

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

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 74
licensed in accordance with sections 3319.22 to 3319.31 of the 75
Revised Code, except that a community school may engage 76
noncertificated persons to teach up to twelve hours or forty 77
hours per week pursuant to section 3319.301 of the Revised Code; 78

(b) A prohibition against the school employing an 79
individual described in section 3314.104 of the Revised Code in 80
any position. 81

(11) That the school will comply with the following 82
requirements: 83

(a) The school will provide learning opportunities to a 84
minimum of twenty-five students for a minimum of nine hundred 85
twenty hours per school year. 86

(b) The governing authority will purchase liability 87
insurance, or otherwise provide for the potential liability of 88
the school. 89

(c) The school will be nonsectarian in its programs, 90
admission policies, employment practices, and all other 91
operations, and will not be operated by a sectarian school or 92
religious institution. 93

(d) The school will comply with sections 9.90, 9.91, 94
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 95
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 96
3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 97
3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6020, 98
3313.6024, 3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.643, 99
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3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 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	279
be determined and documented;	280
(c) The method to be used for determining competency,	281
granting credit, and promoting students to a higher grade level;	282
(d) The school's attendance requirements, including how	283
the school will document participation in learning	284
opportunities;	285
(e) A statement describing how student progress will be	286
monitored;	287
(f) A statement describing how private student data will	288
be protected;	289
(g) A description of the professional development	290
activities that will be offered to teachers.	291
(30) A provision requiring that all moneys the school's	292
operator loans to the school, including facilities loans or cash	293
flow assistance, must be accounted for, documented, and bear	294
interest at a fair market rate;	295
(31) A provision requiring that, if the governing	296
authority contracts with an attorney, accountant, or entity	297
specializing in audits, the attorney, accountant, or entity	298
shall be independent from the operator with which the school has	299
contracted.	300
(32) A provision requiring the governing authority to	301
adopt an enrollment and attendance policy that requires a	302
student's parent to notify the community school in which the	303
student is enrolled when there is a change in the location of	304
the parent's or student's primary residence.	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
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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
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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