, 1
3326.11, and 3328.24 and to enact section 2
3313.5318 of the Revised Code to require school 3
athletic coaches to complete mental health 4
training and to revise the renewal requirements 5
for pupil-activity program permits and to amend 6
the version of section 3319.303 of the Revised 7
Code that is scheduled to take effect on 8
December 29, 2023, to continue the change on and 9
after that date. 10

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

Section 1. That sections 3313.5310, 3314.03, 3319.303, 11
3326.11, and 3328.24 be amended and section 3313.5318 of the 12
Revised Code be enacted to read as follows: 13

Sec. 3313.5310. (A) (1) This section applies to both of the 14
following: 15

(a) Any school operated by a school district board of 16
education; 17

(b) Any chartered or nonchartered nonpublic school that is 18

subject to the rules of an interscholastic conference or an 19
organization that regulates interscholastic conferences or 20
events. 21

(2) As used in this section, "athletic activity" means all 22
of the following: 23

(a) Interscholastic athletics; 24

(b) An athletic contest or competition that is sponsored 25
by or associated with a school that is subject to this section, 26
including cheerleading, club-sponsored sports activities, and 27
sports activities sponsored by school-affiliated organizations; 28

(c) Noncompetitive cheerleading that is sponsored by 29
school-affiliated organizations; 30

(d) Practices, interschool practices, and scrimmages for 31
all of the activities described in divisions (A) (2) (a), (b), and 32
(c) of this section. 33

(B) Prior to the start of each athletic season, a school 34
that is subject to this section may hold an informational 35
meeting for students, parents, guardians, other persons having 36
care or charge of a student, physicians, pediatric 37
cardiologists, athletic trainers, and any other persons 38
regarding the symptoms and warning signs of sudden cardiac 39
arrest for all ages of students. 40

(C) No student shall participate in an athletic activity 41
until the student has submitted to a designated school official 42
a form signed by the student and the parent, guardian, or other 43
person having care or charge of the student stating that the 44
student and the parent, guardian, or other person having care or 45
charge of the student have received and reviewed a copy of the 46
information developed by the departments of health and education 47

and posted on their respective internet web sites as required by 48
section 3707.59 of the Revised Code. A completed form shall be 49
submitted each school year, as defined in section 3313.62 of the 50
Revised Code, in which the student participates in an athletic 51
activity. 52

(D) No individual shall coach an athletic activity unless 53
the individual has completed, ~~on an annual basis,~~ the sudden 54
cardiac arrest training course approved by the department of 55
health under division (C) of section 3707.59 of the Revised Code 56
in accordance with section 3319.303 of the Revised Code. 57

(E) (1) A student shall not be allowed to participate in an 58
athletic activity if either of the following is the case: 59

(a) The student's biological parent, biological sibling, 60
or biological child has previously experienced sudden cardiac 61
arrest, and the student has not been evaluated and cleared for 62
participation in an athletic activity by a physician authorized 63
under Chapter 4731. of the Revised Code to practice medicine and 64
surgery or osteopathic medicine and surgery. 65

(b) The student is known to have exhibited syncope or 66
fainting at any time prior to or following an athletic activity 67
and has not been evaluated and cleared for return under division 68
(E) (3) of this section after exhibiting syncope or fainting. 69

(2) A student shall be removed by the student's coach from 70
participation in an athletic activity if the student exhibits 71
syncope or fainting. 72

(3) If a student is not allowed to participate in or is 73
removed from participation in an athletic activity under 74
division (E) (1) or (2) of this section, the student shall not be 75
allowed to return to participation until the student is 76

evaluated and cleared for return in writing by any of the 77
following: 78

(a) A physician authorized under Chapter 4731. of the 79
Revised Code to practice medicine and surgery or osteopathic 80
medicine and surgery, including a physician who specializes in 81
cardiology; 82

(b) A certified nurse practitioner, clinical nurse 83
specialist, or certified nurse-midwife who holds a certificate 84
of authority issued under Chapter 4723. of the Revised Code; 85

(c) A physician assistant licensed under Chapter 4730. of 86
the Revised Code; 87

(d) An athletic trainer licensed under Chapter 4755. of 88
the Revised Code. 89

The licensed health care providers specified in divisions 90
(E) (3) (a) to (d) of this section may consult with any other 91
licensed or certified health care providers in order to 92
determine whether a student is ready to return to participation. 93

(F) A school that is subject to this section shall 94
establish penalties for a coach who violates the provisions of 95
division (E) of this section. 96

(G) Nothing in this section shall be construed to abridge 97
or limit any rights provided under a collective bargaining 98
agreement entered into under Chapter 4117. of the Revised Code 99
prior to March 14, 2017. 100

(H) (1) A school district, member of a school district 101
board of education, or school district employee or volunteer, 102
including a coach, is not liable in damages in a civil action 103
for injury, death, or loss to person or property allegedly 104

arising from providing services or performing duties under this 105
section, unless the act or omission constitutes willful or 106
wanton misconduct. 107

This section does not eliminate, limit, or reduce any 108
other immunity or defense that a school district, member of a 109
school district board of education, or school district employee 110
or volunteer, including a coach, may be entitled to under 111
Chapter 2744. or any other provision of the Revised Code or 112
under the common law of this state. 113

(2) A chartered or nonchartered nonpublic school or any 114
officer, director, employee, or volunteer of the school, 115
including a coach, is not liable in damages in a civil action 116
for injury, death, or loss to person or property allegedly 117
arising from providing services or performing duties under this 118
section, unless the act or omission constitutes willful or 119
wanton misconduct. 120

Sec. 3313.5318. As used in this section, "athletic 121
activity" has the same meaning as in section 3313.5310 of the 122
Revised Code. 123

(A) No individual shall coach an athletic activity at a 124
school operated by a school district board of education or any 125
chartered or nonchartered nonpublic school that is subject to 126
the rules of an interscholastic conference or an organization 127
that regulates interscholastic conferences or events unless the 128
individual has completed a student mental health training course 129
approved by the department of mental health pursuant to division 130
(B) of this section. The mental health training course may be 131
combined with or part of another training course. 132

(B) On or after the effective date of this section, an 133

individual shall complete the training prescribed by division 134
(A) of this section each time the individual applies for or 135
renews a pupil-activity program permit under section 3319.303 of 136
the Revised Code. An individual may complete the training at any 137
time within the duration of the individual's new or renewed 138
permit. Upon completion, the individual shall present evidence 139
to the state board of education that the individual has 140
successfully completed the training described in division (A) of 141
this section. 142

Sec. 3314.03. A copy of every contract entered into under 143
this section shall be filed with the superintendent of public 144
instruction. The department of education shall make available on 145
its web site a copy of every approved, executed contract filed 146
with the superintendent under this section. 147

(A) Each contract entered into between a sponsor and the 148
governing authority of a community school shall specify the 149
following: 150

(1) That the school shall be established as either of the 151
following: 152

(a) A nonprofit corporation established under Chapter 153
1702. of the Revised Code, if established prior to April 8, 154
2003; 155

(b) A public benefit corporation established under Chapter 156
1702. of the Revised Code, if established after April 8, 2003. 157

(2) The education program of the school, including the 158
school's mission, the characteristics of the students the school 159
is expected to attract, the ages and grades of students, and the 160
focus of the curriculum; 161

(3) The academic goals to be achieved and the method of 162

measurement that will be used to determine progress toward those goals, which shall include the statewide achievement assessments;	163 164 165
(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;	166 167 168 169
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	170 171 172
(6) (a) Dismissal procedures;	173
(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.	174 175 176 177 178 179
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	180 181
(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.	182 183 184 185 186 187
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	188 189
(a) A detailed description of each facility used for	190

instructional purposes;	191
(b) The annual costs associated with leasing each facility	192
that are paid by or on behalf of the school;	193
(c) The annual mortgage principal and interest payments	194
that are paid by the school;	195
(d) The name of the lender or landlord, identified as	196
such, and the lender's or landlord's relationship to the	197
operator, if any.	198
(10) Qualifications of teachers, including a requirement	199
that the school's classroom teachers be licensed in accordance	200
with sections 3319.22 to 3319.31 of the Revised Code, except	201
that a community school may engage noncertificated persons to	202
teach up to twelve hours or forty hours per week pursuant to	203
section 3319.301 of the Revised Code.	204
(11) That the school will comply with the following	205
requirements:	206
(a) The school will provide learning opportunities to a	207
minimum of twenty-five students for a minimum of nine hundred	208
twenty hours per school year.	209
(b) The governing authority will purchase liability	210
insurance, or otherwise provide for the potential liability of	211
the school.	212
(c) The school will be nonsectarian in its programs,	213
admission policies, employment practices, and all other	214
operations, and will not be operated by a sectarian school or	215
religious institution.	216
(d) The school will comply with sections 9.90, 9.91,	217
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710,	218

3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037,	219
3313.472, 3313.50, 3313.539, 3313.5310, <u>3313.5318</u> , 3313.608,	220
3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020,	221
3313.6024, 3313.6025, 3313.6026, 3313.643, 3313.648, 3313.6411,	222
3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668,	223
3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673,	224
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112,	225
3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818,	226
3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078,	227
3319.238, 3319.318, 3319.321, 3319.39, 3319.391, 3319.393,	228
3319.41, 3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 3321.041,	229
3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3323.251,	230
3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and	231
Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141.,	232
and 4167. of the Revised Code as if it were a school district	233
and will comply with section 3301.0714 of the Revised Code in	234
the manner specified in section 3314.17 of the Revised Code.	235
(e) The school shall comply with Chapter 102. and section	236
2921.42 of the Revised Code.	237
(f) The school will comply with sections 3313.61,	238
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the	239
Revised Code, except that for students who enter ninth grade for	240
the first time before July 1, 2010, the requirement in sections	241
3313.61 and 3313.611 of the Revised Code that a person must	242
successfully complete the curriculum in any high school prior to	243
receiving a high school diploma may be met by completing the	244
curriculum adopted by the governing authority of the community	245
school rather than the curriculum specified in Title XXXIII of	246
the Revised Code or any rules of the state board of education.	247
Beginning with students who enter ninth grade for the first time	248
on or after July 1, 2010, the requirement in sections 3313.61	249

and 3313.611 of the Revised Code that a person must successfully 250
complete the curriculum of a high school prior to receiving a 251
high school diploma shall be met by completing the requirements 252
prescribed in section 3313.6027 and division (C) of section 253
3313.603 of the Revised Code, unless the person qualifies under 254
division (D) or (F) of that section. Each school shall comply 255
with the plan for awarding high school credit based on 256
demonstration of subject area competency, and beginning with the 257
2017-2018 school year, with the updated plan that permits 258
students enrolled in seventh and eighth grade to meet curriculum 259
requirements based on subject area competency adopted by the 260
state board of education under divisions (J) (1) and (2) of 261
section 3313.603 of the Revised Code. Beginning with the 2018- 262
2019 school year, the school shall comply with the framework for 263
granting units of high school credit to students who demonstrate 264
subject area competency through work-based learning experiences, 265
internships, or cooperative education developed by the 266
department under division (J) (3) of section 3313.603 of the 267
Revised Code. 268

(g) The school governing authority will submit within four 269
months after the end of each school year a report of its 270
activities and progress in meeting the goals and standards of 271
divisions (A) (3) and (4) of this section and its financial 272
status to the sponsor and the parents of all students enrolled 273
in the school. 274

(h) The school, unless it is an internet- or computer- 275
based community school, will comply with section 3313.801 of the 276
Revised Code as if it were a school district. 277

(i) If the school is the recipient of moneys from a grant 278
awarded under the federal race to the top program, Division (A), 279

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.

(j) If the school operates a preschool program that is licensed by the department of education 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 state board under section 3301.53 of the Revised Code.

(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:

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

(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.

(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.

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

(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.

- (14) The governing authority of the school, which shall be responsible for carrying out the provisions of the contract;
- (15) A financial plan detailing an estimated school budget for each year of the period of the contract and specifying the total estimated per pupil expenditure amount for each such year.
- (16) Requirements and procedures regarding the disposition of employees of the school in the event the contract is terminated or not renewed pursuant to section 3314.07 of the Revised Code;
- (17) Whether the school is to be created by converting all or part of an existing public school or educational service center building or is to be a new start-up school, and if it is a converted public school or service center building, specification of any duties or responsibilities of an employer that the board of education or service center governing board that operated the school or building before conversion is delegating to the governing authority of the community school with respect to all or any specified group of employees provided the delegation is not prohibited by a collective bargaining agreement applicable to such employees;
- (18) Provisions establishing procedures for resolving disputes or differences of opinion between the sponsor and the governing authority of the community school;
- (19) A provision requiring the governing authority to adopt a policy regarding the admission of students who reside outside the district in which the school is located. That policy shall comply with the admissions procedures specified in sections 3314.06 and 3314.061 of the Revised Code and, at the sole discretion of the authority, shall do one of the following:

(a) Prohibit the enrollment of students who reside outside the district in which the school is located;	337 338
(b) Permit the enrollment of students who reside in districts adjacent to the district in which the school is located;	339 340 341
(c) Permit the enrollment of students who reside in any other district in the state.	342 343
(20) A provision recognizing the authority of the department of education to take over the sponsorship of the school in accordance with the provisions of division (C) of section 3314.015 of the Revised Code;	344 345 346 347
(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;	348 349 350
(22) A provision recognizing both of the following:	351
(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;	352 353 354 355
(b) The authority of the department of education 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.	356 357 358 359 360 361 362
(23) A description of the learning opportunities that will be offered to students including both classroom-based and non-	363 364

classroom-based learning opportunities that is in compliance 365
with criteria for student participation established by the 366
department under division (H) (2) of section 3314.08 of the 367
Revised Code; 368

(24) The school will comply with sections 3302.04 and 369
3302.041 of the Revised Code, except that any action required to 370
be taken by a school district pursuant to those sections shall 371
be taken by the sponsor of the school. However, the sponsor 372
shall not be required to take any action described in division 373
(F) of section 3302.04 of the Revised Code. 374

(25) Beginning in the 2006-2007 school year, the school 375
will open for operation not later than the thirtieth day of 376
September each school year, unless the mission of the school as 377
specified under division (A) (2) of this section is solely to 378
serve dropouts. In its initial year of operation, if the school 379
fails to open by the thirtieth day of September, or within one 380
year after the adoption of the contract pursuant to division (D) 381
of section 3314.02 of the Revised Code if the mission of the 382
school is solely to serve dropouts, the contract shall be void. 383

(26) Whether the school's governing authority is planning 384
to seek designation for the school as a STEM school equivalent 385
under section 3326.032 of the Revised Code; 386

(27) That the school's attendance and participation 387
policies will be available for public inspection; 388

(28) That the school's attendance and participation 389
records shall be made available to the department of education, 390
auditor of state, and school's sponsor to the extent permitted 391
under and in accordance with the "Family Educational Rights and 392
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, 393

and any regulations promulgated under that act, and section	394
3319.321 of the Revised Code;	395
(29) If a school operates using the blended learning	396
model, as defined in section 3301.079 of the Revised Code, all	397
of the following information:	398
(a) An indication of what blended learning model or models	399
will be used;	400
(b) A description of how student instructional needs will	401
be determined and documented;	402
(c) The method to be used for determining competency,	403
granting credit, and promoting students to a higher grade level;	404
(d) The school's attendance requirements, including how	405
the school will document participation in learning	406
opportunities;	407
(e) A statement describing how student progress will be	408
monitored;	409
(f) A statement describing how private student data will	410
be protected;	411
(g) A description of the professional development	412
activities that will be offered to teachers.	413
(30) A provision requiring that all moneys the school's	414
operator loans to the school, including facilities loans or cash	415
flow assistance, must be accounted for, documented, and bear	416
interest at a fair market rate;	417
(31) A provision requiring that, if the governing	418
authority contracts with an attorney, accountant, or entity	419
specializing in audits, the attorney, accountant, or entity	420

shall be independent from the operator with which the school has 421
contracted. 422

(32) A provision requiring the governing authority to 423
adopt an enrollment and attendance policy that requires a 424
student's parent to notify the community school in which the 425
student is enrolled when there is a change in the location of 426
the parent's or student's primary residence. 427

(33) A provision requiring the governing authority to 428
adopt a student residence and address verification policy for 429
students enrolling in or attending the school. 430

(B) The community school shall also submit to the sponsor 431
a comprehensive plan for the school. The plan shall specify the 432
following: 433

(1) The process by which the governing authority of the 434
school will be selected in the future; 435

(2) The management and administration of the school; 436

(3) If the community school is a currently existing public 437
school or educational service center building, alternative 438
arrangements for current public school students who choose not 439
to attend the converted school and for teachers who choose not 440
to teach in the school or building after conversion; 441

(4) The instructional program and educational philosophy 442
of the school; 443

(5) Internal financial controls. 444

When submitting the plan under this division, the school 445
shall also submit copies of all policies and procedures 446
regarding internal financial controls adopted by the governing 447
authority of the school. 448

(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.

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

(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 of education 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 478
the school to be on probationary status pursuant to section 479
3314.073 of the Revised Code, suspend the operation of the 480
school pursuant to section 3314.072 of the Revised Code, or 481
terminate the contract of the school pursuant to section 3314.07 482
of the Revised Code as determined necessary by the sponsor; 483

(6) Have in place a plan of action to be undertaken in the 484
event the community school experiences financial difficulties or 485
closes prior to the end of a school year. 486

(E) Upon the expiration of a contract entered into under 487
this section, the sponsor of a community school may, with the 488
approval of the governing authority of the school, renew that 489
contract for a period of time determined by the sponsor, but not 490
ending earlier than the end of any school year, if the sponsor 491
finds that the school's compliance with applicable laws and 492
terms of the contract and the school's progress in meeting the 493
academic goals prescribed in the contract have been 494
satisfactory. Any contract that is renewed under this division 495
remains subject to the provisions of sections 3314.07, 3314.072, 496
and 3314.073 of the Revised Code. 497

(F) If a community school fails to open for operation 498
within one year after the contract entered into under this 499
section is adopted pursuant to division (D) of section 3314.02 500
of the Revised Code or permanently closes prior to the 501
expiration of the contract, the contract shall be void and the 502
school shall not enter into a contract with any other sponsor. A 503
school shall not be considered permanently closed because the 504
operations of the school have been suspended pursuant to section 505
3314.072 of the Revised Code. 506

Sec. 3319.303. (A) The state board of education shall 507

adopt rules establishing standards and requirements for 508
obtaining a pupil-activity program permit for any individual who 509
does not hold a valid educator license, certificate, or permit 510
issued by the state board under section 3319.22, 3319.26, or 511
3319.27 of the Revised Code. The permit issued under this 512
section shall be valid for coaching, supervising, or directing a 513
pupil-activity program under section 3313.53 of the Revised 514
Code. Subject to the provisions of section 3319.31 of the 515
Revised Code, a permit issued under this division shall be valid 516
for three years and shall be renewable. 517

(B) The state board shall adopt rules applicable to 518
individuals who hold valid educator licenses, certificates, or 519
permits issued by the state board under section 3319.22, 520
3319.26, or 3319.27 of the Revised Code setting forth standards 521
to assure any such individual's competence to direct, supervise, 522
or coach a pupil-activity program described in section 3313.53 523
of the Revised Code. The rules adopted under this division shall 524
not be more stringent than the standards set forth in rules 525
applicable to individuals who do not hold such licenses, 526
certificates, or permits adopted under division (A) of this 527
section. Subject to the provisions of section 3319.31 of the 528
Revised Code, a permit issued to an individual under this 529
division shall be valid for the same number of years as the 530
individual's educator license, certificate, or permit issued 531
under section 3319.22, 3319.26, or 3319.27 of the Revised Code 532
and shall be renewable. 533

(C) As a condition to issuing or renewing a pupil-activity 534
program permit to coach interscholastic athletics: 535

(1) The state board shall require each individual applying 536
for a first permit ~~on or after April 26, 2013,~~ to successfully 537

complete a training program that is specifically focused on 538
brain trauma and brain injury management and the sudden cardiac 539
arrest training course approved by the department of health 540
under division (C) of section 3707.59 of the Revised Code. 541

(2) The state board shall require each individual applying 542
for a permit renewal ~~on or after that date~~ to present evidence 543
that the individual has successfully completed, within the 544
duration of the individual's previous three years, a permit, 545
both of the following: 546

(a) A training program in recognizing the symptoms of 547
concussions and head injuries to which the department of health 548
has provided a link on its internet web site under section 549
3707.52 of the Revised Code or a training program authorized and 550
required by an organization that regulates interscholastic 551
athletic competition and conducts interscholastic athletic 552
events; 553

(b) The sudden cardiac arrest training course approved by 554
the department of health under division (C) of section 3707.59 555
of the Revised Code. 556

(3) The state board shall require each individual applying 557
for a permit renewal on or after the effective date of this 558
amendment to present evidence that the individual has complied 559
with the student mental health training requirement under 560
section 3313.5318 of the Revised Code. 561

Sec. 3326.11. Each science, technology, engineering, and 562
mathematics school established under this chapter and its 563
governing body shall comply with sections 9.90, 9.91, 109.65, 564
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 565
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 566

3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 567
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318, 568
3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 569
3313.6021, 3313.6024, 3313.6025, 3313.6026, 3313.61, 3313.611, 570
3313.614, 3313.615, 3313.617, 3313.618, 3313.6114, 3313.643, 571
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 572
3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 573
3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 574
3313.719, 3313.7112, 3313.721, 3313.80, 3313.801, 3313.814, 575
3313.816, 3313.817, 3313.818, 3313.86, 3313.89, 3313.96, 576
3319.073, 3319.077, 3319.078, 3319.21, 3319.238, 3319.318, 577
3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 3319.393, 578
3319.41, 3319.45, 3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 579
3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 580
3321.19, 3321.191, 3323.251, 3327.10, 4111.17, 4113.52, 581
5502.262, 5502.703, and 5705.391 and Chapters 102., 117., 1347., 582
2744., 3307., 3309., 3365., 3742., 4112., 4123., 4141., and 583
4167. of the Revised Code as if it were a school district. 584

Sec. 3328.24. A college-preparatory boarding school 585
established under this chapter and its board of trustees shall 586
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 587
3301.0714, 3301.0729, 3301.948, 3302.037, 3313.5318, 3313.6013, 588
3313.6021, 3313.6024, 3313.6025, 3313.6026, 3313.617, 3313.618, 589
3313.6114, 3313.6411, 3313.668, 3313.669, 3313.6610, 3313.7112, 590
3313.721, 3313.89, 3319.073, 3319.077, 3319.078, 3319.318, 591
3319.39, 3319.391, 3319.393, 3319.46, 3320.01, 3320.02, 3320.03, 592
3323.251, and 5502.262, and Chapter 3365. of the Revised Code as 593
if the school were a school district and the school's board of 594
trustees were a district board of education. 595

Section 2. That existing sections 3313.5310, 3314.03, 596
3319.303, 3326.11, and 3328.24 of the Revised Code are hereby 597

repealed. 598

Section 3. That the version of section 3319.303 of the 599
Revised Code that is scheduled to take effect December 29, 2023, 600
be amended to read as follows: 601

Sec. 3319.303. (A) Except as provided in division (D) of 602
this section, the state board of education shall adopt rules 603
establishing standards and requirements for obtaining a pupil- 604
activity program permit for any individual who does not hold a 605
valid educator license, certificate, or permit issued by the 606
state board under section 3319.22, 3319.26, or 3319.27 of the 607
Revised Code. The permit issued under this section shall be 608
valid for coaching, supervising, or directing a pupil-activity 609
program under section 3313.53 of the Revised Code. Subject to 610
the provisions of section 3319.31 of the Revised Code, a permit 611
issued under this division shall be valid for three years and 612
shall be renewable. 613

(B) The state board shall adopt rules applicable to 614
individuals who hold valid educator licenses, certificates, or 615
permits issued by the state board under section 3319.22, 616
3319.26, or 3319.27 of the Revised Code setting forth standards 617
to assure any such individual's competence to direct, supervise, 618
or coach a pupil-activity program described in section 3313.53 619
of the Revised Code. The rules adopted under this division shall 620
not be more stringent than the standards set forth in rules 621
applicable to individuals who do not hold such licenses, 622
certificates, or permits adopted under division (A) of this 623
section. Subject to the provisions of section 3319.31 of the 624
Revised Code, a permit issued to an individual under this 625
division shall be valid for the same number of years as the 626
individual's educator license, certificate, or permit issued 627

under section 3319.22, 3319.26, or 3319.27 of the Revised Code 628
and shall be renewable. 629

(C) (1) Except as provided in division (D) of this section, 630
as a condition to issuing a pupil-activity program permit to 631
coach interscholastic athletics, the state board shall require 632
each individual applying for a first permit ~~on or after April~~ 633
~~26, 2013,~~ to successfully complete a training program that is 634
specifically focused on brain trauma and brain injury management 635
and the sudden cardiac arrest training course approved by the 636
department of health under division (C) of section 3707.59 of 637
the Revised Code. 638

(2) The state board shall require, as a condition to 639
renewing a pupil-activity program permit to coach 640
interscholastic athletics, each individual applying for a permit 641
renewal ~~on or after that date~~ to present evidence that the 642
individual has successfully completed, within the duration of 643
the individual's previous three years, a permit, both of the 644
following: 645

(a) A training program in recognizing the symptoms of 646
concussions and head injuries to which the department of health 647
has provided a link on its internet web site under section 648
3707.52 of the Revised Code or a training program authorized and 649
required by an organization that regulates interscholastic 650
athletic competition and conducts interscholastic athletic 651
events; 652

(b) The sudden cardiac arrest training course approved by 653
the department of health under division (C) of section 3707.59 654
of the Revised Code. 655

(3) The state board shall require each individual applying 656

for a permit renewal on or after the effective date of this 657
amendment to present evidence that the individual has complied 658
with the student mental health training requirement under 659
section 3313.5318 of the Revised Code. 660

(D) The state board shall issue a permit for coaching, 661
supervising, or directing a pupil-activity program in accordance 662
with Chapter 4796. of the Revised Code to an applicant if either 663
of the following applies: 664

(1) The applicant holds a license or permit in another 665
state. 666

(2) The applicant has satisfactory work experience, a 667
government certification, or a private certification as 668
described in that chapter as a coach, supervisor, or pupil- 669
activity program director in a state that does not issue that 670
permit. 671

Section 4. That the existing version of section 3319.303 672
of the Revised Code that is scheduled to take effect on December 673
29, 2023, is hereby repealed. 674

Section 5. Sections 3 and 4 of this act take effect on 675
December 29, 2023. 676

Section 6. Section 3328.24 of the Revised Code is 677
presented in this act as a composite of the section as amended 678
by both H.B. 82 and H.B. 110 of the 134th General Assembly. The 679
General Assembly, applying the principle stated in division (B) 680
of section 1.52 of the Revised Code that amendments are to be 681
harmonized if reasonably capable of simultaneous operation, 682
finds that the composite is the resulting version of the section 683
in effect prior to the effective date of the section as 684
presented in this act. 685