

**As Passed by the House**

**135th General Assembly**

**Regular Session**

**2023-2024**

**Sub. H. B. No. 214**

**Representative Holmes**

**Cosponsors: Representatives Click, Cross, Gross, John, Lear, Stoltzfus, Wiggam, Williams, Willis, Bird, Fowler Arthur, Jones, Barhorst, Carruthers, Creech, Dobos, Hall, King, Mathews, McClain, Plummer, Richardson, Schmidt, Seitz, Stein, Swearingen, Young, T.**

---

**A BILL**

To amend sections 3314.03 and 3326.11 and to enact  
section 3319.614 of the Revised Code to require  
each public school to adopt a policy regarding  
certain expectations related to the performance  
of staff member professional duties and to amend  
the version of section 3314.03 of the Revised  
Code that is scheduled to take effect January 1,  
2025, to continue the changes on and after that  
effective date.

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

**Section 1.** That sections 3314.03 and 3326.11 be amended  
and section 3319.614 of the Revised Code be enacted to read as  
follows:

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

contract filed with the director under this section. 17

(A) Each contract entered into between a sponsor and the 18  
governing authority of a community school shall specify the 19  
following: 20

(1) That the school shall be established as either of the 21  
following: 22

(a) A nonprofit corporation established under Chapter 23  
1702. of the Revised Code, if established prior to April 8, 24  
2003; 25

(b) A public benefit corporation established under Chapter 26  
1702. of the Revised Code, if established after April 8, 2003. 27

(2) The education program of the school, including the 28  
school's mission, the characteristics of the students the school 29  
is expected to attract, the ages and grades of students, and the 30  
focus of the curriculum; 31

(3) The academic goals to be achieved and the method of 32  
measurement that will be used to determine progress toward those 33  
goals, which shall include the statewide achievement 34  
assessments; 35

(4) Performance standards, including but not limited to 36  
all applicable report card measures set forth in section 3302.03 37  
or 3314.017 of the Revised Code, by which the success of the 38  
school will be evaluated by the sponsor; 39

(5) The admission standards of section 3314.06 of the 40  
Revised Code and, if applicable, section 3314.061 of the Revised 41  
Code; 42

(6) (a) Dismissal procedures; 43

(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.

(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;

(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.

(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:

(a) A detailed description of each facility used for instructional purposes;

(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;

(c) The annual mortgage principal and interest payments that are paid by the school;

(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.

(10) Qualifications of employees, including both of the following:

(a) A requirement that the school's classroom teachers be

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

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

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

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

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

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

(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117,

3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 101  
3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 102  
3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 103  
3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3319.614, 104  
3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 105  
3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 106  
3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and 107  
Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., 108  
and 4167. of the Revised Code as if it were a school district 109  
and will comply with section 3301.0714 of the Revised Code in 110  
the manner specified in section 3314.17 of the Revised Code. 111

(e) The school shall comply with Chapter 102. and section 112  
2921.42 of the Revised Code. 113

(f) The school will comply with sections 3313.61, 114  
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 115  
Revised Code, except that for students who enter ninth grade for 116  
the first time before July 1, 2010, the requirement in sections 117  
3313.61 and 3313.611 of the Revised Code that a person must 118  
successfully complete the curriculum in any high school prior to 119  
receiving a high school diploma may be met by completing the 120  
curriculum adopted by the governing authority of the community 121  
school rather than the curriculum specified in Title XXXIII of 122  
the Revised Code or any rules of the department. Beginning with 123  
students who enter ninth grade for the first time on or after 124  
July 1, 2010, the requirement in sections 3313.61 and 3313.611 125  
of the Revised Code that a person must successfully complete the 126  
curriculum of a high school prior to receiving a high school 127  
diploma shall be met by completing the requirements prescribed 128  
in section 3313.6027 and division (C) of section 3313.603 of the 129  
Revised Code, unless the person qualifies under division (D) or 130  
(F) of that section. Each school shall comply with the plan for 131

awarding high school credit based on demonstration of subject 132  
area competency, and beginning with the 2017-2018 school year, 133  
with the updated plan that permits students enrolled in seventh 134  
and eighth grade to meet curriculum requirements based on 135  
subject area competency adopted by the department under 136  
divisions (J) (1) and (2) of section 3313.603 of the Revised 137  
Code. Beginning with the 2018-2019 school year, the school shall 138  
comply with the framework for granting units of high school 139  
credit to students who demonstrate subject area competency 140  
through work-based learning experiences, internships, or 141  
cooperative education developed by the department under division 142  
(J) (3) of section 3313.603 of the Revised Code. 143

(g) The school governing authority will submit within four 144  
months after the end of each school year a report of its 145  
activities and progress in meeting the goals and standards of 146  
divisions (A) (3) and (4) of this section and its financial 147  
status to the sponsor and the parents of all students enrolled 148  
in the school. 149

(h) The school, unless it is an internet- or computer- 150  
based community school, will comply with section 3313.801 of the 151  
Revised Code as if it were a school district. 152

(i) If the school is the recipient of moneys from a grant 153  
awarded under the federal race to the top program, Division (A), 154  
Title XIV, Sections 14005 and 14006 of the "American Recovery 155  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 156  
the school will pay teachers based upon performance in 157  
accordance with section 3317.141 and will comply with section 158  
3319.111 of the Revised Code as if it were a school district. 159

(j) If the school operates a preschool program that is 160  
licensed by the department under sections 3301.52 to 3301.59 of 161

the Revised Code, the school shall comply with sections 3301.50 162  
to 3301.59 of the Revised Code and the minimum standards for 163  
preschool programs prescribed in rules adopted by the department 164  
under section 3301.53 of the Revised Code. 165

(k) The school will comply with sections 3313.6021 and 166  
3313.6023 of the Revised Code as if it were a school district 167  
unless it is either of the following: 168

(i) An internet- or computer-based community school; 169

(ii) A community school in which a majority of the 170  
enrolled students are children with disabilities as described in 171  
division (A) (4) (b) of section 3314.35 of the Revised Code. 172

(l) The school will comply with section 3321.191 of the 173  
Revised Code, unless it is an internet- or computer-based 174  
community school that is subject to section 3314.261 of the 175  
Revised Code. 176

(12) Arrangements for providing health and other benefits 177  
to employees; 178

(13) The length of the contract, which shall begin at the 179  
beginning of an academic year. No contract shall exceed five 180  
years unless such contract has been renewed pursuant to division 181  
(E) of this section. 182

(14) The governing authority of the school, which shall be 183  
responsible for carrying out the provisions of the contract; 184

(15) A financial plan detailing an estimated school budget 185  
for each year of the period of the contract and specifying the 186  
total estimated per pupil expenditure amount for each such year. 187

(16) Requirements and procedures regarding the disposition 188  
of employees of the school in the event the contract is 189

terminated or not renewed pursuant to section 3314.07 of the Revised Code;

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

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

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

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

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

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

(20) A provision recognizing the authority of the	219
department to take over the sponsorship of the school in	220
accordance with the provisions of division (C) of section	221
3314.015 of the Revised Code;	222
(21) A provision recognizing the sponsor's authority to	223
assume the operation of a school under the conditions specified	224
in division (B) of section 3314.073 of the Revised Code;	225
(22) A provision recognizing both of the following:	226
(a) The authority of public health and safety officials to	227
inspect the facilities of the school and to order the facilities	228
closed if those officials find that the facilities are not in	229
compliance with health and safety laws and regulations;	230
(b) The authority of the department as the community	231
school oversight body to suspend the operation of the school	232
under section 3314.072 of the Revised Code if the department has	233
evidence of conditions or violations of law at the school that	234
pose an imminent danger to the health and safety of the school's	235
students and employees and the sponsor refuses to take such	236
action.	237
(23) A description of the learning opportunities that will	238
be offered to students including both classroom-based and non-	239
classroom-based learning opportunities that is in compliance	240
with criteria for student participation established by the	241
department under division (H) (2) of section 3314.08 of the	242
Revised Code;	243
(24) The school will comply with sections 3302.04 and	244
3302.041 of the Revised Code, except that any action required to	245
be taken by a school district pursuant to those sections shall	246
be taken by the sponsor of the school.	247

(25) Beginning in the 2006-2007 school year, the school 248  
will open for operation not later than the thirtieth day of 249  
September each school year, unless the mission of the school as 250  
specified under division (A)(2) of this section is solely to 251  
serve dropouts. In its initial year of operation, if the school 252  
fails to open by the thirtieth day of September, or within one 253  
year after the adoption of the contract pursuant to division (D) 254  
of section 3314.02 of the Revised Code if the mission of the 255  
school is solely to serve dropouts, the contract shall be void. 256

(26) Whether the school's governing authority is planning 257  
to seek designation for the school as a STEM school equivalent 258  
under section 3326.032 of the Revised Code; 259

(27) That the school's attendance and participation 260  
policies will be available for public inspection; 261

(28) That the school's attendance and participation 262  
records shall be made available to the department, auditor of 263  
state, and school's sponsor to the extent permitted under and in 264  
accordance with the "Family Educational Rights and Privacy Act 265  
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 266  
regulations promulgated under that act, and section 3319.321 of 267  
the Revised Code; 268

(29) If a school operates using the blended learning 269  
model, as defined in section 3301.079 of the Revised Code, all 270  
of the following information: 271

(a) An indication of what blended learning model or models 272  
will be used; 273

(b) A description of how student instructional needs will 274  
be determined and documented; 275

(c) The method to be used for determining competency, 276

granting credit, and promoting students to a higher grade level;	277
(d) The school's attendance requirements, including how	278
the school will document participation in learning	279
opportunities;	280
(e) A statement describing how student progress will be	281
monitored;	282
(f) A statement describing how private student data will	283
be protected;	284
(g) A description of the professional development	285
activities that will be offered to teachers.	286
(30) A provision requiring that all moneys the school's	287
operator loans to the school, including facilities loans or cash	288
flow assistance, must be accounted for, documented, and bear	289
interest at a fair market rate;	290
(31) A provision requiring that, if the governing	291
authority contracts with an attorney, accountant, or entity	292
specializing in audits, the attorney, accountant, or entity	293
shall be independent from the operator with which the school has	294
contracted.	295
(32) A provision requiring the governing authority to	296
adopt an enrollment and attendance policy that requires a	297
student's parent to notify the community school in which the	298
student is enrolled when there is a change in the location of	299
the parent's or student's primary residence.	300
(33) A provision requiring the governing authority to	301
adopt a student residence and address verification policy for	302
students enrolling in or attending the school.	303
(B) The community school shall also submit to the sponsor	304

a comprehensive plan for the school. The plan shall specify the	305
following:	306
(1) The process by which the governing authority of the	307
school will be selected in the future;	308
(2) The management and administration of the school;	309
(3) If the community school is a currently existing public	310
school or educational service center building, alternative	311
arrangements for current public school students who choose not	312
to attend the converted school and for teachers who choose not	313
to teach in the school or building after conversion;	314
(4) The instructional program and educational philosophy	315
of the school;	316
(5) Internal financial controls.	317
When submitting the plan under this division, the school	318
shall also submit copies of all policies and procedures	319
regarding internal financial controls adopted by the governing	320
authority of the school.	321
(C) A contract entered into under section 3314.02 of the	322
Revised Code between a sponsor and the governing authority of a	323
community school may provide for the community school governing	324
authority to make payments to the sponsor, which is hereby	325
authorized to receive such payments as set forth in the contract	326
between the governing authority and the sponsor. The total	327
amount of such payments for monitoring, oversight, and technical	328
assistance of the school shall not exceed three per cent of the	329
total amount of payments for operating expenses that the school	330
receives from the state.	331
(D) The contract shall specify the duties of the sponsor	332

which shall be in accordance with the written agreement entered 333  
into with the department under division (B) of section 3314.015 334  
of the Revised Code and shall include the following: 335

(1) Monitor the community school's compliance with all 336  
laws applicable to the school and with the terms of the 337  
contract; 338

(2) Monitor and evaluate the academic and fiscal 339  
performance and the organization and operation of the community 340  
school on at least an annual basis; 341

(3) Report on an annual basis the results of the 342  
evaluation conducted under division (D) (2) of this section to 343  
the department and to the parents of students enrolled in the 344  
community school; 345

(4) Provide technical assistance to the community school 346  
in complying with laws applicable to the school and terms of the 347  
contract; 348

(5) Take steps to intervene in the school's operation to 349  
correct problems in the school's overall performance, declare 350  
the school to be on probationary status pursuant to section 351  
3314.073 of the Revised Code, suspend the operation of the 352  
school pursuant to section 3314.072 of the Revised Code, or 353  
terminate the contract of the school pursuant to section 3314.07 354  
of the Revised Code as determined necessary by the sponsor; 355

(6) Have in place a plan of action to be undertaken in the 356  
event the community school experiences financial difficulties or 357  
closes prior to the end of a school year. 358

(E) Upon the expiration of a contract entered into under 359  
this section, the sponsor of a community school may, with the 360  
approval of the governing authority of the school, renew that 361

contract for a period of time determined by the sponsor, but not 362  
ending earlier than the end of any school year, if the sponsor 363  
finds that the school's compliance with applicable laws and 364  
terms of the contract and the school's progress in meeting the 365  
academic goals prescribed in the contract have been 366  
satisfactory. Any contract that is renewed under this division 367  
remains subject to the provisions of sections 3314.07, 3314.072, 368  
and 3314.073 of the Revised Code. 369

(F) If a community school fails to open for operation 370  
within one year after the contract entered into under this 371  
section is adopted pursuant to division (D) of section 3314.02 372  
of the Revised Code or permanently closes prior to the 373  
expiration of the contract, the contract shall be void and the 374  
school shall not enter into a contract with any other sponsor. A 375  
school shall not be considered permanently closed because the 376  
operations of the school have been suspended pursuant to section 377  
3314.072 of the Revised Code. 378

Sec. 3319.614. (A) Within ninety days after the effective 379  
date of this section, the board of education of each school 380  
district shall adopt a policy that states all of the following: 381

(1) The school district shall not solicit or require an 382  
employee or applicant for employment or academic admission to 383  
affirmatively ascribe to, or opine about, specific beliefs, 384  
affiliations, ideals, or principles concerning political 385  
movements, or ideology. 386

(2) The school district shall not solicit or require a 387  
student to affirmatively ascribe to specific beliefs, 388  
affiliations, ideals, or principles concerning political 389  
movements, or ideology. 390

(3) The school district shall not use statements of 391  
commitment to specific beliefs, affiliations, ideals, or 392  
principles concerning political movements, or ideology as part 393  
of the evaluation criteria for employees or applicants for 394  
employment, or employees that are seeking career progression or 395  
benefits. 396

(4) The school district shall not use statements of 397  
commitment to specific beliefs, affiliations, ideals, or 398  
principles concerning political movements or ideology as part of 399  
the academic evaluation of students. 400

(B) Nothing in this act shall be construed to prohibit, 401  
limit, or restrict any of the following: 402

(1) A school district's authority to require a student or 403  
employee to comply with federal or state law, including anti- 404  
discrimination laws, or to take action against a student or 405  
employee for violation of federal or state law; 406

(2) An educator's academic freedom; 407

(3) An educator's ability to research or write 408  
publications about specific beliefs, affiliations, ideals, or 409  
principles concerning political movements, ideology, or social 410  
action; 411

(4) A school district's authority to consider an applicant 412  
for employment's scholarship, teaching, or subject matter 413  
expertise in the applicant's given academic field. 414

(C) Each school district shall make publicly available all 415  
policies, district guidance, and training materials used for 416  
students, educators, and staff on all matters regarding specific 417  
beliefs, affiliations, ideals, or principles concerning 418  
political movements, or ideology. 419

Nothing in this section shall be construed to require 420  
school districts to make protected legal communications or 421  
guidance publicly available. 422

**Sec. 3326.11.** Each science, technology, engineering, and 423  
mathematics school established under this chapter and its 424  
governing body shall comply with sections 9.90, 9.91, 109.65, 425  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 426  
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 427  
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 428  
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318, 429  
3313.5319, 3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 430  
3313.6020, 3313.6021, 3313.6024, 3313.6025, 3313.6026, 431  
3313.6028, 3313.6029, 3313.61, 3313.611, 3313.614, 3313.615, 432  
3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 433  
3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 434  
3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 435  
3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 436  
3313.7112, 3313.7117, 3313.721, 3313.80, 3313.801, 3313.814, 437  
3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 438  
3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.21, 439  
3319.238, 3319.318, 3319.32, 3319.321, 3319.324, 3319.35, 440  
3319.39, 3319.391, 3319.393, 3319.41, 3319.45, 3319.46, 441  
3319.614, 3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.05, 442  
3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 443  
3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 444  
5502.703, and 5705.391 and Chapters 102., 117., 1347., 2744., 445  
3307., 3309., 3365., 3742., 4112., 4123., 4141., and 4167. of 446  
the Revised Code as if it were a school district. 447

**Section 2.** That existing sections 3314.03 and 3326.11 of 448  
the Revised Code are hereby repealed. 449

**Section 3.** That the version of section 3314.03 of the Revised Code that is scheduled to take effect on January 1, 2025, be amended to read as follows:

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

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

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

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

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

(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;

(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;

(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;	478 479
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	480 481 482
(6) (a) Dismissal procedures;	483
(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.	484 485 486 487 488 489
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	490 491
(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.	492 493 494 495 496 497
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	498 499
(a) A detailed description of each facility used for instructional purposes;	500 501
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	502 503
(c) The annual mortgage principal and interest payments that are paid by the school;	504 505

(d) The name of the lender or landlord, identified as	506
such, and the lender's or landlord's relationship to the	507
operator, if any.	508
(10) Qualifications of employees, including both of the	509
following:	510
(a) A requirement that the school's classroom teachers be	511
licensed in accordance with sections 3319.22 to 3319.31 of the	512
Revised Code, except that a community school may engage	513
noncertificated persons to teach up to twelve hours or forty	514
hours per week pursuant to section 3319.301 of the Revised Code;	515
(b) A prohibition against the school employing an	516
individual described in section 3314.104 of the Revised Code in	517
any position.	518
(11) That the school will comply with the following	519
requirements:	520
(a) The school will provide learning opportunities to a	521
minimum of twenty-five students for a minimum of nine hundred	522
twenty hours per school year.	523
(b) The governing authority will purchase liability	524
insurance, or otherwise provide for the potential liability of	525
the school.	526
(c) The school will be nonsectarian in its programs,	527
admission policies, employment practices, and all other	528
operations, and will not be operated by a sectarian school or	529
religious institution.	530
(d) The school will comply with sections 9.90, 9.91,	531
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710,	532
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037,	533

3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 534  
3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 535  
3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 536  
3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 537  
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 538  
3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 539  
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 540  
3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 541  
3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 542  
3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 543  
3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3319.614, 544  
3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 545  
3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 546  
3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and 547  
Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., 548  
and 4167. of the Revised Code as if it were a school district 549  
and will comply with section 3301.0714 of the Revised Code in 550  
the manner specified in section 3314.17 of the Revised Code. 551

(e) The school shall comply with Chapter 102. and section 552  
2921.42 of the Revised Code. 553

(f) The school will comply with sections 3313.61, 554  
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 555  
Revised Code, except that for students who enter ninth grade for 556  
the first time before July 1, 2010, the requirement in sections 557  
3313.61 and 3313.611 of the Revised Code that a person must 558  
successfully complete the curriculum in any high school prior to 559  
receiving a high school diploma may be met by completing the 560  
curriculum adopted by the governing authority of the community 561  
school rather than the curriculum specified in Title XXXIII of 562  
the Revised Code or any rules of the department. Beginning with 563  
students who enter ninth grade for the first time on or after 564

July 1, 2010, the requirement in sections 3313.61 and 3313.611 565  
of the Revised Code that a person must successfully complete the 566  
curriculum of a high school prior to receiving a high school 567  
diploma shall be met by completing the requirements prescribed 568  
in section 3313.6027 and division (C) of section 3313.603 of the 569  
Revised Code, unless the person qualifies under division (D) or 570  
(F) of that section. Each school shall comply with the plan for 571  
awarding high school credit based on demonstration of subject 572  
area competency, and beginning with the 2017-2018 school year, 573  
with the updated plan that permits students enrolled in seventh 574  
and eighth grade to meet curriculum requirements based on 575  
subject area competency adopted by the department under 576  
divisions (J) (1) and (2) of section 3313.603 of the Revised 577  
Code. Beginning with the 2018-2019 school year, the school shall 578  
comply with the framework for granting units of high school 579  
credit to students who demonstrate subject area competency 580  
through work-based learning experiences, internships, or 581  
cooperative education developed by the department under division 582  
(J) (3) of section 3313.603 of the Revised Code. 583

(g) The school governing authority will submit within four 584  
months after the end of each school year a report of its 585  
activities and progress in meeting the goals and standards of 586  
divisions (A) (3) and (4) of this section and its financial 587  
status to the sponsor and the parents of all students enrolled 588  
in the school. 589

(h) The school, unless it is an internet- or computer- 590  
based community school, will comply with section 3313.801 of the 591  
Revised Code as if it were a school district. 592

(i) If the school is the recipient of moneys from a grant 593  
awarded under the federal race to the top program, Division (A), 594

Title XIV, Sections 14005 and 14006 of the "American Recovery and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, the school will pay teachers based upon performance in accordance with section 3317.141 and will comply with section 3319.111 of the Revised Code as if it were a school district.

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

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

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

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

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

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

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

- (14) The governing authority of the school, which shall be responsible for carrying out the provisions of the contract;
- (15) A financial plan detailing an estimated school budget for each year of the period of the contract and specifying the total estimated per pupil expenditure amount for each such year.
- (16) Requirements and procedures regarding the disposition of employees of the school in the event the contract is terminated or not renewed pursuant to section 3314.07 of the Revised Code;
- (17) Whether the school is to be created by converting all or part of an existing public school or educational service center building or is to be a new start-up school, and if it is a converted public school or service center building, specification of any duties or responsibilities of an employer that the board of education or service center governing board that operated the school or building before conversion is delegating to the governing authority of the community school with respect to all or any specified group of employees provided the delegation is not prohibited by a collective bargaining agreement applicable to such employees;
- (18) Provisions establishing procedures for resolving disputes or differences of opinion between the sponsor and the governing authority of the community school;
- (19) A provision requiring the governing authority to adopt a policy regarding the admission of students who reside outside the district in which the school is located. That policy shall comply with the admissions procedures specified in sections 3314.06 and 3314.061 of the Revised Code and, at the sole discretion of the authority, shall do one of the following:

(a) Prohibit the enrollment of students who reside outside 652  
the district in which the school is located; 653

(b) Permit the enrollment of students who reside in 654  
districts adjacent to the district in which the school is 655  
located; 656

(c) Permit the enrollment of students who reside in any 657  
other district in the state. 658

(20) A provision recognizing the authority of the 659  
department to take over the sponsorship of the school in 660  
accordance with the provisions of division (C) of section 661  
3314.015 of the Revised Code; 662

(21) A provision recognizing the sponsor's authority to 663  
assume the operation of a school under the conditions specified 664  
in division (B) of section 3314.073 of the Revised Code; 665

(22) A provision recognizing both of the following: 666

(a) The authority of public health and safety officials to 667  
inspect the facilities of the school and to order the facilities 668  
closed if those officials find that the facilities are not in 669  
compliance with health and safety laws and regulations; 670

(b) The authority of the department as the community 671  
school oversight body to suspend the operation of the school 672  
under section 3314.072 of the Revised Code if the department has 673  
evidence of conditions or violations of law at the school that 674  
pose an imminent danger to the health and safety of the school's 675  
students and employees and the sponsor refuses to take such 676  
action. 677

(23) A description of the learning opportunities that will 678  
be offered to students including both classroom-based and non- 679

classroom-based learning opportunities that is in compliance 680  
with criteria for student participation established by the 681  
department under division (H) (2) of section 3314.08 of the 682  
Revised Code; 683

(24) The school will comply with sections 3302.04 and 684  
3302.041 of the Revised Code, except that any action required to 685  
be taken by a school district pursuant to those sections shall 686  
be taken by the sponsor of the school. 687

(25) Beginning in the 2006-2007 school year, the school 688  
will open for operation not later than the thirtieth day of 689  
September each school year, unless the mission of the school as 690  
specified under division (A) (2) of this section is solely to 691  
serve dropouts. In its initial year of operation, if the school 692  
fails to open by the thirtieth day of September, or within one 693  
year after the adoption of the contract pursuant to division (D) 694  
of section 3314.02 of the Revised Code if the mission of the 695  
school is solely to serve dropouts, the contract shall be void. 696

(26) Whether the school's governing authority is planning 697  
to seek designation for the school as a STEM school equivalent 698  
under section 3326.032 of the Revised Code; 699

(27) That the school's attendance and participation 700  
policies will be available for public inspection; 701

(28) That the school's attendance and participation 702  
records shall be made available to the department, auditor of 703  
state, and school's sponsor to the extent permitted under and in 704  
accordance with the "Family Educational Rights and Privacy Act 705  
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 706  
regulations promulgated under that act, and section 3319.321 of 707  
the Revised Code; 708

(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:	709 710 711
(a) An indication of what blended learning model or models will be used;	712 713
(b) A description of how student instructional needs will be determined and documented;	714 715
(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;	716 717
(d) The school's attendance requirements, including how the school will document participation in learning opportunities;	718 719 720
(e) A statement describing how student progress will be monitored;	721 722
(f) A statement describing how private student data will be protected;	723 724
(g) A description of the professional development activities that will be offered to teachers.	725 726
(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;	727 728 729 730
(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.	731 732 733 734 735

(32) A provision requiring the governing authority to 736  
adopt an enrollment and attendance policy that requires a 737  
student's parent to notify the community school in which the 738  
student is enrolled when there is a change in the location of 739  
the parent's or student's primary residence. 740

(33) A provision requiring the governing authority to 741  
adopt a student residence and address verification policy for 742  
students enrolling in or attending the school. 743

(B) The community school shall also submit to the sponsor 744  
a comprehensive plan for the school. The plan shall specify the 745  
following: 746

(1) The process by which the governing authority of the 747  
school will be selected in the future; 748

(2) The management and administration of the school; 749

(3) If the community school is a currently existing public 750  
school or educational service center building, alternative 751  
arrangements for current public school students who choose not 752  
to attend the converted school and for teachers who choose not 753  
to teach in the school or building after conversion; 754

(4) The instructional program and educational philosophy 755  
of the school; 756

(5) Internal financial controls. 757

When submitting the plan under this division, the school 758  
shall also submit copies of all policies and procedures 759  
regarding internal financial controls adopted by the governing 760  
authority of the school. 761

(C) A contract entered into under section 3314.02 of the 762  
Revised Code between a sponsor and the governing authority of a 763

community school may provide for the community school governing authority to make payments to the sponsor, which is hereby authorized to receive such payments as set forth in the contract between the governing authority and the sponsor. The total amount of such payments for monitoring, oversight, and technical assistance of the school shall not exceed three per cent of the total amount of payments for operating expenses that the school receives from the state.

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

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

(2) Monitor and evaluate the academic and fiscal 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 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 793  
terminate the contract of the school pursuant to section 3314.07 794  
of the Revised Code as determined necessary by the sponsor; 795

(6) Have in place a plan of action to be undertaken in the 796  
event the community school experiences financial difficulties or 797  
closes prior to the end of a school year. 798

(E) Upon the expiration of a contract entered into under 799  
this section, the sponsor of a community school may, with the 800  
approval of the governing authority of the school, renew that 801  
contract for a period of time determined by the sponsor, but not 802  
ending earlier than the end of any school year, if the sponsor 803  
finds that the school's compliance with applicable laws and 804  
terms of the contract and the school's progress in meeting the 805  
academic goals prescribed in the contract have been 806  
satisfactory. Any contract that is renewed under this division 807  
remains subject to the provisions of sections 3314.07, 3314.072, 808  
and 3314.073 of the Revised Code. 809

(F) If a community school fails to open for operation 810  
within one year after the contract entered into under this 811  
section is adopted pursuant to division (D) of section 3314.02 812  
of the Revised Code or permanently closes prior to the 813  
expiration of the contract, the contract shall be void and the 814  
school shall not enter into a contract with any other sponsor. A 815  
school shall not be considered permanently closed because the 816  
operations of the school have been suspended pursuant to section 817  
3314.072 of the Revised Code. 818

**Section 4.** That the existing version of section 3314.03 of 819  
the Revised Code that is scheduled to take effect on January 1, 820  
2025, is hereby repealed. 821

**Section 5.** Sections 3 and 4 of this act take effect on 822  
January 1, 2025. 823