

**As Passed by the House**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**Sub. H. B. No. 123**

**Representatives Holmes, G., Manning, G.**

**Cosponsors: Representatives Blair, Boggs, Brent, Brown, Callender, Carruthers, Clites, Crawley, Crossman, DeVitis, Galonski, Greenspan, Hambley, Hicks-Hudson, Holmes, A., Howse, Jones, Lanese, Leland, Lepore-Hagan, Lightbody, Liston, Miller, A., Miller, J., O'Brien, Oelslager, Patton, Russo, Ryan, Sheehy, Smith, K., Sobecki, Strahorn, Swearingen, Sweeney, Sykes, Upchurch, Weinstein, West**

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**A BILL**

To amend sections 149.433, 3313.536, 3313.60, 1  
3313.951, 3314.03, 3319.073, 3319.31, 3326.11, 2  
3328.24, and 3737.73; to amend, for the purpose 3  
of adopting a new section number as indicated in 4  
parentheses, section 3313.536 (5502.262); and to 5  
enact sections 3301.221, 3313.669, 3313.6610, 6  
3313.6611, and 5502.263 of the Revised Code to 7  
enact the "Safety and Violence Education 8  
Students (SAVE Students) Act" regarding school 9  
security and youth suicide awareness education 10  
and training. 11

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

**Section 1.** That sections 149.433, 3313.536, 3313.60, 12  
3313.951, 3314.03, 3319.073, 3319.31, 3326.11, 3328.24, and 13  
3737.73 be amended; section 3313.536 (5502.262) be amended for 14  
the purpose of adopting a new section number as indicated in 15

parentheses; and sections 3301.221, 3313.669, 3313.6610, 16  
3313.6611, and 5502.263 of the Revised Code be enacted to read 17  
as follows: 18

**Sec. 149.433.** (A) As used in this section: 19

"Act of terrorism" has the same meaning as in section 20  
2909.21 of the Revised Code. 21

"Express statement" means a written statement 22  
substantially similar to the following: "This information is 23  
voluntarily submitted to a public office in expectation of 24  
protection from disclosure as provided by section 149.433 of the 25  
Revised Code." 26

"Infrastructure record" means any record that discloses 27  
the configuration of critical systems including, but not limited 28  
to, communication, computer, electrical, mechanical, 29  
ventilation, water, and plumbing systems, security codes, or the 30  
infrastructure or structural configuration of a building. 31

"Infrastructure record" includes a risk assessment of 32  
infrastructure performed by a state or local law enforcement 33  
agency at the request of a property owner or manager. 34

"Infrastructure record" does not mean a simple floor plan 35  
that discloses only the spatial relationship of components of 36  
the building. 37

"Security record" means any of the following: 38

(1) Any record that contains information directly used for 39  
protecting or maintaining the security of a public office 40  
against attack, interference, or sabotage; 41

(2) Any record assembled, prepared, or maintained by a 42  
public office or public body to prevent, mitigate, or respond to 43

acts of terrorism, including any of the following:	44
(a) Those portions of records containing specific and	45
unique vulnerability assessments or specific and unique response	46
plans either of which is intended to prevent or mitigate acts of	47
terrorism, and communication codes or deployment plans of law	48
enforcement or emergency response personnel;	49
(b) Specific intelligence information and specific	50
investigative records shared by federal and international law	51
enforcement agencies with state and local law enforcement and	52
public safety agencies;	53
(c) National security records classified under federal	54
executive order and not subject to public disclosure under	55
federal law that are shared by federal agencies, and other	56
records related to national security briefings to assist state	57
and local government with domestic preparedness for acts of	58
terrorism.	59
(3) An emergency management plan adopted pursuant to	60
section <del>3313.536</del> <u>5502.262</u> of the Revised Code.	61
(B) (1) A record kept by a public office that is a security	62
record is not a public record under section 149.43 of the	63
Revised Code and is not subject to mandatory release or	64
disclosure under that section.	65
(2) A record kept by a public office that is an	66
infrastructure record of a public office, public school, or a	67
chartered nonpublic school is not a public record under section	68
149.43 of the Revised Code and is not subject to mandatory	69
release or disclosure under that section.	70
(3) A record kept by a public office that is an	71
infrastructure record of a private entity may be exempted from	72

release or disclosure under division (C) of this section. 73

(C) A record prepared by, submitted to, or kept by a 74  
public office that is an infrastructure record of a private 75  
entity, which is submitted to the public office for use by the 76  
public office, when accompanied by an express statement, is 77  
exempt from release or disclosure under section 149.43 of the 78  
Revised Code for a period of twenty-five years after its 79  
creation if it is retained by the public office for that length 80  
of time. 81

(D) Notwithstanding any other section of the Revised Code, 82  
disclosure by a public office, public employee, chartered 83  
nonpublic school, or chartered nonpublic school employee of a 84  
security record or infrastructure record that is necessary for 85  
construction, renovation, or remodeling work on any public 86  
building or project or chartered nonpublic school does not 87  
constitute public disclosure for purposes of waiving division 88  
(B) of this section and does not result in that record becoming 89  
a public record for purposes of section 149.43 of the Revised 90  
Code. 91

Sec. 3301.221. (A) As used in this section and section 92  
3313.60 of the Revised Code, "evidence-based" means a program or 93  
practice that does either of the following: 94

(1) Demonstrates a rationale based on high-quality 95  
research findings or positive evaluation that such a program or 96  
practice is likely to improve relevant outcomes and includes 97  
ongoing efforts to examine the effects of the program or 98  
practice; 99

(2) Has a statistically significant effect on relevant 100  
outcomes based on: 101

<u>(a) Strong evidence from at least one well-designed and</u>	102
<u>well-implemented experimental study;</u>	103
<u>(b) Moderate evidence from at least one well-designed and</u>	104
<u>well-implemented quasi-experimental study; or</u>	105
<u>(c) Promising evidence from at least one well-designed and</u>	106
<u>well-implemented correlation study with statistical controls for</u>	107
<u>selection bias.</u>	108
<u>(B) The department of education, in consultation with the</u>	109
<u>department of public safety and the department of mental health</u>	110
<u>and addiction services, shall maintain a list of not fewer than</u>	111
<u>three approved training programs, to be posted on the department</u>	112
<u>of education's web site, for instruction in suicide awareness</u>	113
<u>and prevention and violence prevention as prescribed under</u>	114
<u>division (A) (5) (h) of section 3313.60 and division (D) of</u>	115
<u>section 3319.073 of the Revised Code. The list of approved</u>	116
<u>training programs shall include at least one option that is free</u>	117
<u>or of no cost to schools. The approved training programs shall</u>	118
<u>be evidence-based and include the following:</u>	119
<u>(1) How to instruct school personnel to identify the signs</u>	120
<u>and symptoms of depression, suicide, and self-harm in students;</u>	121
<u>(2) How to instruct students to identify the signs and</u>	122
<u>symptoms of depression, suicide, and self-harm in their peers;</u>	123
<u>(3) How to identify appropriate mental health services</u>	124
<u>within schools and within larger communities, and when and how</u>	125
<u>to refer youth and their families to those services;</u>	126
<u>(4) How to teach students about mental health and</u>	127
<u>depression, warning signs of suicide, and the importance of and</u>	128
<u>processes for seeking help on behalf of self and peers and</u>	129
<u>reporting of these behaviors.</u>	130

(C) The department of education, in consultation with the 131  
department of mental health and addiction services, shall 132  
maintain a list of not fewer than three approved training 133  
programs, to be posted on the department of education's web 134  
site, for instruction in social inclusion as prescribed by 135  
division (A) (5) (i) of section 3313.60 of the Revised Code. The 136  
list of approved training programs shall include at least one 137  
option that is free or of no cost to schools. The approved 138  
training programs shall be evidence-based and include the 139  
following: 140

(1) What social isolation is and how to identify it in 141  
others; 142

(2) What social inclusion is and the importance of 143  
establishing connections with peers; 144

(3) When and how to seek help for peers who may be 145  
socially isolated; 146

(4) How to utilize strategies for more social inclusion in 147  
classrooms and the school community. 148

**Sec. 3313.60.** Notwithstanding division (D) of section 149  
3311.52 of the Revised Code, divisions (A) to (E) of this 150  
section do not apply to any cooperative education school 151  
district established pursuant to divisions (A) to (C) of section 152  
3311.52 of the Revised Code. 153

(A) The board of education of each city, exempted village, 154  
and local school district and the board of each cooperative 155  
education school district established, pursuant to section 156  
3311.521 of the Revised Code, shall prescribe a curriculum for 157  
all schools under its control. Except as provided in division 158  
(E) of this section, in any such curriculum there shall be 159

included the study of the following subjects:	160
(1) The language arts, including reading, writing,	161
spelling, oral and written English, and literature;	162
(2) Geography, the history of the United States and of	163
Ohio, and national, state, and local government in the United	164
States, including a balanced presentation of the relevant	165
contributions to society of men and women of African, Mexican,	166
Puerto Rican, and American Indian descent as well as other	167
ethnic and racial groups in Ohio and the United States;	168
(3) Mathematics;	169
(4) Natural science, including instruction in the	170
conservation of natural resources;	171
(5) Health education, which shall include instruction in:	172
(a) The nutritive value of foods, including natural and	173
organically produced foods, the relation of nutrition to health,	174
and the use and effects of food additives;	175
(b) The harmful effects of and legal restrictions against	176
the use of drugs of abuse, alcoholic beverages, and tobacco;	177
(c) Venereal disease education, except that upon written	178
request of the student's parent or guardian, a student shall be	179
excused from taking instruction in venereal disease education;	180
(d) In grades kindergarten through six, instruction in	181
personal safety and assault prevention, except that upon written	182
request of the student's parent or guardian, a student shall be	183
excused from taking instruction in personal safety and assault	184
prevention;	185
(e) In grades seven through twelve, age-appropriate	186

instruction in dating violence prevention education, which shall 187  
include instruction in recognizing dating violence warning signs 188  
and characteristics of healthy relationships. 189

In order to assist school districts in developing a dating 190  
violence prevention education curriculum, the department of 191  
education shall provide on its web site links to free curricula 192  
addressing dating violence prevention. 193

If the parent or legal guardian of a student less than 194  
eighteen years of age submits to the principal of the student's 195  
school a written request to examine the dating violence 196  
prevention instruction materials used at that school, the 197  
principal, within a reasonable period of time after the request 198  
is made, shall allow the parent or guardian to examine those 199  
materials at that school. 200

(f) Prescription opioid abuse prevention, with an emphasis 201  
on the prescription drug epidemic and the connection between 202  
prescription opioid abuse and addiction to other drugs, such as 203  
heroin; 204

(g) The process of making an anatomical gift under Chapter 205  
2108. of the Revised Code, with an emphasis on the life-saving 206  
and life-enhancing effects of organ and tissue donation; 207

(h) Beginning with the first day of the next school year 208  
that begins at least two years after the effective date of this 209  
amendment, in grades six through twelve, at least one hour or 210  
one standard class period per school year of evidence-based 211  
suicide awareness and prevention and at least one hour or one 212  
standard class period per school per year of safety training and 213  
violence prevention; 214

(i) Beginning with the first day of the next school year 215



that begins at least two years after the effective date of this 216  
amendment, in grades six through twelve, at least one hour or 217  
one standard class period per school year of evidence-based 218  
social inclusion instruction. 219

For the instruction required under divisions (A) (5) (h) and 220  
(i) of this section, the board shall use a training program 221  
approved by the department of education under section 3301.221 222  
of the Revised Code. 223

(6) Physical education; 224

(7) The fine arts, including music; 225

(8) First aid, including a training program in 226  
cardiopulmonary resuscitation, which shall comply with section 227  
3313.6021 of the Revised Code when offered in any of grades nine 228  
through twelve, safety, and fire prevention. However, upon 229  
written request of the student's parent or guardian, a student 230  
shall be excused from taking instruction in cardiopulmonary 231  
resuscitation. 232

(B) Except as provided in division (E) of this section, 233  
every school or school district shall include in the 234  
requirements for promotion from the eighth grade to the ninth 235  
grade one year's course of study of American history. A board 236  
may waive this requirement for academically accelerated students 237  
who, in accordance with procedures adopted by the board, are 238  
able to demonstrate mastery of essential concepts and skills of 239  
the eighth grade American history course of study. 240

(C) As specified in divisions (B) (6) and (C) (6) of section 241  
3313.603 of the Revised Code, except as provided in division (E) 242  
of this section, every high school shall include in the 243  
requirements for graduation from any curriculum one-half unit 244

each of American history and government. 245

(D) Except as provided in division (E) of this section, 246  
basic instruction or demonstrated mastery in geography, United 247  
States history, the government of the United States, the 248  
government of the state of Ohio, local government in Ohio, the 249  
Declaration of Independence, the United States Constitution, and 250  
the Constitution of the state of Ohio shall be required before 251  
pupils may participate in courses involving the study of social 252  
problems, economics, foreign affairs, United Nations, world 253  
government, socialism, and communism. 254

(E) For each cooperative education school district 255  
established pursuant to section 3311.521 of the Revised Code and 256  
each city, exempted village, and local school district that has 257  
territory within such a cooperative district, the curriculum 258  
adopted pursuant to divisions (A) to (D) of this section shall 259  
only include the study of the subjects that apply to the grades 260  
operated by each such school district. The curriculums for such 261  
schools, when combined, shall provide to each student of these 262  
districts all of the subjects required under divisions (A) to 263  
(D) of this section. 264

(F) The board of education of any cooperative education 265  
school district established pursuant to divisions (A) to (C) of 266  
section 3311.52 of the Revised Code shall prescribe a curriculum 267  
for the subject areas and grade levels offered in any school 268  
under its control. 269

(G) Upon the request of any parent or legal guardian of a 270  
student, the board of education of any school district shall 271  
permit the parent or guardian to promptly examine, with respect 272  
to the parent's or guardian's own child: 273

(1) Any survey or questionnaire, prior to its administration to the child;	274 275
(2) Any textbook, workbook, software, video, or other instructional materials being used by the district in connection with the instruction of the child;	276 277 278
(3) Any completed and graded test taken or survey or questionnaire filled out by the child;	279 280
(4) Copies of the statewide academic standards and each model curriculum developed pursuant to section 3301.079 of the Revised Code, which copies shall be available at all times during school hours in each district school building.	281 282 283 284
<u>Sec. 3313.669. (A) Beginning not later than two years after the effective date of this section, each local, city, exempted village, and joint vocational school district shall create a threat assessment team for each school building in the district serving grades six through twelve. Upon appointment and once every three years thereafter, each team member shall complete an approved threat assessment training program from the list maintained by the department of public safety pursuant to section 5502.263 of the Revised Code.</u>	285 286 287 288 289 290 291 292 293
<u>(B) If a school building has a similarly constituted safety team as of the effective date of this section, that team also may serve as the threat assessment team, provided that the team and each member comply with the requirements of this section.</u>	294 295 296 297 298
<u>(C) Each district building shall include proof of completion of an approved training program by each team member in the building's emergency management plan submission to the department of education in accordance with rules adopted under</u>	299 300 301 302

division (F) of section 5502.262 of the Revised Code. Each team 303  
shall be multidisciplinary, when possible, and may include 304  
school administrators, mental health professionals, school 305  
resource officers, and other necessary personnel. 306

**Sec. 3313.6610.** (A) Beginning with the first full school 307  
year that begins after the effective date of this section, each 308  
local, city, exempted village, and joint vocational school 309  
district shall enter into a contract with an anonymous reporting 310  
program of the district's choosing. The reporting program shall 311  
meet the following requirements: 312

(1) Operate twenty-four hours per day, seven days per 313  
week; 314

(2) Forward reported information to and coordinate with 315  
the appropriate school threat assessment teams and law 316  
enforcement and public safety agencies required under the 317  
school's emergency management plan developed under section 318  
5502.262 of the Revised Code; 319

(3) Be promoted in each district school to inform students 320  
about the reporting program and its reporting methods; 321

(4) Comply with sections 149.433 and 3319.321 of the 322  
Revised Code and the "Family Educational Rights and Privacy Act 323  
of 1974," 20 U.S.C. 1232g. 324

Each district shall specify in the contract with its 325  
chosen reporting program provider that the provider shall 326  
annually submit a report to the department of public safety and 327  
the department of education of the number of anonymous reports 328  
made through the reporting program and the method by which they 329  
were received, disaggregated by school. 330

(B) Each district shall submit data to the department of 331

education, in a manner prescribed by the department, and the 332  
department of public safety at the end of the first full school 333  
year of the district's participation in the reporting program, 334  
and at the end of each school year thereafter, disaggregated by 335  
school. The data shall include the following: 336

(1) The number and type of disciplinary actions taken in 337  
the previous school year as a result of anonymous reports; 338

(2) The number and type of mental wellness referrals as a 339  
result of anonymous reports; 340

(3) The race and gender of the students subject to the 341  
disciplinary actions and mental wellness referrals as a result 342  
of anonymous reports; 343

(4) Any other information the department of education or 344  
the department of public safety determines necessary. 345

(C) Any data collected by an anonymous reporting program 346  
or reported to the department of education or department of 347  
public safety pursuant to this section are security records and 348  
are not public records pursuant to section 149.433 of the 349  
Revised Code. 350

**Sec. 3313.6611.** (A) Each local, city, exempted village, 351  
and joint vocational school district shall designate a student- 352  
led violence prevention club for each school building in the 353  
district serving grades six through twelve. Each club shall do 354  
the following: 355

(1) Be open to all members of the student body; 356

(2) Have at least one identified adult advisor; 357

(3) Implement and sustain suicide and violence prevention 358  
and social inclusion training and awareness activities in a 359

<u>manner consistent with section 3301.221 of the Revised Code;</u>	360
<u>(4) Foster opportunities for student leadership</u>	361
<u>development.</u>	362
<u>(B) If a school building already has a student club that</u>	363
<u>satisfies the requirements of divisions (A) (1) and (2) of this</u>	364
<u>section on the effective date of this section, that club may</u>	365
<u>serve as the violence prevention club, provided that it also</u>	366
<u>satisfies the requirements of divisions (A) (3) and (4) of this</u>	367
<u>section thereafter.</u>	368
<b>Sec. 3313.951.</b> (A) As used in this section:	369
(1) "Law enforcement agency" has the same meaning as in	370
section 149.435 of the Revised Code.	371
(2) "Peace officer" has the same meaning as in division	372
(A) (1) of section 109.71 of the Revised Code.	373
(3) "School resource officer" means a peace officer who is	374
appointed through a memorandum of understanding between a law	375
enforcement agency and a school district to provide services to	376
a school district or school as described in this section.	377
(B) (1) A school resource officer who provides services to	378
a school district or school on or after November 2, 2018, shall,	379
except as described in division (B) (2) of this section, satisfy	380
both of the following conditions:	381
(a) Complete a basic training program approved by the Ohio	382
peace officer training commission, as described in division (B)	383
(1) of section 109.77 of the Revised Code;	384
(b) Complete at least forty hours of school resource	385
officer training within one year after appointment to provide	386
those services through one of the following entities, as	387

approved by the Ohio peace officer training commission:	388
(i) The national association of school resource officers;	389
(ii) The Ohio school resource officer association;	390
(iii) The Ohio peace officer training academy.	391
(2) A school resource officer who is appointed to provide services to a school district or school prior to November 2, 2018, shall be exempt from compliance with the training requirements prescribed in division (B) (1) (b) of this section.	392 393 394 395
(3) A certified training program provided by an entity described in division (B) (1) (b) of this section shall include instruction regarding skills, tactics, and strategies necessary to address the specific nature of all of the following:	396 397 398 399
(a) School campuses;	400
(b) School building security needs and characteristics;	401
(c) The nuances of law enforcement functions conducted inside a school environment, including:	402 403
(i) Understanding the psychological and physiological characteristics consistent with the ages of the students in the assigned building or buildings;	404 405 406
(ii) Understanding the appropriate role of school resource officers regarding discipline and reducing the number of referrals to juvenile court; and	407 408 409
(iii) Understanding the use of developmentally appropriate interview, interrogation, de-escalation, and behavior management strategies.	410 411 412
(d) The mechanics of being a positive role model for youth, including appropriate communication techniques which	413 414

enhance interactions between the school resource officer and 415  
students; 416

(e) Providing assistance on topics such as classroom 417  
management tools to provide law-related education to students 418  
and methods for managing the behaviors sometimes associated with 419  
educating children with special needs; 420

(f) The mechanics of the laws regarding compulsory 421  
attendance, as set forth in Chapter 3321. of the Revised Code; 422

(g) Identifying the trends in drug use, eliminating the 423  
instance of drug use, and encouraging a drug-free environment in 424  
schools. 425

(4) The Ohio peace officer training commission shall adopt 426  
rules, in accordance with Chapter 119. of the Revised Code, for 427  
the approval of school resource officer training provided by an 428  
entity described in division (B) (1) (b) of this section. 429

(C) (1) If a school district decides to utilize school 430  
resource officer services, the school district and the 431  
appropriate law enforcement agency shall first enter into a 432  
memorandum of understanding that clarifies the purpose of the 433  
school resource officer program and roles and expectations 434  
between the participating entities. If a school district is 435  
already utilizing school resource officer services on November 436  
2, 2018, the school district and the law enforcement agency 437  
shall enter into a memorandum of understanding within one year 438  
after November 2, 2018. 439

(2) Each memorandum of understanding shall address the 440  
following items: 441

(a) Clearly defined set of goals for the school resource 442  
officer program; 443



(b) Background requirements or suggested expertise for	444
employing law enforcement in the school setting, including an	445
understanding of child and adolescent development;	446
(c) Professional development, including training	447
requirements that focus on age-appropriate practices for	448
conflict resolution and developmentally informed de-escalation	449
and crisis intervention methods;	450
(d) Clearly defined roles, responsibilities, and	451
expectations of the parties involved, including school resource	452
officers, law enforcement, school administrators, staff, and	453
teachers;	454
(e) A protocol for how suspected criminal activity versus	455
school discipline is to be handled;	456
(f) The requirement for coordinated crisis planning and	457
updating of school crisis plans;	458
(g) Any other discretionary items determined by the	459
parties to foster a school resource officer program that builds	460
positive relationships between law enforcement, school staff,	461
and the students, promotes a safe and positive learning	462
environment, and decreases the number of youth formally referred	463
to the juvenile justice system.	464
(3) A school district, through its school administration,	465
may give students an opportunity to provide input during the	466
drafting process of any memorandum of understanding being	467
entered into pursuant to division (C) of this section.	468
(D) (1) In accordance with the requirements prescribed in	469
this section, a school resource officer may work in one or more	470
school districts or schools providing the following services:	471

(a) Assistance with adoption, implementation, and 472  
amendment of the comprehensive emergency management plan 473  
required under section ~~3313.536~~ 5502.262 of the Revised Code; 474

(b) Carrying out any additional responsibilities assigned 475  
to the school resource officer under the employment engagement, 476  
contract, or memorandum of understanding, including but not 477  
limited to: 478

(i) Providing a safe learning environment; 479

(ii) Providing valuable resources to school staff members; 480

(iii) Fostering positive relationships with students and 481  
staff; 482

(iv) Developing strategies to resolve problems affecting 483  
youth and protecting all students. 484

(2) A school resource officer shall consult with local law 485  
enforcement officials and first responders when assisting a 486  
school district's administrator in the development of a 487  
comprehensive emergency management plan. 488

(E) The school district or school administrator shall have 489  
final decision-making authority regarding all matters of school 490  
discipline. 491

**Sec. 3314.03.** A copy of every contract entered into under 492  
this section shall be filed with the superintendent of public 493  
instruction. The department of education shall make available on 494  
its web site a copy of every approved, executed contract filed 495  
with the superintendent under this section. 496

(A) Each contract entered into between a sponsor and the 497  
governing authority of a community school shall specify the 498  
following: 499

(1) That the school shall be established as either of the following:	500 501
(a) A nonprofit corporation established under Chapter 1702. of the Revised Code, if established prior to April 8, 2003;	502 503 504
(b) A public benefit corporation established under Chapter 1702. of the Revised Code, if established after April 8, 2003.	505 506
(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;	507 508 509 510
(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;	511 512 513 514
(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;	515 516 517 518
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	519 520 521
(6) (a) Dismissal procedures;	522
(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	523 524 525 526 527

student.	528
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	529 530
(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.	531 532 533 534 535 536
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	537 538
(a) A detailed description of each facility used for instructional purposes;	539 540
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	541 542
(c) The annual mortgage principal and interest payments that are paid by the school;	543 544
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	545 546 547
(10) Qualifications of teachers, including 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 per week pursuant to section 3319.301 of the Revised Code.	548 549 550 551 552 553
(11) That the school will comply with the following requirements:	554 555

(a) The school will provide learning opportunities to a 556  
minimum of twenty-five students for a minimum of nine hundred 557  
twenty hours per school year. 558

(b) The governing authority will purchase liability 559  
insurance, or otherwise provide for the potential liability of 560  
the school. 561

(c) The school will be nonsectarian in its programs, 562  
admission policies, employment practices, and all other 563  
operations, and will not be operated by a sectarian school or 564  
religious institution. 565

(d) The school will comply with sections 9.90, 9.91, 566  
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 567  
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3313.472, 568  
3313.50, ~~3313.536~~, 3313.539, 3313.5310, 3313.608, 3313.609, 569  
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.643, 570  
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 571  
3313.667, 3313.668, 3313.669, 3313.6610, 3313.6611, 3313.67, 572  
3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 573  
3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 3313.814, 574  
3313.816, 3313.817, 3313.86, 3313.89, 3313.96, 3319.073, 575  
3319.074, 3319.321, 3319.39, 3319.391, 3319.41, 3319.46, 576  
3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 577  
3321.19, 3321.191, 3327.10, 4111.17, 4113.52, 5502.262, and 578  
5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 579  
4123., 4141., and 4167. of the Revised Code as if it were a 580  
school district and will comply with section 3301.0714 of the 581  
Revised Code in the manner specified in section 3314.17 of the 582  
Revised Code. 583

(e) The school shall comply with Chapter 102. and section 584  
2921.42 of the Revised Code. 585

(f) The school will comply with sections 3313.61, 586  
3313.611, and 3313.614 of the Revised Code, except that for 587  
students who enter ninth grade for the first time before July 1, 588  
2010, the requirement in sections 3313.61 and 3313.611 of the 589  
Revised Code that a person must successfully complete the 590  
curriculum in any high school prior to receiving a high school 591  
diploma may be met by completing the curriculum adopted by the 592  
governing authority of the community school rather than the 593  
curriculum specified in Title XXXVIII of the Revised Code or any 594  
rules of the state board of education. Beginning with students 595  
who enter ninth grade for the first time on or after July 1, 596  
2010, the requirement in sections 3313.61 and 3313.611 of the 597  
Revised Code that a person must successfully complete the 598  
curriculum of a high school prior to receiving a high school 599  
diploma shall be met by completing the requirements prescribed 600  
in division (C) of section 3313.603 of the Revised Code, unless 601  
the person qualifies under division (D) or (F) of that section. 602  
Each school shall comply with the plan for awarding high school 603  
credit based on demonstration of subject area competency, and 604  
beginning with the 2017-2018 school year, with the updated plan 605  
that permits students enrolled in seventh and eighth grade to 606  
meet curriculum requirements based on subject area competency 607  
adopted by the state board of education under divisions (J) (1) 608  
and (2) of section 3313.603 of the Revised Code. Beginning with 609  
the 2018-2019 school year, the school shall comply with the 610  
framework for granting units of high school credit to students 611  
who demonstrate subject area competency through work-based 612  
learning experiences, internships, or cooperative education 613  
developed by the department under division (J) (3) of section 614  
3313.603 of the Revised Code. 615

(g) The school governing authority will submit within four 616

months after the end of each school year a report of its 617  
activities and progress in meeting the goals and standards of 618  
divisions (A) (3) and (4) of this section and its financial 619  
status to the sponsor and the parents of all students enrolled 620  
in the school. 621

(h) The school, unless it is an internet- or computer- 622  
based community school, will comply with section 3313.801 of the 623  
Revised Code as if it were a school district. 624

(i) If the school is the recipient of moneys from a grant 625  
awarded under the federal race to the top program, Division (A), 626  
Title XIV, Sections 14005 and 14006 of the "American Recovery 627  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 628  
the school will pay teachers based upon performance in 629  
accordance with section 3317.141 and will comply with section 630  
3319.111 of the Revised Code as if it were a school district. 631

(j) If the school operates a preschool program that is 632  
licensed by the department of education under sections 3301.52 633  
to 3301.59 of the Revised Code, the school shall comply with 634  
sections 3301.50 to 3301.59 of the Revised Code and the minimum 635  
standards for preschool programs prescribed in rules adopted by 636  
the state board under section 3301.53 of the Revised Code. 637

(k) The school will comply with sections 3313.6021 and 638  
3313.6023 of the Revised Code as if it were a school district 639  
unless it is either of the following: 640

(i) An internet- or computer-based community school; 641

(ii) A community school in which a majority of the 642  
enrolled students are children with disabilities as described in 643  
division (A) (4) (b) of section 3314.35 of the Revised Code. 644

(12) Arrangements for providing health and other benefits 645

to employees; 646

(13) The length of the contract, which shall begin at the 647  
beginning of an academic year. No contract shall exceed five 648  
years unless such contract has been renewed pursuant to division 649  
(E) of this section. 650

(14) The governing authority of the school, which shall be 651  
responsible for carrying out the provisions of the contract; 652

(15) A financial plan detailing an estimated school budget 653  
for each year of the period of the contract and specifying the 654  
total estimated per pupil expenditure amount for each such year. 655

(16) Requirements and procedures regarding the disposition 656  
of employees of the school in the event the contract is 657  
terminated or not renewed pursuant to section 3314.07 of the 658  
Revised Code; 659

(17) Whether the school is to be created by converting all 660  
or part of an existing public school or educational service 661  
center building or is to be a new start-up school, and if it is 662  
a converted public school or service center building, 663  
specification of any duties or responsibilities of an employer 664  
that the board of education or service center governing board 665  
that operated the school or building before conversion is 666  
delegating to the governing authority of the community school 667  
with respect to all or any specified group of employees provided 668  
the delegation is not prohibited by a collective bargaining 669  
agreement applicable to such employees; 670

(18) Provisions establishing procedures for resolving 671  
disputes or differences of opinion between the sponsor and the 672  
governing authority of the community school; 673

(19) A provision requiring the governing authority to 674



adopt a policy regarding the admission of students who reside 675  
outside the district in which the school is located. That policy 676  
shall comply with the admissions procedures specified in 677  
sections 3314.06 and 3314.061 of the Revised Code and, at the 678  
sole discretion of the authority, shall do one of the following: 679

(a) Prohibit the enrollment of students who reside outside 680  
the district in which the school is located; 681

(b) Permit the enrollment of students who reside in 682  
districts adjacent to the district in which the school is 683  
located; 684

(c) Permit the enrollment of students who reside in any 685  
other district in the state. 686

(20) A provision recognizing the authority of the 687  
department of education to take over the sponsorship of the 688  
school in accordance with the provisions of division (C) of 689  
section 3314.015 of the Revised Code; 690

(21) A provision recognizing the sponsor's authority to 691  
assume the operation of a school under the conditions specified 692  
in division (B) of section 3314.073 of the Revised Code; 693

(22) A provision recognizing both of the following: 694

(a) The authority of public health and safety officials to 695  
inspect the facilities of the school and to order the facilities 696  
closed if those officials find that the facilities are not in 697  
compliance with health and safety laws and regulations; 698

(b) The authority of the department of education as the 699  
community school oversight body to suspend the operation of the 700  
school under section 3314.072 of the Revised Code if the 701  
department has evidence of conditions or violations of law at 702

the school that pose an imminent danger to the health and safety 703  
of the school's students and employees and the sponsor refuses 704  
to take such action. 705

(23) A description of the learning opportunities that will 706  
be offered to students including both classroom-based and non- 707  
classroom-based learning opportunities that is in compliance 708  
with criteria for student participation established by the 709  
department under division (H) (2) of section 3314.08 of the 710  
Revised Code; 711

(24) The school will comply with sections 3302.04 and 712  
3302.041 of the Revised Code, except that any action required to 713  
be taken by a school district pursuant to those sections shall 714  
be taken by the sponsor of the school. However, the sponsor 715  
shall not be required to take any action described in division 716  
(F) of section 3302.04 of the Revised Code. 717

(25) Beginning in the 2006-2007 school year, the school 718  
will open for operation not later than the thirtieth day of 719  
September each school year, unless the mission of the school as 720  
specified under division (A) (2) of this section is solely to 721  
serve dropouts. In its initial year of operation, if the school 722  
fails to open by the thirtieth day of September, or within one 723  
year after the adoption of the contract pursuant to division (D) 724  
of section 3314.02 of the Revised Code if the mission of the 725  
school is solely to serve dropouts, the contract shall be void. 726

(26) Whether the school's governing authority is planning 727  
to seek designation for the school as a STEM school equivalent 728  
under section 3326.032 of the Revised Code; 729

(27) That the school's attendance and participation 730  
policies will be available for public inspection; 731

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

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

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

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

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

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

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

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

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

(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; 760

(31) A provision requiring that, if the governing 761  
authority contracts with an attorney, accountant, or entity 762  
specializing in audits, the attorney, accountant, or entity 763  
shall be independent from the operator with which the school has 764  
contracted. 765

(32) A provision requiring the governing authority to 766  
adopt an enrollment and attendance policy that requires a 767  
student's parent to notify the community school in which the 768  
student is enrolled when there is a change in the location of 769  
the parent's or student's primary residence. 770

(33) A provision requiring the governing authority to 771  
adopt a student residence and address verification policy for 772  
students enrolling in or attending the school. 773

(B) The community school shall also submit to the sponsor 774  
a comprehensive plan for the school. The plan shall specify the 775  
following: 776

(1) The process by which the governing authority of the 777  
school will be selected in the future; 778

(2) The management and administration of the school; 779

(3) If the community school is a currently existing public 780  
school or educational service center building, alternative 781  
arrangements for current public school students who choose not 782  
to attend the converted school and for teachers who choose not 783  
to teach in the school or building after conversion; 784

(4) The instructional program and educational philosophy 785  
of the school; 786

(5) Internal financial controls. 787

When submitting the plan under this division, the school 788  
shall also submit copies of all policies and procedures 789  
regarding internal financial controls adopted by the governing 790  
authority of the school. 791

(C) A contract entered into under section 3314.02 of the 792  
Revised Code between a sponsor and the governing authority of a 793  
community school may provide for the community school governing 794  
authority to make payments to the sponsor, which is hereby 795  
authorized to receive such payments as set forth in the contract 796  
between the governing authority and the sponsor. The total 797  
amount of such payments for monitoring, oversight, and technical 798  
assistance of the school shall not exceed three per cent of the 799  
total amount of payments for operating expenses that the school 800  
receives from the state. 801

(D) The contract shall specify the duties of the sponsor 802  
which shall be in accordance with the written agreement entered 803  
into with the department of education under division (B) of 804  
section 3314.015 of the Revised Code and shall include the 805  
following: 806

(1) Monitor the community school's compliance with all 807  
laws applicable to the school and with the terms of the 808  
contract; 809

(2) Monitor and evaluate the academic and fiscal 810  
performance and the organization and operation of the community 811  
school on at least an annual basis; 812

(3) Report on an annual basis the results of the 813  
evaluation conducted under division (D) (2) of this section to 814  
the department of education and to the parents of students 815  
enrolled in the community school; 816

(4) Provide technical assistance to the community school 817  
in complying with laws applicable to the school and terms of the 818  
contract; 819

(5) Take steps to intervene in the school's operation to 820  
correct problems in the school's overall performance, declare 821  
the school to be on probationary status pursuant to section 822  
3314.073 of the Revised Code, suspend the operation of the 823  
school pursuant to section 3314.072 of the Revised Code, or 824  
terminate the contract of the school pursuant to section 3314.07 825  
of the Revised Code as determined necessary by the sponsor; 826

(6) Have in place a plan of action to be undertaken in the 827  
event the community school experiences financial difficulties or 828  
closes prior to the end of a school year. 829

(E) Upon the expiration of a contract entered into under 830  
this section, the sponsor of a community school may, with the 831  
approval of the governing authority of the school, renew that 832  
contract for a period of time determined by the sponsor, but not 833  
ending earlier than the end of any school year, if the sponsor 834  
finds that the school's compliance with applicable laws and 835  
terms of the contract and the school's progress in meeting the 836  
academic goals prescribed in the contract have been 837  
satisfactory. Any contract that is renewed under this division 838  
remains subject to the provisions of sections 3314.07, 3314.072, 839  
and 3314.073 of the Revised Code. 840

(F) If a community school fails to open for operation 841  
within one year after the contract entered into under this 842  
section is adopted pursuant to division (D) of section 3314.02 843  
of the Revised Code or permanently closes prior to the 844  
expiration of the contract, the contract shall be void and the 845  
school shall not enter into a contract with any other sponsor. A 846

school shall not be considered permanently closed because the 847  
operations of the school have been suspended pursuant to section 848  
3314.072 of the Revised Code. 849

**Sec. 3319.073.** (A) The board of education of each city and 850  
exempted village school district and the governing board of each 851  
educational service center shall adopt or adapt the curriculum 852  
developed by the department of education for, or shall develop 853  
in consultation with public or private agencies or persons 854  
involved in child abuse prevention or intervention programs, a 855  
program of in-service training in the prevention of child abuse, 856  
violence, and substance abuse and the promotion of positive 857  
youth development. Each person employed by any school district 858  
or service center to work in a school as a nurse, teacher, 859  
counselor, school psychologist, or administrator shall complete 860  
at least four hours of the in-service training within two years 861  
of commencing employment with the district or center, and every 862  
five years thereafter. A person who is employed by any school 863  
district or service center to work in an elementary school as a 864  
nurse, teacher, counselor, school psychologist, or administrator 865  
on March 30, 2007, shall complete at least four hours of the in- 866  
service training not later than March 30, 2009, and every five 867  
years thereafter. A person who is employed by any school 868  
district or service center to work in a middle or high school as 869  
a nurse, teacher, counselor, school psychologist, or 870  
administrator on October 16, 2009, shall complete at least four 871  
hours of the in-service training not later than October 16, 872  
2011, and every five years thereafter. 873

(B) Each board shall incorporate training in school safety 874  
and violence prevention, including human trafficking content, 875  
into the in-service training required by division (A) of this 876  
section. For this purpose, the board shall adopt or adapt the 877

curriculum developed by the department or shall develop its own 878  
curriculum in consultation with public or private agencies or 879  
persons involved in school safety and violence prevention 880  
programs. 881

(C) Each board shall incorporate training on the board's 882  
harassment, intimidation, or bullying policy adopted under 883  
section 3313.666 of the Revised Code into the in-service 884  
training required by division (A) of this section. Each board 885  
also shall incorporate training in the prevention of dating 886  
violence into the in-service training required by that division 887  
for middle and high school employees. The board shall develop 888  
its own curricula for these purposes. 889

(D) Each board shall incorporate training in youth suicide 890  
awareness and prevention into the in-service training required 891  
by division (A) of this section for each person employed by a 892  
school district or service center to work in a school as a 893  
nurse, teacher, counselor, school psychologist, or 894  
administrator, and any other personnel that the board determines 895  
appropriate. The board shall require each such person to undergo 896  
training in youth suicide awareness and prevention programs once 897  
every two years. For this purpose, the board shall adopt or 898  
adapt the curriculum developed by the department under section 899  
3301.221 of the Revised Code or shall develop its own curriculum 900  
in consultation with public or private agencies or persons 901  
involved in youth suicide awareness and prevention programs. 902

The training completed under this division shall count 903  
toward the satisfaction of requirements for professional 904  
development required by the school district or service center 905  
board, and the training may be accomplished through self-review 906  
of suitable suicide prevention materials approved by the board. 907



<b>Sec. 3319.31.</b> (A) As used in this section and sections	908
3123.41 to 3123.50 and 3319.311 of the Revised Code, "license"	909
means a certificate, license, or permit described in this	910
chapter or in division (B) of section 3301.071 or in section	911
3301.074 of the Revised Code.	912
(B) For any of the following reasons, the state board of	913
education, in accordance with Chapter 119. and section 3319.311	914
of the Revised Code, may refuse to issue a license to an	915
applicant; may limit a license it issues to an applicant; may	916
suspend, revoke, or limit a license that has been issued to any	917
person; or may revoke a license that has been issued to any	918
person and has expired:	919
(1) Engaging in an immoral act, incompetence, negligence,	920
or conduct that is unbecoming to the applicant's or person's	921
position;	922
(2) A plea of guilty to, a finding of guilt by a jury or	923
court of, or a conviction of any of the following:	924
(a) A felony other than a felony listed in division (C) of	925
this section;	926
(b) An offense of violence other than an offense of	927
violence listed in division (C) of this section;	928
(c) A theft offense, as defined in section 2913.01 of the	929
Revised Code, other than a theft offense listed in division (C)	930
of this section;	931
(d) A drug abuse offense, as defined in section 2925.01 of	932
the Revised Code, that is not a minor misdemeanor, other than a	933
drug abuse offense listed in division (C) of this section;	934
(e) A violation of an ordinance of a municipal corporation	935

that is substantively comparable to an offense listed in 936  
divisions (B) (2) (a) to (d) of this section. 937

(3) A judicial finding of eligibility for intervention in 938  
lieu of conviction under section 2951.041 of the Revised Code, 939  
or agreeing to participate in a pre-trial diversion program 940  
under section 2935.36 of the Revised Code, or a similar 941  
diversion program under rules of a court, for any offense listed 942  
in division (B) (2) or (C) of this section; 943

(4) Failure to comply with section ~~3313.536~~, 3314.40, 944  
3319.313, 3326.24, 3328.19, ~~or~~ 5126.253, or 5502.262 of the 945  
Revised Code. 946

(C) Upon learning of a plea of guilty to, a finding of 947  
guilt by a jury or court of, or a conviction of any of the 948  
offenses listed in this division by a person who holds a current 949  
or expired license or is an applicant for a license or renewal 950  
of a license, the state board or the superintendent of public 951  
instruction, if the state board has delegated the duty pursuant 952  
to division (D) of this section, shall by a written order revoke 953  
the person's license or deny issuance or renewal of the license 954  
to the person. The state board or the superintendent shall 955  
revoke a license that has been issued to a person to whom this 956  
division applies and has expired in the same manner as a license 957  
that has not expired. 958

Revocation of a license or denial of issuance or renewal 959  
of a license under this division is effective immediately at the 960  
time and date that the board or superintendent issues the 961  
written order and is not subject to appeal in accordance with 962  
Chapter 119. of the Revised Code. Revocation of a license or 963  
denial of issuance or renewal of license under this division 964  
remains in force during the pendency of an appeal by the person 965

of the plea of guilty, finding of guilt, or conviction that is 966  
the basis of the action taken under this division. 967

The state board or superintendent shall take the action 968  
required by this division for a violation of division (B) (1), 969  
(2), (3), or (4) of section 2919.22 of the Revised Code; a 970  
violation of section 2903.01, 2903.02, 2903.03, 2903.04, 971  
2903.041, 2903.11, 2903.12, 2903.15, 2905.01, 2905.02, 2905.05, 972  
2905.11, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 973  
2907.21, 2907.22, 2907.23, 2907.24, 2907.241, 2907.25, 2907.31, 974  
2907.311, 2907.32, 2907.321, 2907.322, 2907.323, 2907.33, 975  
2907.34, 2909.02, 2909.22, 2909.23, 2909.24, 2911.01, 2911.02, 976  
2911.11, 2911.12, 2913.44, 2917.01, 2917.02, 2917.03, 2917.31, 977  
2917.33, 2919.12, 2919.121, 2919.13, 2921.02, 2921.03, 2921.04, 978  
2921.05, 2921.11, 2921.34, 2921.41, 2923.122, 2923.123, 979  
2923.161, 2923.17, 2923.21, 2925.02, 2925.03, 2925.04, 2925.041, 980  
2925.05, 2925.06, 2925.13, 2925.22, 2925.23, 2925.24, 2925.32, 981  
2925.36, 2925.37, 2927.24, or 3716.11 of the Revised Code; a 982  
violation of section 2905.04 of the Revised Code as it existed 983  
prior to July 1, 1996; a violation of section 2919.23 of the 984  
Revised Code that would have been a violation of section 2905.04 985  
of the Revised Code as it existed prior to July 1, 1996, had the 986  
violation been committed prior to that date; felonious sexual 987  
penetration in violation of former section 2907.12 of the 988  
Revised Code; or a violation of an ordinance of a municipal 989  
corporation that is substantively comparable to an offense 990  
listed in this paragraph. 991

(D) The state board may delegate to the superintendent of 992  
public instruction the authority to revoke a person's license or 993  
to deny issuance or renewal of a license to a person under 994  
division (C) or (F) of this section. 995

(E) (1) If the plea of guilty, finding of guilt, or conviction that is the basis of the action taken under division (B) (2) or (C) of this section, or under the version of division (F) of section 3319.311 of the Revised Code in effect prior to September 12, 2008, is overturned on appeal, upon exhaustion of the criminal appeal, the clerk of the court that overturned the plea, finding, or conviction or, if applicable, the clerk of the court that accepted an appeal from the court that overturned the plea, finding, or conviction, shall notify the state board that the plea, finding, or conviction has been overturned. Within thirty days after receiving the notification, the state board shall initiate proceedings to reconsider the revocation or denial of the person's license in accordance with division (E) (2) of this section. In addition, the person whose license was revoked or denied may file with the state board a petition for reconsideration of the revocation or denial along with appropriate court documents.

(2) Upon receipt of a court notification or a petition and supporting court documents under division (E) (1) of this section, the state board, after offering the person an opportunity for an adjudication hearing under Chapter 119. of the Revised Code, shall determine whether the person committed the act in question in the prior criminal action against the person that is the basis of the revocation or denial and may continue the revocation or denial, may reinstate the person's license, with or without limits, or may grant the person a new license, with or without limits. The decision of the board shall be based on grounds for revoking, denying, suspending, or limiting a license adopted by rule under division (G) of this section and in accordance with the evidentiary standards the board employs for all other licensure hearings. The decision of

the board under this division is subject to appeal under Chapter 1027  
119. of the Revised Code. 1028

(3) A person whose license is revoked or denied under 1029  
division (C) of this section shall not apply for any license if 1030  
the plea of guilty, finding of guilt, or conviction that is the 1031  
basis of the revocation or denial, upon completion of the 1032  
criminal appeal, either is upheld or is overturned but the state 1033  
board continues the revocation or denial under division (E) (2) 1034  
of this section and that continuation is upheld on final appeal. 1035

(F) The state board may take action under division (B) of 1036  
this section, and the state board or the superintendent shall 1037  
take the action required under division (C) of this section, on 1038  
the basis of substantially comparable conduct occurring in a 1039  
jurisdiction outside this state or occurring before a person 1040  
applies for or receives any license. 1041

(G) The state board may adopt rules in accordance with 1042  
Chapter 119. of the Revised Code to carry out this section and 1043  
section 3319.311 of the Revised Code. 1044

**Sec. 3326.11.** Each science, technology, engineering, and 1045  
mathematics school established under this chapter and its 1046  
governing body shall comply with sections 9.90, 9.91, 109.65, 1047  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 1048  
3301.0714, 3301.0715, 3301.0729, 3301.948, 3313.14, 3313.15, 1049  
3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 1050  
3313.481, 3313.482, 3313.50, ~~3313.536~~, 3313.539, 3313.5310, 1051  
3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 1052  
3313.6021, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 1053  
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 1054  
3313.667, 3313.668, 3313.669, 3313.6610, 3313.6611, 3313.67, 1055  
3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 1056

3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 3313.801, 1057  
3313.814, 3313.816, 3313.817, 3313.86, 3313.89, 3313.96, 1058  
3319.073, 3319.21, 3319.32, 3319.321, 3319.35, 3319.39, 1059  
3319.391, 3319.41, 3319.45, 3319.46, 3321.01, 3321.041, 3321.05, 1060  
3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 1061  
3327.10, 4111.17, 4113.52, 5502.262, and 5705.391 and Chapters 1062  
102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 1063  
4123., 4141., and 4167. of the Revised Code as if it were a 1064  
school district. 1065

**Sec. 3328.24.** A college-preparatory boarding school 1066  
established under this chapter and its board of trustees shall 1067  
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 1068  
3301.0714, 3301.0729, 3301.948, ~~3313.536~~, 3313.6013, 3313.6021, 1069  
3313.6411, 3313.669, 3313.6610, 3313.6611, 3313.7112, 3313.721, 1070  
3313.89, 3319.073, 3319.39, 3319.391, ~~and 3319.46~~, and 5502.262 1071  
and Chapter 3365. of the Revised Code as if the school were a 1072  
school district and the school's board of trustees were a 1073  
district board of education. 1074

**Sec. 3737.73.** (A) No principal or person in charge of a 1075  
public or private school or educational institution having an 1076  
average daily attendance of twenty or more pupils, and no person 1077  
in charge of any children's home or orphanage housing twenty or 1078  
more minor persons, shall willfully neglect to instruct and 1079  
train such children by means of drills or rapid dismissals, so 1080  
that such children in a sudden emergency may leave the building 1081  
in the shortest possible time without confusion. Except as 1082  
provided for in division (F) of this section, the principal or 1083  
person in charge of a school or educational institution shall 1084  
conduct drills or rapid dismissals at least six times during the 1085  
school year, pursuant to division (E) of this section, which 1086  
shall be at the times and frequency prescribed in rules adopted 1087

by the fire marshal. The principal or person in charge of a 1088  
children's home or orphanage shall conduct drills or rapid 1089  
dismissals at least once each month while the home is in 1090  
operation. In the case of schools, no principal or person in 1091  
charge of a school shall willfully neglect to keep the doors and 1092  
exits of such building unlocked during school hours. The fire 1093  
marshal may order the immediate installation of necessary fire 1094  
gongs or signals in such schools, institutions, or children's 1095  
homes and enforce this division and divisions (B), (C) (3), and 1096  
(F) of this section. 1097

(B) In conjunction with the drills or rapid dismissals 1098  
required by division (A) or (F) of this section, whichever is 1099  
applicable, principals or persons in charge of public or private 1100  
primary and secondary schools, or educational institutions, 1101  
shall instruct pupils in safety precautions to be taken in case 1102  
of a tornado alert or warning. Such principals or persons in 1103  
charge of such schools or institutions shall designate, in 1104  
accordance with standards prescribed by the fire marshal, 1105  
appropriate locations to be used to shelter pupils in case of a 1106  
tornado, tornado alert, or warning. 1107

(C) (1) The fire marshal or the fire marshal's designee 1108  
shall annually inspect each school, institution, home, or 1109  
orphanage subject to division (A) or (F) of this section to 1110  
determine compliance with the applicable division, and each 1111  
school or institution subject to division (B) of this section to 1112  
ascertain whether the locations comply with the standards 1113  
prescribed under that division. Nothing in this section shall 1114  
require a school or institution to construct or improve a 1115  
facility or location for use as a shelter area. 1116

(2) The fire marshal or the fire marshal's designee shall 1117

issue a warning to any person found in violation of division 1118  
(A), (B), or (F) of this section. The warning shall indicate the 1119  
specific violation and a date by which such violation shall be 1120  
corrected. 1121

(3) No person shall fail to correct violations by the date 1122  
indicated on a warning issued under division (C) (2) of this 1123  
section. 1124

(D) (1) (a) The principal or person in charge of each public 1125  
or private school or educational institution shall conduct 1126  
school safety drills at least three times during the school 1127  
year, pursuant to division (E) of this section, to provide 1128  
pupils with instruction in the procedures to follow in 1129  
situations where pupils must be secured in the school building 1130  
or rapidly evacuated in response to a threat to the school 1131  
involving an act of terrorism; a person possessing a deadly 1132  
weapon or dangerous ordnance, as defined in section 2923.11 of 1133  
the Revised Code, on school property; or other act of violence. 1134  
At least one safety drill shall include a scenario where pupils 1135  
must be secured in the school building rather than rapidly 1136  
evacuated. 1137

Each safety drill shall be conducted in conjunction with 1138  
the police chief or other similar chief law enforcement officer, 1139  
or designee, of the municipal corporation, township, or township 1140  
or joint police district in which the school or institution is 1141  
located, or, in absence of any such person, the county sheriff 1142  
of the county, or designee, in which the school or institution 1143  
is located. 1144

(b) In addition to the three safety drills described in 1145  
division (D) (1) (a) of this section, the principal or person in 1146  
charge shall conduct a theoretical school safety drill at least 1147



once during the school year to provide all faculty and staff 1148  
employed by the school or institution with instruction in the 1149  
procedures to follow in such situations. The theoretical drill 1150  
does not need to include student participation and may be 1151  
conducted at the annual training session required by division 1152  
(D) (3) of this section. 1153

(c) All safety drills required under division (D) of this 1154  
section shall be conducted pursuant to the district's or 1155  
school's emergency management plan adopted under section 1156  
~~3313.536~~ 5502.262 of the Revised Code. 1157

(2) (a) The principal or person in charge of each public or 1158  
private school or educational institution shall provide to the 1159  
police chief or other similar chief law enforcement officer of 1160  
the municipal corporation, township, or township or joint police 1161  
district in which the school or institution is located, or, in 1162  
absence of any such person, the county sheriff of the county in 1163  
which the school or institution is located advance written 1164  
notice of each school safety drill required under division (D) 1165  
(1) of this section and shall keep a written record of the date 1166  
and time of each drill conducted. The advance notice shall be 1167  
provided not later than seventy-two hours prior to the date the 1168  
drill will be conducted and shall include the date and time the 1169  
drill will be conducted and the address of the school or 1170  
educational institution. The notice shall be provided by mail, 1171  
facsimile, or electronic submission. 1172

(b) Not later than the fifth day of December each year, 1173  
the principal or person in charge of each public or private 1174  
school or educational institution shall provide written 1175  
certification by mail, facsimile, or electronic submission of 1176  
the date and time each school safety drill required under 1177

division (D) (1) of this section was conducted during the 1178  
previous school year, as well as the date and time each drill 1179  
will be conducted during the current school year, to the police 1180  
chief or other similar chief law enforcement officer of the 1181  
municipal corporation, township, or township or joint police 1182  
district in which the school or institution is located, or, in 1183  
the absence of any such person, the county sheriff of the county 1184  
in which the school or institution is located. If such 1185  
certification is not provided, the principal or person in charge 1186  
of the school or institution shall be considered to have failed 1187  
to meet this requirement and shall be subject to division (D) (4) 1188  
of this section. 1189

(3) The principal or person in charge of each public or 1190  
private school or educational institution shall hold annual 1191  
training sessions for employees of the school or institution 1192  
regarding the conduct of school safety drills. 1193

(4) The police chief or other similar chief law 1194  
enforcement officer of a municipal corporation, township, or 1195  
township or joint police district, or, in the absence of any 1196  
such person, the county sheriff shall issue a warning to any 1197  
person found in violation of division (D) (1) of this section. 1198  
Each warning issued for a violation of division (D) (1) of this 1199  
section shall require the principal or person in charge of the 1200  
school or institution to correct the violation by conducting a 1201  
school safety drill not later than the thirtieth day after the 1202  
date the warning is issued. The violation shall not be 1203  
considered corrected unless, not later than forty days after the 1204  
date the warning is issued, the principal or person in charge of 1205  
the school or institution provides written certification of the 1206  
date and time this drill was conducted, as well as the date and 1207  
time each remaining drill will be conducted during the current 1208

school year, to the police chief or other similar chief law 1209  
enforcement officer or county sheriff who issued the warning. 1210

(5) No person shall fail to correct violations by the date 1211  
indicated on a warning issued under division (D) (4) of this 1212  
section. 1213

(E) The principal or person in charge of each public or 1214  
private school or educational institution shall conduct at least 1215  
one drill or rapid dismissal required under division (A) or (F) 1216  
of this section, whichever is applicable, or one school safety 1217  
drill required under division (D) of this section during each 1218  
month of the school year. However, the principal or person in 1219  
charge may determine the exact date and time that each drill 1220  
will be conducted. A drill or rapid dismissal under division (A) 1221  
or (F) of this section may be conducted during the same month as 1222  
a school safety drill under division (D) of this section. 1223

(F) If a public or private school or educational 1224  
institution does not currently have smoke detectors, as defined 1225  
in section 3781.104 of the Revised Code, or a sprinkler system 1226  
in all classroom buildings of the school, the principal or 1227  
person in charge of the school or educational institution shall 1228  
conduct drills or rapid dismissals at least nine times during 1229  
the school year, pursuant to division (E) of this section, which 1230  
shall be at the times and frequency prescribed in rules adopted 1231  
by the fire marshal. At the discretion of the principal or 1232  
person in charge of the school or institution, drills conducted 1233  
under this division may be combined with drills conducted under 1234  
division (D) of this section, so long as at least one drill 1235  
conducted under that division provides pupils with instruction 1236  
in the procedures to follow in situations where pupils must be 1237  
secured in the school building rather than rapidly evacuated. 1238

<b>Sec. <del>3313-536</del> <u>5502.262</u>.</b> (A) As used in this section:	1239
(1) "Administrator" means the superintendent, principal, chief administrative officer, or other person having supervisory authority of any of the following:	1240 1241 1242
(a) A city, exempted village, local, or joint vocational school district;	1243 1244
(b) A community school established under Chapter 3314. of the Revised Code, as required through reference in division (A) (11) (d) of section 3314.03 of the Revised Code;	1245 1246 1247
(c) A STEM school established under Chapter 3326. of the Revised Code, as required through reference in section 3326.11 of the Revised Code;	1248 1249 1250
(d) A college-preparatory boarding school established under Chapter 3328. of the Revised Code;	1251 1252
(e) A district or school operating a career-technical education program approved by the department of education under section 3317.161 of the Revised Code;	1253 1254 1255
(f) A chartered nonpublic school;	1256
(g) An educational service center;	1257
(h) A preschool program or school-age child care program licensed by the department of education;	1258 1259
(i) Any other facility that primarily provides educational services to children subject to regulation by the department of education.	1260 1261 1262
(2) "Emergency management test" means a regularly scheduled drill, exercise, or activity designed to assess and evaluate an emergency management plan under this section.	1263 1264 1265

(3) "Building" means any school, school building, 1266  
facility, program, or center. 1267

(B)(1) Each administrator shall develop and adopt a 1268  
comprehensive emergency management plan, in accordance with 1269  
rules adopted ~~by the state board of education~~ pursuant to 1270  
division (F) of this section, for each building under the 1271  
administrator's control. The administrator shall examine the 1272  
environmental conditions and operations of each building to 1273  
determine potential hazards to student and staff safety and 1274  
shall propose operating changes to promote the prevention of 1275  
potentially dangerous problems and circumstances. In developing 1276  
the plan for each building, the administrator shall involve 1277  
community law enforcement and safety officials, parents of 1278  
students who are assigned to the building, and teachers and 1279  
nonteaching employees who are assigned to the building. The 1280  
administrator shall incorporate remediation strategies into the 1281  
plan for any building where documented safety problems have 1282  
occurred. 1283

(2) Each administrator shall also incorporate into the 1284  
emergency management plan adopted under division (B)(1) of this 1285  
section all of the following: 1286

(a) A protocol for addressing serious threats to the 1287  
safety of property, students, employees, or administrators; 1288

(b) A protocol for responding to any emergency events that 1289  
occur and compromise the safety of property, students, 1290  
employees, or administrators. This protocol shall include, but 1291  
not be limited to, all of the following: 1292

(i) A floor plan that is unique to each floor of the 1293  
building; 1294

(ii) A site plan that includes all building property and surrounding property; 1295  
1296

(iii) An emergency contact information sheet. 1297

(c) A threat assessment plan developed as prescribed in section 5502.263 of the Revised Code. A building may use the model plan developed by the department of public safety under that section; 1298  
1299  
1300  
1301

(d) A protocol for school threat assessment teams established under section 3313.669 of the Revised Code. 1302  
1303

(3) Each protocol described in ~~divisions~~ division (B) ~~(2)~~ ~~(a)~~ and ~~(b)~~ of this section shall include procedures determined to be appropriate by the administrator for responding to threats and emergency events, respectively, including such things as notification of appropriate law enforcement personnel, calling upon specified emergency response personnel for assistance, and informing parents of affected students. 1304  
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Prior to the opening day of each school year, the administrator shall inform each student or child enrolled in the school and the student's or child's parent of the parental notification procedures included in the protocol. 1311  
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1313  
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(4) Each administrator shall keep a copy of the emergency management plan adopted pursuant to this section in a secure place. 1315  
1316  
1317

(C) (1) The administrator shall submit to the department of education, in accordance with rules adopted ~~by the state board of education~~ pursuant to division (F) of this section, an electronic copy of the emergency management plan prescribed by division (B) of this section not less than once every three years, whenever a major modification to the building requires 1318  
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1323

changes in the procedures outlined in the plan, and whenever 1324  
information on the emergency contact information sheet changes. 1325

(2) The administrator also shall file a copy of the plan 1326  
with each law enforcement agency that has jurisdiction over the 1327  
school building and, upon request, to any of the following: 1328

(a) The fire department that serves the political 1329  
subdivision in which the building is located; 1330

(b) The emergency medical service organization that serves 1331  
the political subdivision in which the building is located; 1332

(c) The county emergency management agency for the county 1333  
in which the building is located. 1334

(3) Upon receipt of an emergency management plan, the 1335  
department of education shall submit the information in 1336  
accordance with rules adopted ~~by the state board of education~~ 1337  
pursuant to division (F) of this section, to both of the 1338  
following: 1339

(a) The attorney general, who shall post that information 1340  
on the Ohio law enforcement gateway or its successor; 1341

(b) The director of public safety, who shall post the 1342  
information on the contact and information management system. 1343

(4) Any department or entity to which copies of an 1344  
emergency management plan are filed under this section shall 1345  
keep the copies in a secure place. 1346

(D) (1) Not later than the first day of July of each year, 1347  
each administrator shall review the emergency management plan 1348  
and certify to the department of education that the plan is 1349  
current and accurate. 1350

(2) Anytime that an administrator updates the emergency management plan pursuant to division (C) (1) of this section, the administrator shall file copies, not later than the tenth day after the revision is adopted and in accordance with rules adopted ~~by the state board~~ pursuant to division (F) of this section, to the department of education and to any entity with which the administrator filed a copy under division (C) (2) of this section.

(E) Each administrator shall do both of the following:

(1) Prepare and conduct at least one annual emergency management test, as defined in division (A) (2) of this section, in accordance with rules adopted ~~by the state board~~ pursuant to division (F) of this section;

(2) Grant access to each building under the control of the administrator to law enforcement personnel and to entities described in division (C) (2) of this section, to enable the personnel and entities to hold training sessions for responding to threats and emergency events affecting the building, provided that the access occurs outside of student instructional hours and the administrator, or the administrator's designee, is present in the building during the training sessions.

(F) ~~The state board of education~~ director of public safety, in accordance with Chapter 119. of the Revised Code, shall adopt rules regarding emergency management plans under this section, including the content of the plans and procedures for filing the plans. The rules shall specify that plans and information required under division (B) of this section be submitted on standardized forms developed by the department of ~~education~~ public safety for such purpose. The rules shall also specify the requirements and procedures for emergency management



tests conducted pursuant to division (E) (1) of this section. 1381  
Failure to comply with the rules may result in discipline 1382  
pursuant to section 3319.31 of the Revised Code or any other 1383  
action against the administrator as prescribed by rule. 1384

(G) Division (B) of section 3319.31 of the Revised Code 1385  
applies to any administrator who is subject to the requirements 1386  
of this section and is not exempt under division (H) of this 1387  
section and who is an applicant for a license or holds a license 1388  
from the state board pursuant to section 3319.22 of the Revised 1389  
Code. 1390

(H) The ~~superintendent of public instruction~~ director of 1391  
public safety may exempt any administrator from the requirements 1392  
of this section, if the ~~superintendent~~ director determines that 1393  
the requirements do not otherwise apply to a building or 1394  
buildings under the control of that administrator. 1395

(I) Copies of the emergency management plan and 1396  
information required under division (B) of this section are 1397  
security records and are not public records pursuant to section 1398  
149.433 of the Revised Code. In addition, the information posted 1399  
to the contact and information management system, pursuant to 1400  
division (C) (3) (b) of this section, is exempt from public 1401  
disclosure or release in accordance with sections 149.43, 1402  
149.433, and 5502.03 of the Revised Code. 1403

Notwithstanding section 149.433 of the Revised Code, a 1404  
floor plan filed with the attorney general pursuant to this 1405  
section is not a public record to the extent it is a record kept 1406  
by the attorney general. 1407

**Sec. 5502.263.** (A) As used in this section, "evidence- 1408  
based" means a program or practice that does either of the 1409

<u>following:</u>	1410
<u>(1) Demonstrates a rationale based on high-quality</u>	1411
<u>research findings or positive evaluation that such a program or</u>	1412
<u>practice is likely to improve relevant outcomes and includes</u>	1413
<u>ongoing efforts to examine the effects of the program or</u>	1414
<u>practice;</u>	1415
<u>(2) Has a statistically significant effect on relevant</u>	1416
<u>outcomes based on:</u>	1417
<u>(a) Strong evidence from at least one well-designed and</u>	1418
<u>well-implemented experimental study;</u>	1419
<u>(b) Moderate evidence from at least one well-designed and</u>	1420
<u>well-implemented quasi-experimental study; or</u>	1421
<u>(c) Promising evidence from at least one well-designed and</u>	1422
<u>well-implemented correlation study with statistical controls for</u>	1423
<u>selection bias.</u>	1424
<u>(B) Not later than two years after the effective date of</u>	1425
<u>this section, the department of public safety, in consultation</u>	1426
<u>with the department of education and the attorney general, shall</u>	1427
<u>develop a model threat assessment plan that may be used in a</u>	1428
<u>building's emergency management plan developed under section</u>	1429
<u>5502.262 of the Revised Code. The model plan shall do at least</u>	1430
<u>the following:</u>	1431
<u>(1) Identify the types of threatening behavior that may</u>	1432
<u>represent a physical threat to a school community;</u>	1433
<u>(2) Identify individuals to whom threatening behavior</u>	1434
<u>should be reported and steps to be taken by those individuals;</u>	1435
<u>(3) Establish threat assessment guidelines including</u>	1436
<u>identification, evaluation of seriousness of threat or danger,</u>	1437

<u>intervention to reduce potential violence, and follow-up to</u>	1438
<u>assess intervention results;</u>	1439
<u>(4) Establish guidelines for coordinating with local law</u>	1440
<u>enforcement agencies and reports collected through the</u>	1441
<u>district's chosen anonymous reporting program under section</u>	1442
<u>3313.6610 of the Revised Code and identify a point of contact</u>	1443
<u>within each agency;</u>	1444
<u>(5) Conform with all other specifications in a school's</u>	1445
<u>emergency management plan developed under section 5502.262 of</u>	1446
<u>the Revised Code.</u>	1447
<u>(C) Not later than two years after the effective date of</u>	1448
<u>this section, the department of public safety, in consultation</u>	1449
<u>with the department of education and the attorney general, shall</u>	1450
<u>develop and maintain a list of approved training programs for</u>	1451
<u>completion by school threat assessment team members prescribed</u>	1452
<u>in section 3313.669 of the Revised Code, one of which must be</u>	1453
<u>free or of no cost to schools. Each program approved under this</u>	1454
<u>section must be an evidence-based program that provides</u>	1455
<u>instruction in the following:</u>	1456
<u>(1) Identifying behaviors, signs, and threats that may</u>	1457
<u>lead to a violent act;</u>	1458
<u>(2) Determining the seriousness of a threat;</u>	1459
<u>(3) Developing intervention plans that protect the</u>	1460
<u>potential victims and address the underlying problem or conflict</u>	1461
<u>that initiated the behavior and assessments of plan results.</u>	1462
<u>Completion of an approved program under this section shall</u>	1463
<u>fulfill the training requirements prescribed under section</u>	1464
<u>3313.669 of the Revised Code.</u>	1465

**Section 2.** That existing sections 149.433, 3313.536, 1466  
3313.60, 3313.951, 3314.03, 3319.073, 3319.31, 3326.11, 3328.24, 1467  
and 3737.73 of the Revised Code are hereby repealed. 1468

**Section 3.** To offset any costs associated with the 1469  
implementation of the provisions of law amended or enacted by 1470  
this act, the Department of Education is encouraged to apply for 1471  
any federal or other funding available for the purposes of 1472  
increasing school safety. 1473

**Section 4.** This act shall be known as the "Safety and 1474  
Violence Education Students Act," or the "SAVE Students Act." 1475

**Section 5.** Section 3328.24 of the Revised Code is 1476  
presented in this act as a composite of the section as amended 1477  
by both Am. Sub. H.B. 410 and Sub. S.B. 3 of the 131st General 1478  
Assembly. The General Assembly, applying the principle stated in 1479  
division (B) of section 1.52 of the Revised Code that amendments 1480  
are to be harmonized if reasonably capable of simultaneous 1481  
operation, finds that the composite is the resulting version of 1482  
the section in effect prior to the effective date of the section 1483  
as presented in this act. 1484