

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 97

Representatives Brewer, Mohamed

Cosponsors: Representatives Abdullahi, Brennan, Brent, Brownlee, Denson, Glassburn, Grim, McNally, Rader, Russo, Sigrist, Synenberg, Upchurch, Rogers

A BILL

To amend sections 3314.03, 3326.11, and 3328.24 and 1
to enact section 3313.8110 of the Revised Code 2
to require public schools to provide meals and 3
related services to students. 4

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

Section 1. That sections 3314.03, 3326.11, and 3328.24 be 5
amended and section 3313.8110 of the Revised Code be enacted to 6
read as follows: 7

Sec. 3313.8110. (A) Regardless of whether a student has 8
money to pay for a meal or owes money for earlier meals, each 9
school district shall provide a meal to a student who requests 10
one. 11

(B) No district shall do any of the following: 12

(1) Require that a student discard a meal after it has 13
been served because of the student's inability to pay for the 14
meal or because money is owed for previously provided meals; 15

(2) Require a student who cannot pay for a meal or who 16

owes a meal debt to do chores or other work to pay for meals, 17
provided that chores or work required of all students regardless 18
of a meal debt is permitted; 19

(3) Refuse a meal to a student as a form of disciplinary 20
action; 21

(4) Publicly identify or stigmatize a student who cannot 22
pay for a meal or who owes a meal debt. 23

(C) Each district shall direct communications about a 24
student's meal debt to a parent or guardian and not to the 25
student, except that if a student inquires about that student's 26
meal debt, the district may answer the student's inquiry. 27
Nothing in this section shall prohibit a district from sending a 28
student home with a letter addressed to a parent or guardian. 29

(D) The department of education and workforce shall 30
provide guidance for districts relating to the collection of 31
student meal debt and post the guidance on the department's 32
publicly accessible web site. The guidance shall include best 33
practices and information on creating an online system for the 34
payment of school debt. 35

Sec. 3314.03. A copy of every contract entered into under 36
this section shall be filed with the director of education and 37
workforce. The department of education and workforce shall make 38
available on its web site a copy of every approved, executed 39
contract filed with the director under this section. 40

(A) Each contract entered into between a sponsor and the 41
governing authority of a community school shall specify the 42
following: 43

(1) That the school shall be established as either of the 44
following: 45

(a) A nonprofit corporation established under Chapter 1702. of the Revised Code, if established prior to April 8, 2003;	46 47 48
(b) A public benefit corporation established under Chapter 1702. of the Revised Code, if established after April 8, 2003.	49 50
(2) The education program of the school, including the school's mission, the characteristics of the students the school is expected to attract, the ages and grades of students, and the focus of the curriculum;	51 52 53 54
(3) The academic goals to be achieved and the method of measurement that will be used to determine progress toward those goals, which shall include the statewide achievement assessments;	55 56 57 58
(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;	59 60 61 62
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	63 64 65
(6) (a) Dismissal procedures;	66
(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.	67 68 69 70 71 72
(7) The ways by which the school will achieve racial and	73

ethnic balance reflective of the community it serves;	74
(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.	75 76 77 78 79 80
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	81 82
(a) A detailed description of each facility used for instructional purposes;	83 84
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	85 86
(c) The annual mortgage principal and interest payments that are paid by the school;	87 88
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	89 90 91
(10) Qualifications of employees, including both of the following:	92 93
(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;	94 95 96 97 98
(b) A prohibition against the school employing an individual described in section 3314.104 of the Revised Code in any position.	99 100 101

(11) That the school will comply with the following requirements:	102 103
(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.	104 105 106
(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school.	107 108 109
(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.	110 111 112 113
(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, 3313.718, 3313.719, 3313.7112, 3313.7117, 3313.721, 3313.753, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 3313.819, <u>3313.8110</u> , 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3319.614, 3320.01, 3320.02, 3320.03, 3320.04, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112.,	114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131

4123., 4141., and 4167. of the Revised Code as if it were a 132
school district and will comply with section 3301.0714 of the 133
Revised Code in the manner specified in section 3314.17 of the 134
Revised Code. 135

(e) The school shall comply with Chapter 102. and section 136
2921.42 of the Revised Code. 137

(f) The school will comply with sections 3313.61, 138
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 139
Revised Code, except that for students who enter ninth grade for 140
the first time before July 1, 2010, the requirement in sections 141
3313.61 and 3313.611 of the Revised Code that a person must 142
successfully complete the curriculum in any high school prior to 143
receiving a high school diploma may be met by completing the 144
curriculum adopted by the governing authority of the community 145
school rather than the curriculum specified in Title XXXVIII of 146
the Revised Code or any rules of the department. Beginning with 147
students who enter ninth grade for the first time on or after 148
July 1, 2010, the requirement in sections 3313.61 and 3313.611 149
of the Revised Code that a person must successfully complete the 150
curriculum of a high school prior to receiving a high school 151
diploma shall be met by completing the requirements prescribed 152
in section 3313.6027 and division (C) of section 3313.603 of the 153
Revised Code, unless the person qualifies under division (D) or 154
(F) of that section. Each school shall comply with the plan for 155
awarding high school credit based on demonstration of subject 156
area competency, and beginning with the 2017-2018 school year, 157
with the updated plan that permits students enrolled in seventh 158
and eighth grade to meet curriculum requirements based on 159
subject area competency adopted by the department under 160
divisions (J) (1) and (2) of section 3313.603 of the Revised 161
Code. Beginning with the 2018-2019 school year, the school shall 162

comply with the framework for granting units of high school 163
credit to students who demonstrate subject area competency 164
through work-based learning experiences, internships, or 165
cooperative education developed by the department under division 166
(J) (3) of section 3313.603 of the Revised Code. 167

(g) The school governing authority will submit within four 168
months after the end of each school year a report of its 169
activities and progress in meeting the goals and standards of 170
divisions (A) (3) and (4) of this section and its financial 171
status to the sponsor and the parents of all students enrolled 172
in the school. 173

(h) The school, unless it is an internet- or computer- 174
based community school, will comply with section 3313.801 of the 175
Revised Code as if it were a school district. 176

(i) If the school is the recipient of moneys from a grant 177
awarded under the federal race to the top program, Division (A), 178
Title XIV, Sections 14005 and 14006 of the "American Recovery 179
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 180
the school will pay teachers based upon performance in 181
accordance with section 3317.141 and will comply with section 182
3319.111 of the Revised Code as if it were a school district. 183

(j) If the school operates a preschool program that is 184
licensed by the department under sections 3301.52 to 3301.59 of 185
the Revised Code, the school shall comply with sections 3301.50 186
to 3301.59 of the Revised Code and the minimum standards for 187
preschool programs prescribed in rules adopted by the department 188
of children and youth under section 3301.53 of the Revised Code. 189

(k) The school will comply with sections 3313.6021 and 190
3313.6023 of the Revised Code as if it were a school district 191

unless it is either of the following:	192
(i) An internet- or computer-based community school;	193
(ii) A community school in which a majority of the	194
enrolled students are children with disabilities as described in	195
division (B) (2) of section 3314.35 of the Revised Code.	196
(1) The school will comply with section 3321.191 of the	197
Revised Code, unless it is an internet- or computer-based	198
community school that is subject to section 3314.261 of the	199
Revised Code.	200
(12) Arrangements for providing health and other benefits	201
to employees;	202
(13) The length of the contract, which shall begin at the	203
beginning of an academic year. No contract shall exceed five	204
years unless such contract has been renewed pursuant to division	205
(E) of this section.	206
(14) The governing authority of the school, which shall be	207
responsible for carrying out the provisions of the contract;	208
(15) A financial plan detailing an estimated school budget	209
for each year of the period of the contract and specifying the	210
total estimated per pupil expenditure amount for each such year.	211
(16) Requirements and procedures regarding the disposition	212
of employees of the school in the event the contract is	213
terminated or not renewed pursuant to section 3314.07 of the	214
Revised Code;	215
(17) Whether the school is to be created by converting all	216
or part of an existing public school or educational service	217
center building or is to be a new start-up school, and if it is	218
a converted public school or service center building,	219

specification of any duties or responsibilities of an employer 220
that the board of education or service center governing board 221
that operated the school or building before conversion is 222
delegating to the governing authority of the community school 223
with respect to all or any specified group of employees provided 224
the delegation is not prohibited by a collective bargaining 225
agreement applicable to such employees; 226

(18) Provisions establishing procedures for resolving 227
disputes or differences of opinion between the sponsor and the 228
governing authority of the community school; 229

(19) A provision requiring the governing authority to 230
adopt a policy regarding the admission of students who reside 231
outside the district in which the school is located. That policy 232
shall comply with the admissions procedures specified in 233
sections 3314.06 and 3314.061 of the Revised Code and, at the 234
sole discretion of the authority, shall do one of the following: 235

(a) Prohibit the enrollment of students who reside outside 236
the district in which the school is located; 237

(b) Permit the enrollment of students who reside in 238
districts adjacent to the district in which the school is 239
located; 240

(c) Permit the enrollment of students who reside in any 241
other district in the state. 242

(20) A provision recognizing the authority of the 243
department to take over the sponsorship of the school in 244
accordance with the provisions of division (C) of section 245
3314.015 of the Revised Code; 246

(21) A provision recognizing the sponsor's authority to 247
assume the operation of a school under the conditions specified 248

in division (B) of section 3314.073 of the Revised Code;	249
(22) A provision recognizing both of the following:	250
(a) The authority of public health and safety officials to	251
inspect the facilities of the school and to order the facilities	252
closed if those officials find that the facilities are not in	253
compliance with health and safety laws and regulations;	254
(b) The authority of the department as the community	255
school oversight body to suspend the operation of the school	256
under section 3314.072 of the Revised Code if the department has	257
evidence of conditions or violations of law at the school that	258
pose an imminent danger to the health and safety of the school's	259
students and employees and the sponsor refuses to take such	260
action.	261
(23) A description of the learning opportunities that will	262
be offered to students including both classroom-based and non-	263
classroom-based learning opportunities that is in compliance	264
with criteria for student participation established by the	265
department under division (H) (2) of section 3314.08 of the	266
Revised Code;	267
(24) The school will comply with sections 3302.04 and	268
3302.041 of the Revised Code, except that any action required to	269
be taken by a school district pursuant to those sections shall	270
be taken by the sponsor of the school.	271
(25) Beginning in the 2006-2007 school year, the school	272
will open for operation not later than the thirtieth day of	273
September each school year, unless the mission of the school as	274
specified under division (A) (2) of this section is solely to	275
serve dropouts. In its initial year of operation, if the school	276
fails to open by the thirtieth day of September, or within one	277

year after the adoption of the contract pursuant to division (D) 278
of section 3314.02 of the Revised Code if the mission of the 279
school is solely to serve dropouts, the contract shall be void. 280

(26) Whether the school's governing authority is planning 281
to seek designation for the school as a STEM school equivalent 282
under section 3326.032 of the Revised Code; 283

(27) That the school's attendance and participation 284
policies will be available for public inspection; 285

(28) That the school's attendance and participation 286
records shall be made available to the department, auditor of 287
state, and school's sponsor to the extent permitted under and in 288
accordance with the "Family Educational Rights and Privacy Act 289
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 290
regulations promulgated under that act, and section 3319.321 of 291
the Revised Code; 292

(29) If a school operates using the blended learning 293
model, as defined in section 3301.079 of the Revised Code, all 294
of the following information: 295

(a) An indication of what blended learning model or models 296
will be used; 297

(b) A description of how student instructional needs will 298
be determined and documented; 299

(c) The method to be used for determining competency, 300
granting credit, and promoting students to a higher grade level; 301

(d) The school's attendance requirements, including how 302
the school will document participation in learning 303
opportunities; 304

(e) A statement describing how student progress will be 305

monitored;	306
(f) A statement describing how private student data will be protected;	307 308
(g) A description of the professional development activities that will be offered to teachers.	309 310
(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;	311 312 313 314
(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.	315 316 317 318 319
(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.	320 321 322 323 324
(33) A provision requiring the governing authority to adopt a student residence and address verification policy for students enrolling in or attending the school.	325 326 327
(B) The community school shall also submit to the sponsor a comprehensive plan for the school. The plan shall specify the following:	328 329 330
(1) The process by which the governing authority of the school will be selected in the future;	331 332
(2) The management and administration of the school;	333

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

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

(5) Internal financial controls.

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

(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 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 363
performance and the organization and operation of the community 364
school on at least an annual basis; 365

(3) Provide technical assistance to the community school 366
in complying with laws applicable to the school and terms of the 367
contract; 368

(4) Take steps to intervene in the school's operation to 369
correct problems in the school's overall performance, declare 370
the school to be on probationary status pursuant to section 371
3314.073 of the Revised Code, suspend the operation of the 372
school pursuant to section 3314.072 of the Revised Code, or 373
terminate the contract of the school pursuant to section 3314.07 374
of the Revised Code as determined necessary by the sponsor; 375

(5) Have in place a plan of action to be undertaken in the 376
event the community school experiences financial difficulties or 377
closes prior to the end of a school year. 378

(E) Upon the expiration of a contract entered into under 379
this section, the sponsor of a community school may, with the 380
approval of the governing authority of the school, renew that 381
contract for a period of time determined by the sponsor, but not 382
ending earlier than the end of any school year, if the sponsor 383
finds that the school's compliance with applicable laws and 384
terms of the contract and the school's progress in meeting the 385
academic goals prescribed in the contract have been 386
satisfactory. Any contract that is renewed under this division 387
remains subject to the provisions of sections 3314.07, 3314.072, 388
and 3314.073 of the Revised Code. 389

(F) If a community school fails to open for operation 390
within one year after the contract entered into under this 391

section is adopted pursuant to division (D) of section 3314.02 392
of the Revised Code or permanently closes prior to the 393
expiration of the contract, the contract shall be void and the 394
school shall not enter into a contract with any other sponsor. A 395
school shall not be considered permanently closed because the 396
operations of the school have been suspended pursuant to section 397
3314.072 of the Revised Code. 398

Sec. 3326.11. Each science, technology, engineering, and 399
mathematics school established under this chapter and its 400
governing body shall comply with sections 9.90, 9.91, 109.65, 401
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 402
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 403
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 404
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318, 405
3313.5319, 3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6020, 406
3313.6021, 3313.6023, 3313.6024, 3313.6025, 3313.6026, 407
3313.6028, 3313.6029, 3313.61, 3313.611, 3313.614, 3313.615, 408
3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 409
3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 410
3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 411
3313.673, 3313.69, 3313.71, 3313.716, 3313.717, 3313.718, 412
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3313.8110, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 415
3319.078, 3319.0812, 3319.21, 3319.238, 3319.318, 3319.32, 416
3319.321, 3319.324, 3319.35, 3319.39, 3319.391, 3319.393, 417
3319.41, 3319.45, 3319.46, 3319.614, 3320.01, 3320.02, 3320.03, 418
3320.04, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 419
3321.17, 3321.18, 3321.19, 3321.191, 3322.20, 3322.24, 3323.251, 420
3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and 421
Chapters 102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 422

4112., 4123., 4141., and 4167. of the Revised Code as if it were 423
a school district. 424

Sec. 3328.24. A college-preparatory boarding school 425
established under this chapter and its board of trustees shall 426
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 427
3301.0714, 3301.0729, 3301.948, 3302.037, 3313.5318, 3313.5319, 428
3313.6013, 3313.6021, 3313.6023, 3313.6024, 3313.6025, 429
3313.6026, 3313.6029, 3313.617, 3313.618, 3313.6114, 3313.6411, 430
3313.6413, 3313.668, 3313.669, 3313.6610, 3313.717, 3313.7112, 431
3313.7117, 3313.721, 3313.753, 3313.8110, 3313.89, 3319.073, 432
3319.077, 3319.078, 3319.318, 3319.324, 3319.39, 3319.391, 433
3319.393, 3319.46, 3320.01, 3320.02, 3320.03, 3320.04, 3323.251, 434
and 5502.262, and Chapter 3365. of the Revised Code as if the 435
school were a school district and the school's board of trustees 436
were a district board of education. 437

Section 2. That existing sections 3314.03, 3326.11, and 438
3328.24 of the Revised Code are hereby repealed. 439

Section 3. The General Assembly, applying the principle 440
stated in division (B) of section 1.52 of the Revised Code that 441
amendments are to be harmonized if reasonably capable of 442
simultaneous operation, finds that the following sections, 443
presented in this act as composites of the sections as amended 444
by the acts indicated, are the resulting versions of the 445
sections in effect prior to the effective date of the sections 446
as presented in this act: 447

Section 3314.03 of the Revised Code as amended by H.B. 448
214, H.B. 250, and S.B. 168, all of the 135th General Assembly. 449

Section 3326.11 of the Revised Code as amended by H.B. 47, 450
H.B. 214, and S.B. 168, all of the 135th General Assembly. 451

Section 3328.24 of the Revised Code as amended by both	452
H.B. 82 and H.B. 110 of the 134th General Assembly.	453