

**As Introduced**

**136th General Assembly**

**Regular Session**

**2025-2026**

**H. B. No. 77**

**Representatives Miller, J., Hall, T.**

**Cosponsors: Representatives Synenberg, Williams, White, A., Piccolantonio,  
White, E., Deeter, Cockley, Denson, Upchurch, Sigrist, Brennan, Russo**

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**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. 6

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

**Section 1.** That sections 3314.03 and 3326.11 be amended 7  
and sections 3313.7118 and 3707.61 of the Revised Code be 8  
enacted to read as follows: 9

**Sec. 3313.7118.** Each public school, as defined in section 10  
3301.28 of the Revised Code, and chartered nonpublic school that 11  
serves elementary school students shall provide a copy of the 12  
informational materials described in section 3707.61 of the 13  
Revised Code to each student's parent or guardian on the 14  
student's enrollment in elementary school. 15

**Sec. 3314.03.** A copy of every contract entered into under 16  
this section shall be filed with the director of education and 17

workforce. The department of education and workforce shall make 18  
available on its web site a copy of every approved, executed 19  
contract filed with the director under this section. 20

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

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

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

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

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

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

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

(5) The admission standards of section 3314.06 of the 43  
Revised Code and, if applicable, section 3314.061 of the Revised 44  
Code; 45

(6) (a) Dismissal procedures;	46
(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in seventy-two consecutive hours of the learning opportunities offered to the student.	47 48 49 50 51 52
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	53 54
(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.	55 56 57 58 59 60
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	61 62
(a) A detailed description of each facility used for instructional purposes;	63 64
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	65 66
(c) The annual mortgage principal and interest payments that are paid by the school;	67 68
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	69 70 71
(10) Qualifications of employees, including both of the following:	72 73

(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;	74 75 76 77 78
(b) A prohibition against the school employing an individual described in section 3314.104 of the Revised Code in any position.	79 80 81
(11) That the school will comply with the following requirements:	82 83
(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred twenty hours per school year.	84 85 86
(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school.	87 88 89
(c) The school will be nonsectarian in its programs, admission policies, employment practices, and all other operations, and will not be operated by a sectarian school or religious institution.	90 91 92 93
(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716,	94 95 96 97 98 99 100 101 102

3313.718, 3313.719, 3313.7112, 3313.7117, 3313.721, 3313.753, 103  
3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 104  
3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 105  
3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 3319.39, 106  
3319.391, 3319.393, 3319.41, 3319.46, 3319.614, 3320.01, 107  
3320.02, 3320.03, 3320.04, 3321.01, 3321.041, 3321.13, 3321.14, 108  
3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 109  
3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and 110  
Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., 111  
and 4167. of the Revised Code as if it were a school district 112  
and will comply with section 3301.0714 of the Revised Code in 113  
the manner specified in section 3314.17 of the Revised Code. 114

(e) The school shall comply with Chapter 102. and section 115  
2921.42 of the Revised Code. 116

(f) The school will comply with sections 3313.61, 117  
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 118  
Revised Code, except that for students who enter ninth grade for 119  
the first time before July 1, 2010, the requirement in sections 120  
3313.61 and 3313.611 of the Revised Code that a person must 121  
successfully complete the curriculum in any high school prior to 122  
receiving a high school diploma may be met by completing the 123  
curriculum adopted by the governing authority of the community 124  
school rather than the curriculum specified in Title XXXIII of 125  
the Revised Code or any rules of the department. Beginning with 126  
students who enter ninth grade for the first time on or after 127  
July 1, 2010, the requirement in sections 3313.61 and 3313.611 128  
of the Revised Code that a person must successfully complete the 129  
curriculum of a high school prior to receiving a high school 130  
diploma shall be met by completing the requirements prescribed 131  
in section 3313.6027 and division (C) of section 3313.603 of the 132  
Revised Code, unless the person qualifies under division (D) or 133

(F) of that section. Each school shall comply with the plan for 134  
awarding high school credit based on demonstration of subject 135  
area competency, and beginning with the 2017-2018 school year, 136  
with the updated plan that permits students enrolled in seventh 137  
and eighth grade to meet curriculum requirements based on 138  
subject area competency adopted by the department under 139  
divisions (J) (1) and (2) of section 3313.603 of the Revised 140  
Code. Beginning with the 2018-2019 school year, the school shall 141  
comply with the framework for granting units of high school 142  
credit to students who demonstrate subject area competency 143  
through work-based learning experiences, internships, or 144  
cooperative education developed by the department under division 145  
(J) (3) of section 3313.603 of the Revised Code. 146

(g) The school governing authority will submit within four 147  
months after the end of each school year a report of its 148  
activities and progress in meeting the goals and standards of 149  
divisions (A) (3) and (4) of this section and its financial 150  
status to the sponsor and the parents of all students enrolled 151  
in the school. 152

(h) The school, unless it is an internet- or computer- 153  
based community school, will comply with section 3313.801 of the 154  
Revised Code as if it were a school district. 155

(i) If the school is the recipient of moneys from a grant 156  
awarded under the federal race to the top program, Division (A), 157  
Title XIV, Sections 14005 and 14006 of the "American Recovery 158  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 159  
the school will pay teachers based upon performance in 160  
accordance with section 3317.141 and will comply with section 161  
3319.111 of the Revised Code as if it were a school district. 162

(j) If the school operates a preschool program that is 163

licensed by the department under sections 3301.52 to 3301.59 of 164  
the Revised Code, the school shall comply with sections 3301.50 165  
to 3301.59 of the Revised Code and the minimum standards for 166  
preschool programs prescribed in rules adopted by the department 167  
of children and youth under section 3301.53 of the Revised Code. 168

(k) The school will comply with sections 3313.6021 and 169  
3313.6023 of the Revised Code as if it were a school district 170  
unless it is either of the following: 171

(i) An internet- or computer-based community school; 172

(ii) A community school in which a majority of the 173  
enrolled students are children with disabilities as described in 174  
division (B) (2) of section 3314.35 of the Revised Code. 175

(l) The school will comply with section 3321.191 of the 176  
Revised Code, unless it is an internet- or computer-based 177  
community school that is subject to section 3314.261 of the 178  
Revised Code. 179

(m) The school will comply with section 3313.7118 of the 180  
Revised Code if it serves elementary school students. 181

(12) Arrangements for providing health and other benefits 182  
to employees; 183

(13) The length of the contract, which shall begin at the 184  
beginning of an academic year. No contract shall exceed five 185  
years unless such contract has been renewed pursuant to division 186  
(E) of this section. 187

(14) The governing authority of the school, which shall be 188  
responsible for carrying out the provisions of the contract; 189

(15) A financial plan detailing an estimated school budget 190  
for each year of the period of the contract and specifying the 191

total estimated per pupil expenditure amount for each such year.	192
(16) Requirements and procedures regarding the disposition	193
of employees of the school in the event the contract is	194
terminated or not renewed pursuant to section 3314.07 of the	195
Revised Code;	196
(17) Whether the school is to be created by converting all	197
or part of an existing public school or educational service	198
center building or is to be a new start-up school, and if it is	199
a converted public school or service center building,	200
specification of any duties or responsibilities of an employer	201
that the board of education or service center governing board	202
that operated the school or building before conversion is	203
delegating to the governing authority of the community school	204
with respect to all or any specified group of employees provided	205
the delegation is not prohibited by a collective bargaining	206
agreement applicable to such employees;	207
(18) Provisions establishing procedures for resolving	208
disputes or differences of opinion between the sponsor and the	209
governing authority of the community school;	210
(19) A provision requiring the governing authority to	211
adopt a policy regarding the admission of students who reside	212
outside the district in which the school is located. That policy	213
shall comply with the admissions procedures specified in	214
sections 3314.06 and 3314.061 of the Revised Code and, at the	215
sole discretion of the authority, shall do one of the following:	216
(a) Prohibit the enrollment of students who reside outside	217
the district in which the school is located;	218
(b) Permit the enrollment of students who reside in	219
districts adjacent to the district in which the school is	220



located;	221
(c) Permit the enrollment of students who reside in any	222
other district in the state.	223
(20) A provision recognizing the authority of the	224
department to take over the sponsorship of the school in	225
accordance with the provisions of division (C) of section	226
3314.015 of the Revised Code;	227
(21) A provision recognizing the sponsor's authority to	228
assume the operation of a school under the conditions specified	229
in division (B) of section 3314.073 of the Revised Code;	230
(22) A provision recognizing both of the following:	231
(a) The authority of public health and safety officials to	232
inspect the facilities of the school and to order the facilities	233
closed if those officials find that the facilities are not in	234
compliance with health and safety laws and regulations;	235
(b) The authority of the department as the community	236
school oversight body to suspend the operation of the school	237
under section 3314.072 of the Revised Code if the department has	238
evidence of conditions or violations of law at the school that	239
pose an imminent danger to the health and safety of the school's	240
students and employees and the sponsor refuses to take such	241
action.	242
(23) A description of the learning opportunities that will	243
be offered to students including both classroom-based and non-	244
classroom-based learning opportunities that is in compliance	245
with criteria for student participation established by the	246
department under division (H) (2) of section 3314.08 of the	247
Revised Code;	248

(24) The school will comply with sections 3302.04 and 249  
3302.041 of the Revised Code, except that any action required to 250  
be taken by a school district pursuant to those sections shall 251  
be taken by the sponsor of the school. 252

(25) Beginning in the 2006-2007 school year, the school 253  
will open for operation not later than the thirtieth day of 254  
September each school year, unless the mission of the school as 255  
specified under division (A) (2) of this section is solely to 256  
serve dropouts. In its initial year of operation, if the school 257  
fails to open by the thirtieth day of September, or within one 258  
year after the adoption of the contract pursuant to division (D) 259  
of section 3314.02 of the Revised Code if the mission of the 260  
school is solely to serve dropouts, the contract shall be void. 261

(26) Whether the school's governing authority is planning 262  
to seek designation for the school as a STEM school equivalent 263  
under section 3326.032 of the Revised Code; 264

(27) That the school's attendance and participation 265  
policies will be available for public inspection; 266

(28) That the school's attendance and participation 267  
records shall be made available to the department, auditor of 268  
state, and school's sponsor to the extent permitted under and in 269  
accordance with the "Family Educational Rights and Privacy Act 270  
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 271  
regulations promulgated under that act, and section 3319.321 of 272  
the Revised Code; 273

(29) If a school operates using the blended learning 274  
model, as defined in section 3301.079 of the Revised Code, all 275  
of the following information: 276

(a) An indication of what blended learning model or models 277

will be used;	278
(b) A description of how student instructional needs will be determined and documented;	279 280
(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;	281 282
(d) The school's attendance requirements, including how the school will document participation in learning opportunities;	283 284 285
(e) A statement describing how student progress will be monitored;	286 287
(f) A statement describing how private student data will be protected;	288 289
(g) A description of the professional development activities that will be offered to teachers.	290 291
(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;	292 293 294 295
(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.	296 297 298 299 300
(32) A provision requiring the governing authority to adopt an enrollment and attendance policy that requires a student's parent to notify the community school in which the student is enrolled when there is a change in the location of the parent's or student's primary residence.	301 302 303 304 305

(33) A provision requiring the governing authority to 306  
adopt a student residence and address verification policy for 307  
students enrolling in or attending the school. 308

(B) The community school shall also submit to the sponsor 309  
a comprehensive plan for the school. The plan shall specify the 310  
following: 311

(1) The process by which the governing authority of the 312  
school will be selected in the future; 313

(2) The management and administration of the school; 314

(3) If the community school is a currently existing public 315  
school or educational service center building, alternative 316  
arrangements for current public school students who choose not 317  
to attend the converted school and for teachers who choose not 318  
to teach in the school or building after conversion; 319

(4) The instructional program and educational philosophy 320  
of the school; 321

(5) Internal financial controls. 322

When submitting the plan under this division, the school 323  
shall also submit copies of all policies and procedures 324  
regarding internal financial controls adopted by the governing 325  
authority of the school. 326

(C) A contract entered into under section 3314.02 of the 327  
Revised Code between a sponsor and the governing authority of a 328  
community school may provide for the community school governing 329  
authority to make payments to the sponsor, which is hereby 330  
authorized to receive such payments as set forth in the contract 331  
between the governing authority and the sponsor. The total 332  
amount of such payments for monitoring, oversight, and technical 333

assistance of the school shall not exceed three per cent of the 334  
total amount of payments for operating expenses that the school 335  
receives from the state. 336

(D) The contract shall specify the duties of the sponsor 337  
which shall be in accordance with the written agreement entered 338  
into with the department under division (B) of section 3314.015 339  
of the Revised Code and shall include the following: 340

(1) Monitor the community school's compliance with all 341  
laws applicable to the school and with the terms of the 342  
contract; 343

(2) Monitor and evaluate the academic and fiscal 344  
performance and the organization and operation of the community 345  
school on at least an annual basis; 346

(3) Provide technical assistance to the community school 347  
in complying with laws applicable to the school and terms of the 348  
contract; 349

(4) Take steps to intervene in the school's operation to 350  
correct problems in the school's overall performance, declare 351  
the school to be on probationary status pursuant to section 352  
3314.073 of the Revised Code, suspend the operation of the 353  
school pursuant to section 3314.072 of the Revised Code, or 354  
terminate the contract of the school pursuant to section 3314.07 355  
of the Revised Code as determined necessary by the sponsor; 356

(5) Have in place a plan of action to be undertaken in the 357  
event the community school experiences financial difficulties or 358  
closes prior to the end of a school year. 359

(E) Upon the expiration of a contract entered into under 360  
this section, the sponsor of a community school may, with the 361  
approval of the governing authority of the school, renew that 362

contract for a period of time determined by the sponsor, but not 363  
ending earlier than the end of any school year, if the sponsor 364  
finds that the school's compliance with applicable laws and 365  
terms of the contract and the school's progress in meeting the 366  
academic goals prescribed in the contract have been 367  
satisfactory. Any contract that is renewed under this division 368  
remains subject to the provisions of sections 3314.07, 3314.072, 369  
and 3314.073 of the Revised Code. 370

(F) If a community school fails to open for operation 371  
within one year after the contract entered into under this 372  
section is adopted pursuant to division (D) of section 3314.02 373  
of the Revised Code or permanently closes prior to the 374  
expiration of the contract, the contract shall be void and the 375  
school shall not enter into a contract with any other sponsor. A 376  
school shall not be considered permanently closed because the 377  
operations of the school have been suspended pursuant to section 378  
3314.072 of the Revised Code. 379

**Sec. 3326.11.** Each science, technology, engineering, and 380  
mathematics school established under this chapter and its 381  
governing body shall comply with sections 9.90, 9.91, 109.65, 382  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 383  
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 384  
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 385  
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318, 386  
3313.5319, 3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6020, 387  
3313.6021, 3313.6023, 3313.6024, 3313.6025, 3313.6026, 388  
3313.6028, 3313.6029, 3313.61, 3313.611, 3313.614, 3313.615, 389  
3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 390  
3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 391  
3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 392  
3313.673, 3313.69, 3313.71, 3313.716, 3313.717, 3313.718, 393

3313.719, 3313.7112, 3313.7117, 3313.7118, 3313.721, 3313.753, 394  
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3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 396  
3319.078, 3319.0812, 3319.21, 3319.238, 3319.318, 3319.32, 397  
3319.321, 3319.324, 3319.35, 3319.39, 3319.391, 3319.393, 398  
3319.41, 3319.45, 3319.46, 3319.614, 3320.01, 3320.02, 3320.03, 399  
3320.04, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 400  
3321.17, 3321.18, 3321.19, 3321.191, 3322.20, 3322.24, 3323.251, 401  
3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and 402  
Chapters 102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 403  
4112., 4123., 4141., and 4167. of the Revised Code as if it were 404  
a school district. 405

Sec. 3707.61. (A) The department of health shall create 406  
informational materials on type 1 diabetes for parents, 407  
guardians, educators, and other persons having care or charge of 408  
children. The materials shall include pertinent information to 409  
inform and educate parents, guardians, educators, and other 410  
caretakers about type 1 diabetes in children, including the 411  
following: 412

(1) A description of type 1 diabetes; 413

(2) A description of type 1 diabetes risk factors and 414  
warning signs; 415

(3) A recommendation that the parents or guardian of a 416  
student who is displaying type 1 diabetes warning signs should 417  
immediately consult with the student's primary care provider to 418  
determine if immediate screening is appropriate; 419

(4) A description of the type 1 diabetes screening 420  
process, the significance of the three stages of type 1 421  
diabetes, and the implications of test results identifying the 422

presence of each stage; 423

(5) A recommendation that, following a diagnosis of type 1 424  
diabetes, the student's parents or guardian should consult with 425  
the student's primary care provider to develop an appropriate 426  
treatment plan, which may include consultation with and 427  
examination by a specialty care provider, including a properly 428  
qualified endocrinologist. 429

(B) The department shall make the informational materials 430  
available on its internet web site in a format suitable for easy 431  
downloading and printing. 432

**Section 2.** That existing sections 3314.03 and 3326.11 of 433  
the Revised Code are hereby repealed. 434

**Section 3.** The General Assembly, applying the principle 435  
stated in division (B) of section 1.52 of the Revised Code that 436  
amendments are to be harmonized if reasonably capable of 437  
simultaneous operation, finds that the following sections, 438  
presented in this act as composites of the sections as amended 439  
by the acts indicated, are the resulting versions of the 440  
sections in effect prior to the effective date of the sections 441  
as presented in this act: 442

Section 3314.03 of the Revised Code as amended by H.B. 443  
214, H.B. 250, and S.B. 168, all of the 135th General Assembly. 444

Section 3326.11 of the Revised Code as amended by H.B. 47, 445  
H.B. 214, and S.B. 168, all of the 135th General Assembly. 446