

As Reported by the House Primary and Secondary Education Committee

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**

A BILL

To amend sections 3314.03 and 3326.11 and to enact 1
section 3319.614 of the Revised Code to require 2
each public school to adopt a policy regarding 3
certain expectations related to the performance 4
of staff member professional duties and to amend 5
the version of section 3314.03 of the Revised 6
Code that is scheduled to take effect January 1, 7
2025, to continue the changes on and after that 8
effective date. 9

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

Section 1. That sections 3314.03 and 3326.11 be amended 10
and section 3319.614 of the Revised Code be enacted to read as 11
follows: 12

Sec. 3314.03. A copy of every contract entered into under 13
this section shall be filed with the director of education and 14
workforce. The department of education and workforce shall make 15
available on its web site a copy of every approved, executed 16
contract filed with the director under this section. 17

(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;

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

(6) (a) Dismissal procedures;

(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 46
legitimate excuse fails to participate in seventy-two 47
consecutive hours of the learning opportunities offered to the 48
student. 49

(7) The ways by which the school will achieve racial and 50
ethnic balance reflective of the community it serves; 51

(8) Requirements for financial audits by the auditor of 52
state. The contract shall require financial records of the 53
school to be maintained in the same manner as are financial 54
records of school districts, pursuant to rules of the auditor of 55
state. Audits shall be conducted in accordance with section 56
117.10 of the Revised Code. 57

(9) An addendum to the contract outlining the facilities 58
to be used that contains at least the following information: 59

(a) A detailed description of each facility used for 60
instructional purposes; 61

(b) The annual costs associated with leasing each facility 62
that are paid by or on behalf of the school; 63

(c) The annual mortgage principal and interest payments 64
that are paid by the school; 65

(d) The name of the lender or landlord, identified as 66
such, and the lender's or landlord's relationship to the 67
operator, if any. 68

(10) Qualifications of employees, including both of the 69
following: 70

(a) A requirement that the school's classroom teachers be 71
licensed in accordance with sections 3319.22 to 3319.31 of the 72
Revised Code, except that a community school may engage 73

noncertificated persons to teach up to twelve hours or forty	74
hours per week pursuant to section 3319.301 of the Revised Code;	75
(b) A prohibition against the school employing an	76
individual described in section 3314.104 of the Revised Code in	77
any position.	78
(11) That the school will comply with the following	79
requirements:	80
(a) The school will provide learning opportunities to a	81
minimum of twenty-five students for a minimum of nine hundred	82
twenty hours per school year.	83
(b) The governing authority will purchase liability	84
insurance, or otherwise provide for the potential liability of	85
the school.	86
(c) The school will be nonsectarian in its programs,	87
admission policies, employment practices, and all other	88
operations, and will not be operated by a sectarian school or	89
religious institution.	90
(d) The school will comply with sections 9.90, 9.91,	91
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710,	92
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037,	93
3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319,	94
3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015,	95
3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028,	96
3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66,	97
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669,	98
3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69,	99
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117,	100
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
(1) 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	190
Revised Code;	191

(17) Whether the school is to be created by converting all	192
or part of an existing public school or educational service	193
center building or is to be a new start-up school, and if it is	194
a converted public school or service center building,	195
specification of any duties or responsibilities of an employer	196
that the board of education or service center governing board	197
that operated the school or building before conversion is	198
delegating to the governing authority of the community school	199
with respect to all or any specified group of employees provided	200
the delegation is not prohibited by a collective bargaining	201
agreement applicable to such employees;	202
(18) Provisions establishing procedures for resolving	203
disputes or differences of opinion between the sponsor and the	204
governing authority of the community school;	205
(19) A provision requiring the governing authority to	206
adopt a policy regarding the admission of students who reside	207
outside the district in which the school is located. That policy	208
shall comply with the admissions procedures specified in	209
sections 3314.06 and 3314.061 of the Revised Code and, at the	210
sole discretion of the authority, shall do one of the following:	211
(a) Prohibit the enrollment of students who reside outside	212
the district in which the school is located;	213
(b) Permit the enrollment of students who reside in	214
districts adjacent to the district in which the school is	215
located;	216
(c) Permit the enrollment of students who reside in any	217
other district in the state.	218
(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 the school will document participation in learning opportunities;	278 279 280
(e) A statement describing how student progress will be monitored;	281 282
(f) A statement describing how private student data will be protected;	283 284
(g) A description of the professional development activities that will be offered to teachers.	285 286
(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;	287 288 289 290
(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.	291 292 293 294 295
(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.	296 297 298 299 300
(33) A provision requiring the governing authority to adopt a student residence and address verification policy for students enrolling in or attending the school.	301 302 303
(B) The community school shall also submit to the sponsor a comprehensive plan for the school. The plan shall specify the	304 305

following:	306
(1) The process by which the governing authority of the school will be selected in the future;	307 308
(2) The management and administration of the school;	309
(3) If the community school is a currently existing public school or educational service center building, alternative arrangements for current public school students who choose not to attend the converted school and for teachers who choose not to teach in the school or building after conversion;	310 311 312 313 314
(4) The instructional program and educational philosophy of the school;	315 316
(5) Internal financial controls.	317
When submitting the plan under this division, the school shall also submit copies of all policies and procedures regarding internal financial controls adopted by the governing authority of the school.	318 319 320 321
(C) A contract entered into under section 3314.02 of the Revised Code between a sponsor and the governing authority of a community school may provide for the community school governing authority to make payments to the sponsor, which is hereby authorized to receive such payments as set forth in the contract between the governing authority and the sponsor. The total amount of such payments for monitoring, oversight, and technical assistance of the school shall not exceed three per cent of the total amount of payments for operating expenses that the school receives from the state.	322 323 324 325 326 327 328 329 330 331
(D) The contract shall specify the duties of the sponsor which shall be in accordance with the written agreement entered	332 333

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 623
responsible for carrying out the provisions of the contract; 624
- (15) A financial plan detailing an estimated school budget 625
for each year of the period of the contract and specifying the 626
total estimated per pupil expenditure amount for each such year. 627
- (16) Requirements and procedures regarding the disposition 628
of employees of the school in the event the contract is 629
terminated or not renewed pursuant to section 3314.07 of the 630
Revised Code; 631
- (17) Whether the school is to be created by converting all 632
or part of an existing public school or educational service 633
center building or is to be a new start-up school, and if it is 634
a converted public school or service center building, 635
specification of any duties or responsibilities of an employer 636
that the board of education or service center governing board 637
that operated the school or building before conversion is 638
delegating to the governing authority of the community school 639
with respect to all or any specified group of employees provided 640
the delegation is not prohibited by a collective bargaining 641
agreement applicable to such employees; 642
- (18) Provisions establishing procedures for resolving 643
disputes or differences of opinion between the sponsor and the 644
governing authority of the community school; 645
- (19) A provision requiring the governing authority to 646
adopt a policy regarding the admission of students who reside 647
outside the district in which the school is located. That policy 648
shall comply with the admissions procedures specified in 649
sections 3314.06 and 3314.061 of the Revised Code and, at the 650
sole discretion of the authority, shall do one of the following: 651

(a) Prohibit the enrollment of students who reside outside the district in which the school is located;	652 653
(b) Permit the enrollment of students who reside in districts adjacent to the district in which the school is located;	654 655 656
(c) Permit the enrollment of students who reside in any other district in the state.	657 658
(20) A provision recognizing the authority of the department to take over the sponsorship of the school in accordance with the provisions of division (C) of section 3314.015 of the Revised Code;	659 660 661 662
(21) A provision recognizing the sponsor's authority to assume the operation of a school under the conditions specified in division (B) of section 3314.073 of the Revised Code;	663 664 665
(22) A provision recognizing both of the following:	666
(a) The authority of public health and safety officials to inspect the facilities of the school and to order the facilities closed if those officials find that the facilities are not in compliance with health and safety laws and regulations;	667 668 669 670
(b) The authority of the department as the community school oversight body to suspend the operation of the school under section 3314.072 of the Revised Code if the department has evidence of conditions or violations of law at the school that pose an imminent danger to the health and safety of the school's students and employees and the sponsor refuses to take such action.	671 672 673 674 675 676 677
(23) A description of the learning opportunities that will be offered to students including both classroom-based and non-	678 679

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