

As Reported by the Senate Judiciary Committee

133rd General Assembly

Regular Session

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Sub. S. B. No. 16

Senator Williams

Cosponsors: Senators Thomas, Fedor, Antonio

A BILL

To amend sections 109.73, 109.803, 3301.0721, 1
3314.03, 3326.11, and 3328.24 and to enact 2
sections 3313.6025 and 4508.022 of the Revised 3
Code regarding instruction for peace officers, 4
students, and new or student drivers on proper 5
interactions with peace officers. 6

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

Section 1. That sections 109.73, 109.803, 3301.0721, 7
3314.03, 3326.11, and 3328.24 be amended and sections 3313.6025 8
and 4508.022 of the Revised Code be enacted to read as follows: 9

Sec. 109.73. (A) The Ohio peace officer training 10
commission shall recommend rules to the attorney general with 11
respect to all of the following: 12

(1) The approval, or revocation of approval, of peace 13
officer training schools administered by the state, counties, 14
municipal corporations, public school districts, technical 15
college districts, and the department of natural resources; 16

(2) Minimum courses of study, attendance requirements, and 17
equipment and facilities to be required at approved state, 18

county, municipal, and department of natural resources peace officer training schools; 19
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(3) Minimum qualifications for instructors at approved state, county, municipal, and department of natural resources peace officer training schools; 21
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(4) The requirements of minimum basic training that peace officers appointed to probationary terms shall complete before being eligible for permanent appointment, which requirements shall include training in the handling of the offense of domestic violence, other types of domestic violence-related offenses and incidents, and protection orders and consent agreements issued or approved under section 2919.26 or 3113.31 of the Revised Code; crisis intervention training; and training in the handling of missing children and child abuse and neglect cases; and training in handling violations of section 2905.32 of the Revised Code; and the time within which such basic training shall be completed following appointment to a probationary term; 24
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(5) The requirements of minimum basic training that peace officers not appointed for probationary terms but appointed on other than a permanent basis shall complete in order to be eligible for continued employment or permanent appointment, which requirements shall include training in the handling of the offense of domestic violence, other types of domestic violence-related offenses and incidents, and protection orders and consent agreements issued or approved under section 2919.26 or 3113.31 of the Revised Code, crisis intervention training, and training in the handling of missing children and child abuse and neglect cases, and training in handling violations of section 2905.32 of the Revised Code, and the time within which such basic training shall be completed following appointment on other 36
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than a permanent basis; 49

(6) Categories or classifications of advanced in-service 50
training programs for peace officers, including programs in the 51
handling of the offense of domestic violence, other types of 52
domestic violence-related offenses and incidents, and protection 53
orders and consent agreements issued or approved under section 54
2919.26 or 3113.31 of the Revised Code, in crisis intervention, 55
and in the handling of missing children and child abuse and 56
neglect cases, and in handling violations of section 2905.32 of 57
the Revised Code, and minimum courses of study and attendance 58
requirements with respect to such categories or classifications; 59

(7) Permitting persons, who are employed as members of a 60
campus police department appointed under section 1713.50 of the 61
Revised Code; who are employed as police officers by a qualified 62
nonprofit corporation police department pursuant to section 63
1702.80 of the Revised Code; who are appointed and commissioned 64
as bank, savings and loan association, savings bank, credit 65
union, or association of banks, savings and loan associations, 66
savings banks, or credit unions police officers, as railroad 67
police officers, or as hospital police officers pursuant to 68
sections 4973.17 to 4973.22 of the Revised Code; or who are 69
appointed and commissioned as amusement park police officers 70
pursuant to section 4973.17 of the Revised Code, to attend 71
approved peace officer training schools, including the Ohio 72
peace officer training academy, and to receive certificates of 73
satisfactory completion of basic training programs, if the 74
private college or university that established the campus police 75
department; qualified nonprofit corporation police department; 76
bank, savings and loan association, savings bank, credit union, 77
or association of banks, savings and loan associations, savings 78
banks, or credit unions; railroad company; hospital; or 79

amusement park sponsoring the police officers pays the entire 80
cost of the training and certification and if trainee vacancies 81
are available; 82

(8) Permitting undercover drug agents to attend approved 83
peace officer training schools, other than the Ohio peace 84
officer training academy, and to receive certificates of 85
satisfactory completion of basic training programs, if, for each 86
undercover drug agent, the county, township, or municipal 87
corporation that employs that undercover drug agent pays the 88
entire cost of the training and certification; 89

(9) (a) The requirements for basic training programs for 90
bailiffs and deputy bailiffs of courts of record of this state 91
and for criminal investigators employed by the state public 92
defender that those persons shall complete before they may carry 93
a firearm while on duty; 94

(b) The requirements for any training received by a 95
bailiff or deputy bailiff of a court of record of this state or 96
by a criminal investigator employed by the state public defender 97
prior to June 6, 1986, that is to be considered equivalent to 98
the training described in division (A) (9) (a) of this section. 99

(10) Establishing minimum qualifications and requirements 100
for certification for dogs utilized by law enforcement agencies; 101

(11) Establishing minimum requirements for certification 102
of persons who are employed as correction officers in a full- 103
service jail, five-day facility, or eight-hour holding facility 104
or who provide correction services in such a jail or facility; 105

(12) Establishing requirements for the training of agents 106
of a county humane society under section 1717.06 of the Revised 107
Code, including, without limitation, a requirement that the 108

agents receive instruction on traditional animal husbandry 109
methods and training techniques, including customary owner- 110
performed practices; 111

(13) Permitting tactical medical professionals to attend 112
approved peace officer training schools, including the Ohio 113
peace officer training academy, to receive training of the type 114
described in division (A) (14) of this section and to receive 115
certificates of satisfactory completion of training programs 116
described in that division; 117

(14) The requirements for training programs that tactical 118
medical professionals shall complete to qualify them to carry 119
firearms while on duty under section 109.771 of the Revised 120
Code, which requirements shall include at least the firearms 121
training specified in division (A) of section 109.748 of the 122
Revised Code; 123

(15) Procedures and requirements for a portion of basic 124
training that peace officers complete in proper interactions 125
with civilians during traffic stops and other in-person 126
encounters as specified in division (B) (4) of section 109.803 of 127
the Revised Code and including the topics of instruction listed 128
for active duty peace officers under divisions (B) (4) (a) to (d) 129
of that section. 130

(B) The commission shall appoint an executive director, 131
with the approval of the attorney general, who shall hold office 132
during the pleasure of the commission. The executive director 133
shall perform such duties assigned by the commission. The 134
executive director shall receive a salary fixed pursuant to 135
Chapter 124. of the Revised Code and reimbursement for expenses 136
within the amounts available by appropriation. The executive 137
director may appoint officers, employees, agents, and 138

consultants as the executive director considers necessary,	139
prescribe their duties, and provide for reimbursement of their	140
expenses within the amounts available for reimbursement by	141
appropriation and with the approval of the commission.	142
(C) The commission may do all of the following:	143
(1) Recommend studies, surveys, and reports to be made by	144
the executive director regarding the carrying out of the	145
objectives and purposes of sections 109.71 to 109.77 of the	146
Revised Code;	147
(2) Visit and inspect any peace officer training school	148
that has been approved by the executive director or for which	149
application for approval has been made;	150
(3) Make recommendations, from time to time, to the	151
executive director, the attorney general, and the general	152
assembly regarding the carrying out of the purposes of sections	153
109.71 to 109.77 of the Revised Code;	154
(4) Report to the attorney general from time to time, and	155
to the governor and the general assembly at least annually,	156
concerning the activities of the commission;	157
(5) Establish fees for the services the commission offers	158
under sections 109.71 to 109.79 of the Revised Code, including,	159
but not limited to, fees for training, certification, and	160
testing;	161
(6) Perform such other acts as are necessary or	162
appropriate to carry out the powers and duties of the commission	163
as set forth in sections 109.71 to 109.77 of the Revised Code.	164
(D) In establishing the requirements, under division (A)	165
(12) of this section, the commission may consider any portions	166

of the curriculum for instruction on the topic of animal 167
husbandry practices, if any, of the Ohio state university 168
college of veterinary medicine. No person or entity that fails 169
to provide instruction on traditional animal husbandry methods 170
and training techniques, including customary owner-performed 171
practices, shall qualify to train a humane agent for appointment 172
under section 1717.06 of the Revised Code. 173

Sec. 109.803. (A) (1) Subject to divisions (A) (2) and (B) 174
of this section, every appointing authority shall require each 175
of its appointed peace officers and troopers to complete up to 176
twenty-four hours of continuing professional training each 177
calendar year, as directed by the Ohio peace officer training 178
commission. The number of hours directed by the commission, up 179
to twenty-four hours, is intended to be a minimum requirement, 180
and appointing authorities are encouraged to exceed the number 181
of hours the commission directs as the minimum. The commission 182
shall set the required minimum number of hours based upon 183
available funding for reimbursement as described in this 184
division. If no funding for the reimbursement is available, no 185
continuing professional training will be required. 186

(2) An appointing authority may submit a written request 187
to the peace officer training commission that requests for a 188
calendar year because of emergency circumstances an extension of 189
the time within which one or more of its appointed peace 190
officers or troopers must complete the required minimum number 191
of hours of continuing professional training set by the 192
commission, as described in division (A) (1) of this section. A 193
request made under this division shall set forth the name of 194
each of the appointing authority's peace officers or troopers 195
for whom an extension is requested, identify the emergency 196
circumstances related to that peace officer or trooper, include 197

documentation of those emergency circumstances, and set forth 198
the date on which the request is submitted to the commission. A 199
request shall be made under this division not later than the 200
fifteenth day of December in the calendar year for which the 201
extension is requested. 202

Upon receipt of a written request made under this 203
division, the executive director of the commission shall review 204
the request and the submitted documentation. If the executive 205
director of the commission is satisfied that emergency 206
circumstances exist for any peace officer or trooper for whom a 207
request was made under this division, the executive director may 208
approve the request for that peace officer or trooper and grant 209
an extension of the time within which that peace officer or 210
trooper must complete the required minimum number of hours of 211
continuing professional training set by the commission. An 212
extension granted under this division may be for any period of 213
time the executive director believes to be appropriate, and the 214
executive director shall specify in the notice granting the 215
extension the date on which the extension ends. Not later than 216
thirty days after the date on which a request is submitted to 217
the commission, for each peace officer and trooper for whom an 218
extension is requested, the executive director either shall 219
approve the request and grant an extension or deny the request 220
and deny an extension and shall send to the appointing authority 221
that submitted the request written notice of the executive 222
director's decision. 223

If the executive director grants an extension of the time 224
within which a particular appointed peace officer or trooper of 225
an appointing authority must complete the required minimum 226
number of hours of continuing professional training set by the 227
commission, the appointing authority shall require that peace 228

officer or trooper to complete the required minimum number of 229
hours of training not later than the date on which the extension 230
ends. 231

(B) With the advice of the Ohio peace officer training 232
commission, the attorney general shall adopt in accordance with 233
Chapter 119. of the Revised Code rules setting forth minimum 234
standards for continuing professional training for peace 235
officers and troopers and governing the administration of 236
continuing professional training programs for peace officers and 237
troopers. The rules adopted by the attorney general under 238
division (B) of this section shall do all of the following: 239

(1) Allow peace officers and troopers to earn credit for 240
up to four hours of continuing professional training for time 241
spent while on duty providing drug use prevention education 242
training that utilizes evidence-based curricula to students in 243
school districts, community schools established under Chapter 244
3314., STEM schools established under Chapter 3326., and 245
college-preparatory boarding schools established under Chapter 246
3328. of the Revised Code. 247

(2) Allow a peace officer or trooper appointed by a law 248
enforcement agency to earn hours of continuing professional 249
training for other peace officers or troopers appointed by the 250
law enforcement agency by providing drug use prevention 251
education training under division (B)(1) of this section so that 252
hours earned by the peace officer or trooper providing the 253
training in excess of four hours may be applied to offset the 254
number of continuing professional training hours required of 255
another peace officer or trooper appointed by that law 256
enforcement agency. 257

(3) Prohibit the use of continuing professional training 258

hours earned under division (B) (1) or (2) of this section from 259
being used to offset any mandatory hands-on training 260
requirement. 261

(4) Require a peace officer to complete training on proper 262
interactions with civilians during traffic stops and other in- 263
person encounters, which training shall have an online offering 264
and shall include all of the following topics: 265

(a) A person's rights during an interaction with a peace 266
officer, including all of the following: 267

(i) When a peace officer may require a person to exit a 268
vehicle; 269

(ii) Constitutional protections from illegal search and 270
seizure; 271

(iii) The rights of a passenger in a vehicle who has been 272
pulled over for a traffic stop; 273

(iv) The right for a citizen to record an encounter with a 274
peace officer. 275

(b) Proper actions for interacting with a civilian and 276
methods for diffusing a stressful encounter with a civilian; 277

(c) Laws regarding questioning and detention by peace 278
officers, including any law requiring a person to present proof 279
of identity to a peace officer, and the consequences for a 280
person's or officer's failure to comply with those laws. 281

(d) Any other requirements and procedures necessary for 282
the proper implementation of this section. 283

(C) The attorney general shall transmit a certified copy 284
of any rule adopted under this section to the secretary of 285

state. 286

Sec. 3301.0721. (A) The superintendent of public 287
instruction shall develop a model curriculum for instruction in 288
college and career readiness and financial literacy. The 289
curriculum shall focus on grades seven through twelve, but the 290
superintendent may include other grade levels. When the model 291
curriculum has been developed, the department of education shall 292
notify all school districts, community schools established under 293
Chapter 3314. of the Revised Code, and STEM schools established 294
under Chapter 3326. of the Revised Code of the content of the 295
curriculum. Any district or school may utilize the model 296
curriculum. 297

(B) The state board of education, in collaboration with 298
the director of public safety, shall develop a model curriculum 299
for instruction in grades nine through twelve on proper 300
interactions with peace officers during traffic stops and other 301
in-person encounters with peace officers. In developing the 302
curriculum under division (B) of this section, the state board 303
and the director may consult with any interested party, 304
including a volunteer work group convened for the purpose of 305
making recommendations regarding the instruction. Before 306
finalizing any curriculum under division (B) of this section, 307
the state board and the director shall provide a reasonable 308
period for public comment. The curriculum shall include both of 309
the following: 310

(1) Information regarding all of the following: 311

(a) A person's rights during an interaction with a peace 312
officer; 313

(b) Proper actions for interacting with a peace officer; 314

(c) Which individuals are considered peace officers, and 315
their duties and responsibilities; 316

(d) Laws regarding questioning and detention by peace 317
officers, including any law requiring a person to present proof 318
of identity to a peace officer, and the consequences for a 319
person's or officer's failure to comply with those laws. 320

(2) Demonstrations and role-play activities in a classroom 321
setting that allow students to better understand how 322
interactions between civilians and peace officers can and should 323
unfold. 324

As used in this section, "peace officer" has the same 325
meaning as in section 109.71 of the Revised Code. 326

Sec. 3313.6025. The board of education of each city, 327
local, exempted village, and joint vocational school district 328
shall provide instruction on proper interactions with peace 329
officers during traffic stops and other in-person encounters 330
using the model curriculum developed under division (B) of 331
section 3301.0721 of the Revised Code. Each district shall 332
include this instruction in one or more courses offered under 333
division (C) of section 3313.603 of the Revised Code for 334
students in grades nine through twelve. Each district may modify 335
the instruction in the model curriculum as appropriate for the 336
district's community. In modifying the instruction, the district 337
shall solicit input from local law enforcement agencies, driver 338
training schools, as that term is defined in section 4508.01 of 339
the Revised Code, and the community. 340

Sec. 3314.03. A copy of every contract entered into under 341
this section shall be filed with the superintendent of public 342
instruction. The department of education shall make available on 343

its web site a copy of every approved, executed contract filed	344
with the superintendent under this section.	345
(A) Each contract entered into between a sponsor and the	346
governing authority of a community school shall specify the	347
following:	348
(1) That the school shall be established as either of the	349
following:	350
(a) A nonprofit corporation established under Chapter	351
1702. of the Revised Code, if established prior to April 8,	352
2003;	353
(b) A public benefit corporation established under Chapter	354
1702. of the Revised Code, if established after April 8, 2003.	355
(2) The education program of the school, including the	356
school's mission, the characteristics of the students the school	357
is expected to attract, the ages and grades of students, and the	358
focus of the curriculum;	359
(3) The academic goals to be achieved and the method of	360
measurement that will be used to determine progress toward those	361
goals, which shall include the statewide achievement	362
assessments;	363
(4) Performance standards, including but not limited to	364
all applicable report card measures set forth in section 3302.03	365
or 3314.017 of the Revised Code, by which the success of the	366
school will be evaluated by the sponsor;	367
(5) The admission standards of section 3314.06 of the	368
Revised Code and, if applicable, section 3314.061 of the Revised	369
Code;	370
(6) (a) Dismissal procedures;	371

(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.	372 373 374 375 376 377
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	378 379
(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.	380 381 382 383 384 385
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	386 387
(a) A detailed description of each facility used for instructional purposes;	388 389
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	390 391
(c) The annual mortgage principal and interest payments that are paid by the school;	392 393
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	394 395 396
(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	397 398 399

that a community school may engage noncertificated persons to 400
teach up to twelve hours per week pursuant to section 3319.301 401
of the Revised Code. 402

(11) That the school will comply with the following 403
requirements: 404

(a) The school will provide learning opportunities to a 405
minimum of twenty-five students for a minimum of nine hundred 406
twenty hours per school year. 407

(b) The governing authority will purchase liability 408
insurance, or otherwise provide for the potential liability of 409
the school. 410

(c) The school will be nonsectarian in its programs, 411
admission policies, employment practices, and all other 412
operations, and will not be operated by a sectarian school or 413
religious institution. 414

(d) The school will comply with sections 9.90, 9.91, 415
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 416
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3313.472, 417
3313.50, 3313.536, 3313.539, 3313.5310, 3313.608, 3313.609, 418
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 419
3313.6024, 3313.6025, 3313.643, 3313.648, 3313.6411, 3313.66, 420
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.67, 421
3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 422
3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 3313.814, 423
3313.816, 3313.817, 3313.818, 3313.86, 3313.89, 3313.96, 424
3319.073, 3319.321, 3319.39, 3319.391, 3319.41, 3319.46, 425
3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 426
3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 427
4113.52, and 5705.391 and Chapters 117., 1347., 2744., 3365., 428

3742., 4112., 4123., 4141., and 4167. of the Revised Code as if 429
it were a school district and will comply with section 3301.0714 430
of the Revised Code in the manner specified in section 3314.17 431
of the Revised Code. 432

(e) The school shall comply with Chapter 102. and section 433
2921.42 of the Revised Code. 434

(f) The school will comply with sections 3313.61, 435
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 436
Revised Code, except that for students who enter ninth grade for 437
the first time before July 1, 2010, the requirement in sections 438
3313.61 and 3313.611 of the Revised Code that a person must 439
successfully complete the curriculum in any high school prior to 440
receiving a high school diploma may be met by completing the 441
curriculum adopted by the governing authority of the community 442
school rather than the curriculum specified in Title XXXVIII of 443
the Revised Code or any rules of the state board of education. 444
Beginning with students who enter ninth grade for the first time 445
on or after July 1, 2010, the requirement in sections 3313.61 446
and 3313.611 of the Revised Code that a person must successfully 447
complete the curriculum of a high school prior to receiving a 448
high school diploma shall be met by completing the requirements 449
prescribed in division (C) of section 3313.603 of the Revised 450
Code, unless the person qualifies under division (D) or (F) of 451
that section. Each school shall comply with the plan for 452
awarding high school credit based on demonstration of subject 453
area competency, and beginning with the 2017-2018 school year, 454
with the updated plan that permits students enrolled in seventh 455
and eighth grade to meet curriculum requirements based on 456
subject area competency adopted by the state board of education 457
under divisions (J) (1) and (2) of section 3313.603 of the 458
Revised Code. Beginning with the 2018-2019 school year, the 459

school shall comply with the framework for granting units of 460
high school credit to students who demonstrate subject area 461
competency through work-based learning experiences, internships, 462
or cooperative education developed by the department under 463
division (J) (3) of section 3313.603 of the Revised Code. 464

(g) The school governing authority will submit within four 465
months after the end of each school year a report of its 466
activities and progress in meeting the goals and standards of 467
divisions (A) (3) and (4) of this section and its financial 468
status to the sponsor and the parents of all students enrolled 469
in the school. 470

(h) The school, unless it is an internet- or computer- 471
based community school, will comply with section 3313.801 of the 472
Revised Code as if it were a school district. 473

(i) If the school is the recipient of moneys from a grant 474
awarded under the federal race to the top program, Division (A), 475
Title XIV, Sections 14005 and 14006 of the "American Recovery 476
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 477
the school will pay teachers based upon performance in 478
accordance with section 3317.141 and will comply with section 479
3319.111 of the Revised Code as if it were a school district. 480

(j) If the school operates a preschool program that is 481
licensed by the department of education under sections 3301.52 482
to 3301.59 of the Revised Code, the school shall comply with 483
sections 3301.50 to 3301.59 of the Revised Code and the minimum 484
standards for preschool programs prescribed in rules adopted by 485
the state board under section 3301.53 of the Revised Code. 486

(k) The school will comply with sections 3313.6021 and 487
3313.6023 of the Revised Code as if it were a school district 488

unless it is either of the following:	489
(i) An internet- or computer-based community school;	490
(ii) A community school in which a majority of the	491
enrolled students are children with disabilities as described in	492
division (A) (4) (b) of section 3314.35 of the Revised Code.	493
(12) Arrangements for providing health and other benefits	494
to employees;	495
(13) The length of the contract, which shall begin at the	496
beginning of an academic year. No contract shall exceed five	497
years unless such contract has been renewed pursuant to division	498
(E) of this section.	499
(14) The governing authority of the school, which shall be	500
responsible for carrying out the provisions of the contract;	501
(15) A financial plan detailing an estimated school budget	502
for each year of the period of the contract and specifying the	503
total estimated per pupil expenditure amount for each such year.	504
(16) Requirements and procedures regarding the disposition	505
of employees of the school in the event the contract is	506
terminated or not renewed pursuant to section 3314.07 of the	507
Revised Code;	508
(17) Whether the school is to be created by converting all	509
or part of an existing public school or educational service	510
center building or is to be a new start-up school, and if it is	511
a converted public school or service center building,	512
specification of any duties or responsibilities of an employer	513
that the board of education or service center governing board	514
that operated the school or building before conversion is	515
delegating to the governing authority of the community school	516

with respect to all or any specified group of employees provided 517
the delegation is not prohibited by a collective bargaining 518
agreement applicable to such employees; 519

(18) Provisions establishing procedures for resolving 520
disputes or differences of opinion between the sponsor and the 521
governing authority of the community school; 522

(19) A provision requiring the governing authority to 523
adopt a policy regarding the admission of students who reside 524
outside the district in which the school is located. That policy 525
shall comply with the admissions procedures specified in 526
sections 3314.06 and 3314.061 of the Revised Code and, at the 527
sole discretion of the authority, shall do one of the following: 528

(a) Prohibit the enrollment of students who reside outside 529
the district in which the school is located; 530

(b) Permit the enrollment of students who reside in 531
districts adjacent to the district in which the school is 532
located; 533

(c) Permit the enrollment of students who reside in any 534
other district in the state. 535

(20) A provision recognizing the authority of the 536
department of education to take over the sponsorship of the 537
school in accordance with the provisions of division (C) of 538
section 3314.015 of the Revised Code; 539

(21) A provision recognizing the sponsor's authority to 540
assume the operation of a school under the conditions specified 541
in division (B) of section 3314.073 of the Revised Code; 542

(22) A provision recognizing both of the following: 543

(a) The authority of public health and safety officials to 544

inspect the facilities of the school and to order the facilities 545
closed if those officials find that the facilities are not in 546
compliance with health and safety laws and regulations; 547

(b) The authority of the department of education as the 548
community school oversight body to suspend the operation of the 549
school under section 3314.072 of the Revised Code if the 550
department has evidence of conditions or violations of law at 551
the school that pose an imminent danger to the health and safety 552
of the school's students and employees and the sponsor refuses 553
to take such action. 554

(23) A description of the learning opportunities that will 555
be offered to students including both classroom-based and non- 556
classroom-based learning opportunities that is in compliance 557
with criteria for student participation established by the 558
department under division (H) (2) of section 3314.08 of the 559
Revised Code; 560

(24) The school will comply with sections 3302.04 and 561
3302.041 of the Revised Code, except that any action required to 562
be taken by a school district pursuant to those sections shall 563
be taken by the sponsor of the school. However, the sponsor 564
shall not be required to take any action described in division 565
(F) of section 3302.04 of the Revised Code. 566

(25) Beginning in the 2006-2007 school year, the school 567
will open for operation not later than the thirtieth day of 568
September each school year, unless the mission of the school as 569
specified under division (A) (2) of this section is solely to 570
serve dropouts. In its initial year of operation, if the school 571
fails to open by the thirtieth day of September, or within one 572
year after the adoption of the contract pursuant to division (D) 573
of section 3314.02 of the Revised Code if the mission of the 574

school is solely to serve dropouts, the contract shall be void.	575
(26) Whether the school's governing authority is planning to seek designation for the school as a STEM school equivalent under section 3326.032 of the Revised Code;	576 577 578
(27) That the school's attendance and participation policies will be available for public inspection;	579 580
(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;	581 582 583 584 585 586 587
(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:	588 589 590
(a) An indication of what blended learning model or models will be used;	591 592
(b) A description of how student instructional needs will be determined and documented;	593 594
(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;	595 596
(d) The school's attendance requirements, including how the school will document participation in learning opportunities;	597 598 599
(e) A statement describing how student progress will be monitored;	600 601

(f) A statement describing how private student data will be protected;	602 603
(g) A description of the professional development activities that will be offered to teachers.	604 605
(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;	606 607 608 609
(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.	610 611 612 613 614
(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.	615 616 617 618 619
(33) A provision requiring the governing authority to adopt a student residence and address verification policy for students enrolling in or attending the school.	620 621 622
(B) The community school shall also submit to the sponsor a comprehensive plan for the school. The plan shall specify the following:	623 624 625
(1) The process by which the governing authority of the school will be selected in the future;	626 627
(2) The management and administration of the school;	628
(3) If the community school is a currently existing public	629

school or educational service center building, alternative 630
arrangements for current public school students who choose not 631
to attend the converted school and for teachers who choose not 632
to teach in the school or building after conversion; 633

(4) The instructional program and educational philosophy 634
of the school; 635

(5) Internal financial controls. 636

When submitting the plan under this division, the school 637
shall also submit copies of all policies and procedures 638
regarding internal financial controls adopted by the governing 639
authority of the school. 640

(C) A contract entered into under section 3314.02 of the 641
Revised Code between a sponsor and the governing authority of a 642
community school may provide for the community school governing 643
authority to make payments to the sponsor, which is hereby 644
authorized to receive such payments as set forth in the contract 645
between the governing authority and the sponsor. The total 646
amount of such payments for monitoring, oversight, and technical 647
assistance of the school shall not exceed three per cent of the 648
total amount of payments for operating expenses that the school 649
receives from the state. 650

(D) The contract shall specify the duties of the sponsor 651
which shall be in accordance with the written agreement entered 652
into with the department of education under division (B) of 653
section 3314.015 of the Revised Code and shall include the 654
following: 655

(1) Monitor the community school's compliance with all 656
laws applicable to the school and with the terms of the 657
contract; 658

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

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

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

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

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

(E) Upon the expiration of a contract entered into under this section, the sponsor of a community school may, with the approval of the governing authority of the school, renew that contract for a period of time determined by the sponsor, but not ending earlier than the end of any school year, if the sponsor finds that the school's compliance with applicable laws and terms of the contract and the school's progress in meeting the academic goals prescribed in the contract have been satisfactory. Any contract that is renewed under this division

remains subject to the provisions of sections 3314.07, 3314.072, 688
and 3314.073 of the Revised Code. 689

(F) If a community school fails to open for operation 690
within one year after the contract entered into under this 691
section is adopted pursuant to division (D) of section 3314.02 692
of the Revised Code or permanently closes prior to the 693
expiration of the contract, the contract shall be void and the 694
school shall not enter into a contract with any other sponsor. A 695
school shall not be considered permanently closed because the 696
operations of the school have been suspended pursuant to section 697
3314.072 of the Revised Code. 698

Sec. 3326.11. Each science, technology, engineering, and 699
mathematics school established under this chapter and its 700
governing body shall comply with sections 9.90, 9.91, 109.65, 701
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 702
3301.0714, 3301.0715, 3301.0729, 3301.948, 3313.14, 3313.15, 703
3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 704
3313.481, 3313.482, 3313.50, 3313.536, 3313.539, 3313.5310, 705
3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 706
3313.6021, 3313.6024, 3313.6025, 3313.61, 3313.611, 3313.614, 707
3313.615, 3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 708
3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 709
3313.668, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 710
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.721, 711
3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 3313.818, 712
3313.86, 3313.89, 3313.96, 3319.073, 3319.21, 3319.32, 3319.321, 713
3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 3319.46, 3320.01, 714
3320.02, 3320.03, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 715
3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 716
4113.52, and 5705.391 and Chapters 102., 117., 1347., 2744., 717
3307., 3309., 3365., 3742., 4112., 4123., 4141., and 4167. of 718

the Revised Code as if it were a school district. 719

Sec. 3328.24. A college-preparatory boarding school 720
established under this chapter and its board of trustees shall 721
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 722
3301.0714, 3301.0729, 3301.948, 3313.536, 3313.6013, 3313.6021, 723
3313.6024, 3313.6025, 3313.617, 3313.618, 3313.6114, 3313.6411, 724
3313.668, 3313.7112, 3313.721, 3313.89, 3319.39, 3319.391, 725
3319.46, 3320.01, 3320.02, and 3320.03 and Chapter 3365. of the 726
Revised Code as if the school were a school district and the 727
school's board of trustees were a district board of education. 728

Sec. 4508.022. (A) The director of public safety shall 729
adapt the model curriculum on proper interactions with peace 730
officers developed under division (B) of section 3301.0721 of 731
the Revised Code so that it is appropriate for the instructional 732
methods of driver training schools. 733

(B) The classroom instruction required by division (C) of 734
section 4508.02 of the Revised Code shall include the 735
instruction adapted under division (A) of this section. 736

(C) The director shall amend the digest of motor vehicle 737
laws, or any other reference document for the material covered 738
in the written portions of the temporary instruction permit and 739
drivers' license examinations required under section 4507.11 of 740
the Revised Code, to include a separate section with instruction 741
on proper interactions when a driver is stopped by a peace 742
officer. The instruction shall be adapted from the model 743
curriculum described in division (A) of this section so that it 744
is appropriate for new drivers. 745

(D) As used in this section, "peace officer" has the same 746
meaning as in section 109.71 of the Revised Code. 747

Section 2. That existing sections 109.73, 109.803, 748
3301.0721, 3314.03, 3326.11, and 3328.24 of the Revised Code are 749
hereby repealed. 750

Section 3. The General Assembly, applying the principle 751
stated in division (B) of section 1.52 of the Revised Code that 752
amendments are to be harmonized if reasonably capable of 753
simultaneous operation, finds that the following sections, 754
presented in this act as composites of the sections as amended 755
by the acts indicated, are the resulting versions of the 756
sections in effect prior to the effective date of the sections 757
as presented in this act: 758

Section 3314.03 of the Revised Code as amended by both 759
H.B. 164 and H.B. 166 of the 133rd General Assembly. 760

Section 3326.11 of the Revised Code as amended by both 761
H.B. 164 and H.B. 166 of the 133rd General Assembly. 762

Section 3328.24 of the Revised Code as amended by H.B 164 763
and H.B. 166 of the 133rd General Assembly. 764