

As Introduced

136th General Assembly

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H. B. No. 485

Representative Miller, M.

**Cosponsors: Representatives Click, Gross, King, Mullins, Salvo, Williams,
Newman**

To amend sections 3301.0718, 3302.07, 3313.60,
3314.03, 3326.11, and 3328.24 and to enact
section 3313.6034 of the Revised Code to enact
the Baby Olivia Act to include human growth and
development instruction in health education.

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

Section 1. That sections 3301.0718, 3302.07, 3313.60,
3314.03, 3326.11, and 3328.24 be amended and section 3313.6034
of the Revised Code be enacted to read as follows:

Sec. 3301.0718. (A) The department of education and
workforce shall not adopt or revise any standards or curriculum
in the area of health unless, by concurrent resolution, the
standards, curriculum, or revisions are approved by both houses
of the general assembly. Before the house of representatives or
senate votes on a concurrent resolution approving health
standards, curriculum, or revisions, its standing committee
having jurisdiction over education legislation shall conduct at
least one public hearing on the standards, curriculum, or
revisions.

(B) The department shall not adopt a model curriculum

regarding instruction in human growth and development that 20
conflicts with the curriculum in section 3313.6031 of the 21
Revised Code. 22

Sec. 3302.07. (A) The board of education of any school 23
district, the governing board of any educational service center, 24
or the administrative authority of any chartered nonpublic 25
school may submit to the department of education and workforce 26
an application proposing an innovative education pilot program 27
the implementation of which requires exemptions from specific 28
statutory provisions or rules. If a district or service center 29
board employs teachers under a collective bargaining agreement 30
adopted pursuant to Chapter 4117. of the Revised Code, any 31
application submitted under this division shall include the 32
written consent of the teachers' employee representative 33
designated under division (B) of section 4117.04 of the Revised 34
Code. The exemptions requested in the application shall be 35
limited to any requirement of Title XXXIII of the Revised Code 36
or of any rule of the department adopted pursuant to that title 37
except that the application may not propose an exemption from 38
any requirement of or rule adopted pursuant to Chapter 3307. or 39
3309., section 3302.41 or 3302.42, section 3313.6031, sections 40
3319.07 to 3319.21, or Chapter 3323. of the Revised Code. 41
Furthermore, an exemption from any operating standard adopted 42
under division (B) (2) or (D) of section 3301.07 of the Revised 43
Code shall be granted only pursuant to a waiver granted by the 44
director of education and workforce under division (O) of that 45
section. 46

(B) The department shall accept any application submitted 47
in accordance with division (A) of this section. The director 48
shall approve or disapprove the application in accordance with 49
standards for approval, which shall be adopted by the 50

department. 51

(C) The director shall exempt each district or service 52
center board or chartered nonpublic school administrative 53
authority with an application approved under division (B) of 54
this section for a specified period from the statutory 55
provisions or rules specified in the approved application. The 56
period of exemption shall not exceed the period during which the 57
pilot program proposed in the application is being implemented 58
and a reasonable period to allow for evaluation of the 59
effectiveness of the program. 60

Sec. 3313.60. Notwithstanding division (D) of section 61
3311.52 of the Revised Code, divisions (A) to (E) of this 62
section do not apply to any cooperative education school 63
district established pursuant to divisions (A) to (C) of section 64
3311.52 of the Revised Code. 65

(A) The board of education of each city, exempted village, 66
and local school district and the board of each cooperative 67
education school district established, pursuant to section 68
3311.521 of the Revised Code, shall prescribe a curriculum for 69
all schools under its control. Except as provided in division 70
(E) of this section, in any such curriculum there shall be 71
included the study of the following subjects: 72

(1) The language arts, including reading, writing, 73
spelling, oral and written English, and literature; 74

(2) Geography, the history of the United States and of 75
Ohio, and national, state, and local government in the United 76
States, including a balanced presentation of the relevant 77
contributions to society of men and women of African, Mexican, 78
Puerto Rican, and American Indian descent as well as other 79

ethnic and racial groups in Ohio and the United States;	80
(3) Mathematics;	81
(4) Natural science, including instruction in the conservation of natural resources;	82 83
(5) Health education, which shall include instruction in:	84
(a) The nutritive value of foods, including natural and organically produced foods, the relation of nutrition to health, and the use and effects of food additives;	85 86 87
(b) The harmful effects of and legal restrictions against the use of drugs of abuse, alcoholic beverages, and tobacco, including electronic smoking devices;	88 89 90
(c) Sexually transmitted infection education, except that upon written request of the student's parent or guardian, a student shall be excused from taking instruction in sexually transmitted infection education;	91 92 93 94
(d) In grades kindergarten through six, annual developmentally appropriate instruction in child sexual abuse prevention, including information on available counseling and resources for children who are sexually abused. Such instruction and information provided shall not be connected in any way to any individual, entity, or organization that provides, promotes, counsels, or makes referrals for abortion or abortion-related services. Upon written request of the student's parent or guardian, a student shall be excused from taking instruction in child sexual abuse prevention.	95 96 97 98 99 100 101 102 103 104
(e) In grades kindergarten through six, instruction in personal safety and assault prevention, except that upon written request of the student's parent or guardian, a student shall be	105 106 107

excused from taking instruction in personal safety and assault 108
prevention; 109

(f) In grades seven through twelve, developmentally 110
appropriate instruction in dating violence prevention education 111
and sexual violence prevention education, which shall include 112
instruction in recognizing dating violence warning signs and 113
characteristics of healthy relationships, except that upon 114
written request of the student's parent or guardian a student 115
shall be excused from taking instruction in sexual violence 116
prevention. 117

In order to assist school districts in developing a dating 118
violence prevention education and sexual violence prevention 119
education curriculum, the department of education and workforce 120
shall provide on its web site links to free curricula addressing 121
dating violence prevention and sexual violence prevention 122
education. Such instruction and information shall not be 123
connected in any way to any individual, entity, or organization 124
that provides, promotes, counsels, or makes referrals for 125
abortion or abortion-related services. 126

Each school district shall notify the parents and legal 127
guardians of students who receive instruction related to child 128
sexual abuse prevention and sexual violence prevention, as 129
described under divisions (A) (5) (d) and (f) of this section, of 130
all of the following: 131

(i) That instruction in child sexual abuse prevention and 132
sexual violence prevention is a required part of the district's 133
curriculum; 134

(ii) That upon request, parents and legal guardians may 135
examine such instructional materials in accordance with this 136

section; 137

(iii) That upon written request of the student's parent or 138
guardian, a student shall be excused from taking instruction in 139
child sexual abuse prevention and sexual violence prevention. 140

If the parent or legal guardian of a student less than 141
eighteen years of age submits to the principal of the student's 142
school a written request to examine the dating violence 143
prevention and sexual violence prevention instruction materials 144
used at that school, the principal, within forty-eight hours 145
after the request is made, shall allow the parent or guardian to 146
examine those materials at that school. 147

(g) Prescription opioid abuse prevention, with an emphasis 148
on the prescription drug epidemic and the connection between 149
prescription opioid abuse and addiction to other drugs, such as 150
heroin; 151

(h) The process of making an anatomical gift under Chapter 152
2108. of the Revised Code, with an emphasis on the life-saving 153
and life-enhancing effects of organ and tissue donation; 154

(i) Beginning with the first day of the next school year 155
that begins at least two years after March 24, 2021, in grades 156
six through twelve, at least one hour or one standard class 157
period per school year of evidence-based suicide awareness and 158
prevention and at least one hour or one standard class period 159
per school year of safety training and violence prevention, 160
except that upon written request of the student's parent or 161
guardian, a student shall be excused from taking instruction in 162
suicide awareness and prevention or safety training and violence 163
prevention; 164

(j) Beginning with the first day of the next school year 165

that begins at least two years after March 24, 2021, in grades 166
six through twelve, at least one hour or one standard class 167
period per school year of evidence-based social inclusion 168
instruction, except that upon written request of the student's 169
parent or guardian, a student shall be excused from taking 170
instruction in social inclusion. 171

For the instruction required under divisions (A) (5) (i) and 172
(j) of this section, the board shall use a training program 173
approved by the department of education and workforce under 174
section 3301.221 of the Revised Code. 175

Schools may use student assemblies, digital learning, and 176
homework to satisfy the instruction requirements under divisions 177
(A) (5) (i) and (j) of this section. 178

(k) Beginning with the 2026-2027 school year, in grades 179
three through twelve, instruction regarding human growth and 180
development in accordance with section 3313.6031 of the Revised 181
Code. 182

(6) Physical education; 183

(7) The fine arts, including music; 184

(8) First aid, including a training program in 185
cardiopulmonary resuscitation, which shall comply with section 186
3313.6021 of the Revised Code when offered in any of grades nine 187
through twelve, safety, and fire prevention. However, upon 188
written request of the student's parent or guardian, a student 189
shall be excused from taking instruction in cardiopulmonary 190
resuscitation. 191

(B) Except as provided in division (E) of this section, 192
every school or school district shall include in the 193
requirements for promotion from the eighth grade to the ninth 194

grade one year's course of study of American history. A board 195
may waive this requirement for academically accelerated students 196
who, in accordance with procedures adopted by the board, are 197
able to demonstrate mastery of essential concepts and skills of 198
the eighth grade American history course of study. 199

(C) As specified in divisions (B) (6) and (C) (6) of section 200
3313.603 of the Revised Code, except as provided in division (E) 201
of this section, every high school shall include in the 202
requirements for graduation from any curriculum one-half unit 203
each of American history and government. 204

(D) Except as provided in division (E) of this section, 205
basic instruction or demonstrated mastery in geography, United 206
States history, the government of the United States, the 207
government of the state of Ohio, local government in Ohio, the 208
Declaration of Independence, the United States Constitution, and 209
the Constitution of the state of Ohio shall be required before 210
pupils may participate in courses involving the study of social 211
problems, economics, foreign affairs, United Nations, world 212
government, socialism, and communism. 213

(E) For each cooperative education school district 214
established pursuant to section 3311.521 of the Revised Code and 215
each city, exempted village, and local school district that has 216
territory within such a cooperative district, the curriculum 217
adopted pursuant to divisions (A) to (D) of this section shall 218
only include the study of the subjects that apply to the grades 219
operated by each such school district. The curricula for such 220
schools, when combined, shall provide to each student of these 221
districts all of the subjects required under divisions (A) to 222
(D) of this section. 223

(F) The board of education of any cooperative education 224

school district established pursuant to divisions (A) to (C) of 225
section 3311.52 of the Revised Code shall prescribe a curriculum 226
for the subject areas and grade levels offered in any school 227
under its control. 228

(G) Upon the request of any parent or legal guardian of a 229
student, the board of education of any school district shall 230
permit the parent or guardian to promptly examine, with respect 231
to the parent's or guardian's own child: 232

(1) Any survey or questionnaire, prior to its 233
administration to the child; 234

(2) Any textbook, workbook, software, video, or other 235
instructional materials being used by the district in connection 236
with the instruction of the child; 237

(3) Any completed and graded test taken or survey or 238
questionnaire filled out by the child; 239

(4) Copies of the statewide academic standards and each 240
model curriculum developed pursuant to section 3301.079 of the 241
Revised Code, which copies shall be available at all times 242
during school hours in each district school building. 243

Sec. 3313.6034. (A) Each city, local, exempted village, 244
and joint vocational school district and other public school, as 245
defined in section 3301.0711 of the Revised Code, shall include 246
instruction in grades three through twelve on human growth and 247
development in its curriculum. For a district, the instruction 248
shall be included in the curriculum required under division (A) 249
(5) of section 3313.60 of the Revised Code. The curriculum shall 250
include, at a minimum, both of the following: 251

(1) A high-definition ultrasound video, at least three 252
minutes in duration, showing the development of the brain, 253

heart, sex organs, and other vital organs in early fetal 254
development; 255

(2) The meet baby Olivia video developed by live action, 256
or its successor entity, showing the process of fertilization 257
and each stage of human development inside the uterus, noting 258
significant markers in cell growth and organ development for 259
every stage of pregnancy until birth. 260

The department of education and workforce shall establish 261
a list of materials appropriate for providing instruction under 262
this division. The department shall publish that list on its 263
publicly accessible web site. 264

(B) Upon request, a district or school shall make 265
available to the parent or guardian of a student enrolled in the 266
district or school any instructional materials that the district 267
or school uses to meet the requirements under this section. 268

(C) At the beginning of each school year, the department 269
of education and workforce shall conduct an audit of each 270
district or school to verify the district's or school's 271
compliance with this section. The department shall publish the 272
findings of each audit not later than one hundred twenty days 273
after the beginning of the school year. The department shall 274
prominently post its findings on the department's web site. 275

(D) The attorney general has both of the following: 276

(1) Parens patriae standing to sue to enforce this section 277
and division (A) (5) (k) of section 3313.60 of the Revised Code on 278
behalf of any or all residents or citizens of this state; 279

(2) A cause of action to sue for damages and injunctive 280
relief on behalf of any or all residents or citizens of this 281
state against any person or entity that violates this section or 282

division (A) (5) (k) of section 3313.60 of the Revised Code. 283

Sec. 3314.03. A copy of every contract entered into under 284
this section shall be filed with the director of education and 285
workforce. The department of education and workforce shall make 286
available on its web site a copy of every approved, executed 287
contract filed with the director under this section. 288

(A) Each contract entered into between a sponsor and the 289
governing authority of a community school shall specify the 290
following: 291

(1) That the school shall be established as either of the 292
following: 293

(a) A nonprofit corporation established under Chapter 294
1702. of the Revised Code, if established prior to April 8, 295
2003; 296

(b) A public benefit corporation established under Chapter 297
1702. of the Revised Code, if established after April 8, 2003. 298

(2) The education program of the school, including the 299
school's mission and educational philosophy, the characteristics 300
of the students the school is expected to attract, the ages and 301
grades of students, and the focus of the curriculum; 302

(3) The academic goals to be achieved and the method of 303
measurement that will be used to determine progress toward those 304
goals, which shall include the statewide achievement 305
assessments; 306

(4) Performance standards, including but not limited to 307
all applicable report card measures set forth in section 3302.03 308
or 3314.017 of the Revised Code, by which the success of the 309
school will be evaluated by the sponsor; 310

(5) The admission standards of section 3314.06 of the 311
Revised Code and, if applicable, section 3314.061 of the Revised 312
Code; 313

(6) (a) Dismissal procedures; 314

(b) A requirement that the governing authority adopt an 315
attendance policy that includes a procedure for automatically 316
withdrawing a student from the school if the student without a 317
legitimate excuse fails to participate in seventy-two 318
consecutive hours of the learning opportunities offered to the 319
student. 320

(7) The ways by which the school will achieve racial and 321
ethnic balance reflective of the community it serves; 322

(8) Requirements for financial audits by the auditor of 323
state. The contract shall require financial records of the 324
school to be maintained in the same manner as are financial 325
records of school districts, pursuant to rules of the auditor of 326
state. Audits shall be conducted in accordance with section 327
117.10 of the Revised Code. 328

(9) An addendum to the contract outlining the facilities 329
to be used that contains at least the following information: 330

(a) A detailed description of each facility used for 331
instructional purposes; 332

(b) The annual costs associated with leasing each facility 333
that are paid by or on behalf of the school; 334

(c) The annual mortgage principal and interest payments 335
that are paid by the school; 336

(d) The name of the lender or landlord, identified as 337
such, and the lender's or landlord's relationship to the 338

operator, if any. 339

(10) Qualifications of employees, including both of the 340
following: 341

(a) A requirement that the school's classroom teachers be 342
licensed in accordance with sections 3319.22 to 3319.31 of the 343
Revised Code, except that a community school may engage 344
noncertificated persons to teach up to twelve hours or forty 345
hours per week pursuant to section 3319.301 of the Revised Code; 346

(b) A prohibition against the school employing an 347
individual described in section 3314.104 of the Revised Code in 348
any position. 349

(11) That the school will comply with the following 350
requirements: 351

(a) The school will provide learning opportunities to a 352
minimum of twenty-five students for a minimum of nine hundred 353
twenty hours per school year. 354

(b) The governing authority will purchase liability 355
insurance, or otherwise provide for the potential liability of 356
the school. 357

(c) The school will be nonsectarian in its programs, 358
admission policies, employment practices, and all other 359
operations, and will not be operated by a sectarian school or 360
religious institution. 361

(d) The school will comply with sections 9.90, 9.91, 362
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 363
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.24, 3301.948, 364
3302.037, 3313.472, 3313.473, 3313.474, 3313.50, 3313.539, 365
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3313.6028, 3313.6029, 3313.6031, 3313.6034, 3313.643, 3313.648, 368
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3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 373
3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 374
3319.238, 3319.318, 3319.321, 3319.324, 3319.39, 3319.391, 375
3319.393, 3319.41, 3319.46, 3319.90, 3319.614, 3320.01, 3320.02, 376
3320.03, 3320.04, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 377
3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 378
4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 379
117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. 380
of the Revised Code as if it were a school district and will 381
comply with section 3301.0714 of the Revised Code in the manner 382
specified in section 3314.17 of the Revised Code. 383

(e) The school shall comply with Chapter 102. and section 384
2921.42 of the Revised Code. 385

(f) The school will comply with sections 3313.61, 386
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 387
Revised Code, except that for students who enter ninth grade for 388
the first time before July 1, 2010, the requirement in sections 389
3313.61 and 3313.611 of the Revised Code that a person must 390
successfully complete the curriculum in any high school prior to 391
receiving a high school diploma may be met by completing the 392
curriculum adopted by the governing authority of the community 393
school rather than the curriculum specified in Title XXXIII of 394
the Revised Code or any rules of the department. Beginning with 395
students who enter ninth grade for the first time on or after 396
July 1, 2010, the requirement in sections 3313.61 and 3313.611 397

of the Revised Code that a person must successfully complete the 398
curriculum of a high school prior to receiving a high school 399
diploma shall be met by completing the requirements prescribed 400
in section 3313.6027 and division (C) of section 3313.603 of the 401
Revised Code, unless the person qualifies under division (D) or 402
(F) of that section. Each school shall comply with the plan for 403
awarding high school credit based on demonstration of subject 404
area competency, and beginning with the 2017-2018 school year, 405
with the updated plan that permits students enrolled in seventh 406
and eighth grade to meet curriculum requirements based on 407
subject area competency adopted by the department under 408
divisions (J) (1) and (2) of section 3313.603 of the Revised 409
Code. Beginning with the 2018-2019 school year, the school shall 410
comply with the framework for granting units of high school 411
credit to students who demonstrate subject area competency 412
through work-based learning experiences, internships, or 413
cooperative education developed by the department under division 414
(J) (3) of section 3313.603 of the Revised Code. 415

(g) The school governing authority will submit within four 416
months after the end of each school year a report of its 417
activities and progress in meeting the goals and standards of 418
divisions (A) (3) and (4) of this section and its financial 419
status to the sponsor and the parents of all students enrolled 420
in the school. 421

(h) The school, unless it is an internet- or computer- 422
based community school, will comply with section 3313.801 of the 423
Revised Code as if it were a school district. 424

(i) If the school is the recipient of moneys from a grant 425
awarded under the federal race to the top program, Division (A), 426
Title XIV, Sections 14005 and 14006 of the "American Recovery 427

and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 428
the school will pay teachers based upon performance in 429
accordance with section 3317.141 and will comply with section 430
3319.111 of the Revised Code as if it were a school district. 431

(j) If the school operates a preschool program that is 432
licensed by the department under sections 3301.52 to 3301.59 of 433
the Revised Code, the school shall comply with sections 3301.50 434
to 3301.59 of the Revised Code and the minimum standards for 435
preschool programs prescribed in rules adopted by the department 436
of children and youth under section 3301.53 of the Revised Code. 437

(k) The school will comply with sections 3313.6021 and 438
3313.6023 of the Revised Code as if it were a school district 439
unless it is either of the following: 440

(i) An internet- or computer-based community school; 441

(ii) A community school in which a majority of the 442
enrolled students are children with disabilities as described in 443
division (B) (2) of section 3314.35 of the Revised Code. 444

(l) The school will comply with section 3321.191 of the 445
Revised Code, unless it is an internet- or computer-based 446
community school that is subject to section 3314.261 of the 447
Revised Code. 448

(m) The school will comply with section 3313.7118 of the 449
Revised Code if it serves elementary school students. 450

(12) Arrangements for providing health and other benefits 451
to employees; 452

(13) The length of the contract, which shall begin at the 453
beginning of an academic year. No contract shall exceed five 454
years unless such contract has been renewed pursuant to division 455

(D) of this section. 456

(14) The governing authority of the school, which shall be 457
responsible for carrying out the provisions of the contract; 458

(15) A financial plan detailing an estimated school budget 459
for each year of the period of the contract and specifying the 460
total estimated per pupil expenditure amount for each such year. 461

(16) Requirements and procedures regarding the disposition 462
of employees of the school in the event the contract is 463
terminated or not renewed pursuant to section 3314.07 of the 464
Revised Code; 465

(17) Whether the school is to be created by converting all 466
or part of an existing public school or educational service 467
center building or is to be a new start-up school, and if it is 468
a converted public school or service center building, both of 469
the following: 470

(a) Specification of any duties or responsibilities of an 471
employer that the board of education or service center governing 472
board that operated the school or building before conversion is 473
delegating to the governing authority of the community school 474
with respect to all or any specified group of employees provided 475
the delegation is not prohibited by a collective bargaining 476
agreement applicable to such employees; 477

(b) Alternative arrangements for current public school 478
students who choose not to attend the converted school and for 479
teachers who choose not to teach in the school or building after 480
conversion. 481

(18) Provisions establishing procedures for resolving 482
disputes or differences of opinion between the sponsor and the 483
governing authority of the community school; 484

(19) A provision requiring the governing authority to 485
adopt a policy regarding the admission of students who reside 486
outside the district in which the school is located. That policy 487
shall comply with the admissions procedures specified in 488
sections 3314.06 and 3314.061 of the Revised Code and, at the 489
sole discretion of the authority, shall do one of the following: 490

(a) Prohibit the enrollment of students who reside outside 491
the district in which the school is located; 492

(b) Permit the enrollment of students who reside in 493
districts adjacent to the district in which the school is 494
located; 495

(c) Permit the enrollment of students who reside in any 496
other district in the state. 497

(20) A provision recognizing the authority of the 498
department to take over the sponsorship of the school in 499
accordance with the provisions of division (C) of section 500
3314.015 of the Revised Code; 501

(21) A provision recognizing the sponsor's authority to 502
assume the operation of a school under the conditions specified 503
in division (B) of section 3314.073 of the Revised Code; 504

(22) A provision recognizing both of the following: 505

(a) The authority of public health and safety officials to 506
inspect the facilities of the school and to order the facilities 507
closed if those officials find that the facilities are not in 508
compliance with health and safety laws and regulations; 509

(b) The authority of the department as the community 510
school oversight body to suspend the operation of the school 511
under section 3314.072 of the Revised Code if the department has 512

evidence of conditions or violations of law at the school that 513
pose an imminent danger to the health and safety of the school's 514
students and employees and the sponsor refuses to take such 515
action. 516

(23) A description of the learning opportunities that will 517
be offered to students including both classroom-based and non- 518
classroom-based learning opportunities that is in compliance 519
with criteria for student participation established by the 520
department under division (H) (2) of section 3314.08 of the 521
Revised Code; 522

(24) The school will comply with sections 3302.04 and 523
3302.041 of the Revised Code, except that any action required to 524
be taken by a school district pursuant to those sections shall 525
be taken by the sponsor of the school. 526

(25) Beginning in the 2006-2007 school year, the school 527
will open for operation not later than the thirtieth day of 528
September each school year, unless the mission of the school as 529
specified under division (A) (2) of this section is solely to 530
serve dropouts. In its initial year of operation, if the school 531
fails to open by the thirtieth day of September, or within one 532
year after the adoption of the contract pursuant to division (D) 533
of section 3314.02 of the Revised Code if the mission of the 534
school is solely to serve dropouts, the contract shall be void. 535

(26) Whether the school's governing authority is planning 536
to seek designation for the school as a STEM school equivalent 537
under section 3326.032 of the Revised Code; 538

(27) That the school's attendance and participation 539
policies will be available for public inspection; 540

(28) That the school's attendance and participation 541

records shall be made available to the department, auditor of 542
state, and school's sponsor to the extent permitted under and in 543
accordance with the "Family Educational Rights and Privacy Act 544
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 545
regulations promulgated under that act, and section 3319.321 of 546
the Revised Code; 547

(29) If a school operates using the blended learning 548
model, as defined in section 3301.079 of the Revised Code, all 549
of the following information: 550

(a) An indication of what blended learning model or models 551
will be used; 552

(b) A description of how student instructional needs will 553
be determined and documented; 554

(c) The method to be used for determining competency, 555
granting credit, and promoting students to a higher grade level; 556

(d) The school's attendance requirements, including how 557
the school will document participation in learning 558
opportunities; 559

(e) A statement describing how student progress will be 560
monitored; 561

(f) A statement describing how private student data will 562
be protected; 563

(g) A description of the professional development 564
activities that will be offered to teachers. 565

(30) A provision requiring that all moneys the school's 566
operator loans to the school, including facilities loans or cash 567
flow assistance, must be accounted for, documented, and bear 568
interest at a fair market rate; 569

(31) A provision requiring that, if the governing 570
authority contracts with an attorney, accountant, or entity 571
specializing in audits, the attorney, accountant, or entity 572
shall be independent from the operator with which the school has 573
contracted. 574

(32) A provision requiring the governing authority to 575
adopt an enrollment and attendance policy that requires a 576
student's parent to notify the community school in which the 577
student is enrolled when there is a change in the location of 578
the parent's or student's primary residence. 579

(33) A provision requiring the governing authority to 580
adopt a student residence and address verification policy for 581
students enrolling in or attending the school. 582

(34) A provision establishing the process by which the 583
governing authority of the school will be selected in the 584
future. 585

(35) A description of the management and administration of 586
the school. 587

(36) A provision requiring the governing authority to 588
adopt policies and procedures to establish internal financial 589
controls for the school. 590

(B) A contract entered into under section 3314.02 of the 591
Revised Code between a sponsor and the governing authority of a 592
community school may provide for the community school governing 593
authority to make payments to the sponsor, which is hereby 594
authorized to receive such payments as set forth in the contract 595
between the governing authority and the sponsor. The total 596
amount of such payments for monitoring, oversight, and technical 597
assistance of the school shall not exceed three per cent of the 598

total amount of payments for operating expenses that the school 599
receives from the state. 600

(C) The contract shall specify the duties of the sponsor 601
which shall be in accordance with the written agreement entered 602
into with the department under division (B) of section 3314.015 603
of the Revised Code and shall include the following: 604

(1) Monitor the community school's compliance with all 605
laws applicable to the school and with the terms of the 606
contract; 607

(2) Monitor and evaluate the academic and fiscal 608
performance and the organization and operation of the community 609
school on at least an annual basis; 610

(3) Provide technical assistance to the community school 611
in complying with laws applicable to the school and terms of the 612
contract; 613

(4) Take steps to intervene in the school's operation to 614
correct problems in the school's overall performance, declare 615
the school to be on probationary status pursuant to section 616
3314.073 of the Revised Code, suspend the operation of the 617
school pursuant to section 3314.072 of the Revised Code, or 618
terminate the contract of the school pursuant to section 3314.07 619
of the Revised Code as determined necessary by the sponsor; 620

(5) Have in place a plan of action to be undertaken in the 621
event the community school experiences financial difficulties or 622
closes prior to the end of a school year. 623

(D) Upon the expiration of a contract entered into under 624
this section, the sponsor of a community school may, with the 625
approval of the governing authority of the school, renew that 626
contract for a period of time determined by the sponsor, but not 627

ending earlier than the end of any school year, if the sponsor 628
finds that the school's compliance with applicable laws and 629
terms of the contract and the school's progress in meeting the 630
academic goals prescribed in the contract have been 631
satisfactory. Any contract that is renewed under this division 632
remains subject to the provisions of sections 3314.07, 3314.072, 633
and 3314.073 of the Revised Code. 634

(E) If a community school fails to open for operation 635
within one year after the contract entered into under this 636
section is adopted pursuant to division (D) of section 3314.02 637
of the Revised Code or permanently closes prior to the 638
expiration of the contract, the contract shall be void and the 639
school shall not enter into a contract with any other sponsor. A 640
school shall not be considered permanently closed because the 641
operations of the school have been suspended pursuant to section 642
3314.072 of the Revised Code. 643

Sec. 3326.11. Each science, technology, engineering, and 644
mathematics school established under this chapter and its 645
governing body shall comply with sections 9.90, 9.91, 109.65, 646
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 647
3301.0714, 3301.0715, 3301.0729, 3301.24, 3301.948, 3302.037, 648
3313.14, 3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 649
3313.473, 3313.474, 3313.48, 3313.481, 3313.482, 3313.50, 650
3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.6012, 651
3313.6013, 3313.6014, 3313.6020, 3313.6021, 3313.6023, 652
3313.6024, 3313.6026, 3313.6028, 3313.6029, 3313.6031, 653
3313.6034, 3313.61, 3313.611, 3313.614, 3313.615, 3313.617, 654
3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 3313.6413, 655
3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 656
3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 657
3313.69, 3313.71, 3313.716, 3313.717, 3313.718, 3313.719, 658

3313.7112, 3313.7117, 3313.7118, 3313.721, 3313.753, 3313.80, 659
3313.801, 3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 660
3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 661
3319.0812, 3319.21, 3319.238, 3319.318, 3319.32, 3319.321, 662
3319.324, 3319.35, 3319.39, 3319.391, 3319.393, 3319.41, 663
3319.45, 3319.46, 3319.90, 3319.614, 3320.01, 3320.02, 3320.03, 664
3320.04, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 665
3321.17, 3321.18, 3321.19, 3321.191, 3322.20, 3322.24, 3323.251, 666
3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and 667
Chapters 102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 668
4112., 4123., 4141., and 4167. of the Revised Code as if it were 669
a school district. 670

Sec. 3328.24. A college-preparatory boarding school 671
established under this chapter and its board of trustees shall 672
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 673
3301.0714, 3301.0729, 3301.948, 3302.037, 3313.474, 3313.5318, 674
3313.5319, 3313.6013, 3313.6021, 3313.6023, 3313.6024, 675
3313.6026, 3313.6029, 3313.6031, 3313.6034, 3313.617, 3313.618, 676
3313.6114, 3313.6411, 3313.6413, 3313.668, 3313.669, 3313.6610, 677
3313.717, 3313.7112, 3313.7117, 3313.721, 3313.753, 3313.89, 678
3319.073, 3319.077, 3319.078, 3319.318, 3319.324, 3319.39, 679
3319.391, 3319.393, 3319.46, 3320.01, 3320.02, 3320.03, 3320.04, 680
3323.251, and 5502.262, and Chapter 3365. of the Revised Code as 681
if the school were a school district and the school's board of 682
trustees were a district board of education. 683

Section 2. That existing sections 3301.0718, 3302.07, 684
3313.60, 3314.03, 3326.11, and 3328.24 of the Revised Code are 685
hereby repealed. 686

Section 3. This act shall be known as the Baby Olivia Act. 687