

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 266

Representative Wiggam

A BILL

To amend sections 3314.03, 3326.11, and 3328.24 and 1
to enact section 5502.264 of the Revised Code to 2
require school districts and schools to update 3
emergency management plans to include evacuation 4
procedures for individuals with disabilities and 5
to amend the version of section 3314.03 of the 6
Revised Code that is scheduled to take effect 7
January 1, 2025, to continue the changes on and 8
after that effective date. 9

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

Section 1. That sections 3314.03, 3326.11, and 3328.24 be 10
amended and section 5502.264 of the Revised Code be enacted to 11
read as 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 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 44
attendance policy that includes a procedure for automatically 45
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 student. 48
49

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

(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. 52
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(9) An addendum to the contract outlining the facilities to be used that contains at least the following information: 58
59

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

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

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

(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any. 66
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(10) Qualifications of employees, including both of the following: 69
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(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; 71
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(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, 3320.01, 3320.02, 104

3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 105
3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 106
4113.52, 5502.262, 5502.264, 5502.703, and 5705.391 and Chapters 107
117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. 108
of the Revised Code as if it were a school district and will 109
comply with section 3301.0714 of the Revised Code in the manner 110
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 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 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. 3326.11. Each science, technology, engineering, and 379
mathematics school established under this chapter and its 380
governing body shall comply with sections 9.90, 9.91, 109.65, 381
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 382
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 383
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 384
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318, 385
3313.5319, 3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 386
3313.6020, 3313.6021, 3313.6024, 3313.6025, 3313.6026, 387
3313.6028, 3313.6029, 3313.61, 3313.611, 3313.614, 3313.615, 388
3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 389
3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 390
3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 391
3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 392
3313.7112, 3313.7117, 3313.721, 3313.80, 3313.801, 3313.814, 393
3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 394
3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.21, 395

3319.238, 3319.318, 3319.32, 3319.321, 3319.324, 3319.35, 396
3319.39, 3319.391, 3319.393, 3319.41, 3319.45, 3319.46, 3320.01, 397
3320.02, 3320.03, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 398
3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3322.20, 3322.24, 399
3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.264, 400
5502.703, and 5705.391 and Chapters 102., 117., 1347., 2744., 401
3307., 3309., 3365., 3742., 4112., 4123., 4141., and 4167. of 402
the Revised Code as if it were a school district. 403

Sec. 3328.24. A college-preparatory boarding school 404
established under this chapter and its board of trustees shall 405
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 406
3301.0714, 3301.0729, 3301.948, 3302.037, 3313.5318, 3313.5319, 407
3313.6013, 3313.6021, 3313.6024, 3313.6025, 3313.6026, 408
3313.6029, 3313.617, 3313.618, 3313.6114, 3313.6411, 3313.6413, 409
3313.668, 3313.669, 3313.6610, 3313.7112, 3313.7117, 3313.721, 410
3313.89, 3319.073, 3319.077, 3319.078, 3319.318, 3319.324, 411
3319.39, 3319.391, 3319.393, 3319.46, 3320.01, 3320.02, 3320.03, 412
3323.251, ~~and 5502.262~~ and 5502.264, and Chapter 3365. of the 413
Revised Code as if the school were a school district and the 414
school's board of trustees were a district board of education. 415

Sec. 5502.264. (A) As used in this section, 416
"administrator" has the same meaning as in section 5502.262 of 417
the Revised Code. 418

(B) Not later than December 1, 2024, the department of 419
public safety, in consultation with disability advocacy groups, 420
shall update the requirements for emergency management plans 421
required under section 5502.262 of the Revised Code to include 422
accommodations and safeguards with regard to the evacuation of 423
students, staff, and visitors with disabilities while on school 424
grounds in accordance with the "Americans with Disabilities Act 425

of 1990," 42 U.S.C. 12102. 426

The department is not required to update emergency 427
management plans under this section of single-story school 428
building that has a ramp with a nonslip surface located at each 429
entrance and exit. 430

(C) Not later than July 1, 2025, each administrator shall 431
update the emergency management plan for the administrator's 432
district or school in accordance with the requirements updated 433
under this section. 434

(D) For each student with an individualized education 435
program or who has been identified, based on an evaluation 436
conducted in accordance with section 3323.03 of the Revised Code 437
or section 504 of the "Rehabilitation Act of 1973," 29 U.S.C. 438
794, as amended, as a child with a disability, the administrator 439
shall update the student's education plan to include a specific 440
description of accommodations for evacuating the student in an 441
emergency, if it does not currently include such a description. 442

Section 2. That existing sections 3314.03, 3326.11, and 443
3328.24 of the Revised Code are hereby repealed. 444

Section 3. That the version of section 3314.03 of the 445
Revised Code that is scheduled to take effect January 1, 2025, 446
be amended to read as follows: 447

Sec. 3314.03. A copy of every contract entered into under 448
this section shall be filed with the director of education and 449
workforce. The department of education and workforce shall make 450
available on its web site a copy of every approved, executed 451
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(A) Each contract entered into between a sponsor and the 453
governing authority of a community school shall specify the 454

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(1) That the school shall be established as either of the 456
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1702. of the Revised Code, if established prior to April 8, 459
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1702. of the Revised Code, if established after April 8, 2003. 462

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ethnic balance reflective of the community it serves; 486

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state. Audits shall be conducted in accordance with section 491
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(a) A detailed description of each facility used for 495
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(b) The annual costs associated with leasing each facility 497
that are paid by or on behalf of the school; 498

(c) The annual mortgage principal and interest payments 499
that are paid by the school; 500

(d) The name of the lender or landlord, identified as 501
such, and the lender's or landlord's relationship to the 502
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(10) Qualifications of employees, including both of the 504
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licensed in accordance with sections 3319.22 to 3319.31 of the 507
Revised Code, except that a community school may engage 508
noncertificated persons to teach up to twelve hours or forty 509
hours per week pursuant to section 3319.301 of the Revised Code; 510

(b) A prohibition against the school employing an 511
individual described in section 3314.104 of the Revised Code in 512
any position. 513

(11) That the school will comply with the following 514
requirements: 515

(a) The school will provide learning opportunities to a 516
minimum of twenty-five students for a minimum of nine hundred 517
twenty hours per school year. 518

(b) The governing authority will purchase liability 519
insurance, or otherwise provide for the potential liability of 520
the school. 521

(c) The school will be nonsectarian in its programs, 522
admission policies, employment practices, and all other 523
operations, and will not be operated by a sectarian school or 524
religious institution. 525

(d) The school will comply with sections 9.90, 9.91, 526
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 527
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 528
3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 529
3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 530
3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 531
3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 532
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 533
3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 534
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 535
3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 536
3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 537
3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 538
3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3320.01, 3320.02, 539

3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 540
3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 541
4113.52, 5502.262, 5502.264, 5502.703, and 5705.391 and Chapters 542
117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. 543
of the Revised Code as if it were a school district and will 544
comply with section 3301.0714 of the Revised Code in the manner 545
specified in section 3314.17 of the Revised Code. 546

(e) The school shall comply with Chapter 102. and section 547
2921.42 of the Revised Code. 548

(f) The school will comply with sections 3313.61, 549
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 550
Revised Code, except that for students who enter ninth grade for 551
the first time before July 1, 2010, the requirement in sections 552
3313.61 and 3313.611 of the Revised Code that a person must 553
successfully complete the curriculum in any high school prior to 554
receiving a high school diploma may be met by completing the 555
curriculum adopted by the governing authority of the community 556
school rather than the curriculum specified in Title XXXIII of 557
the Revised Code or any rules of the department. Beginning with 558
students who enter ninth grade for the first time on or after 559
July 1, 2010, the requirement in sections 3313.61 and 3313.611 560
of the Revised Code that a person must successfully complete the 561
curriculum of a high school prior to receiving a high school 562
diploma shall be met by completing the requirements prescribed 563
in section 3313.6027 and division (C) of section 3313.603 of the 564
Revised Code, unless the person qualifies under division (D) or 565
(F) of that section. Each school shall comply with the plan for 566
awarding high school credit based on demonstration of subject 567
area competency, and beginning with the 2017-2018 school year, 568
with the updated plan that permits students enrolled in seventh 569
and eighth grade to meet curriculum requirements based on 570

subject area competency adopted by the department under 571
divisions (J) (1) and (2) of section 3313.603 of the Revised 572
Code. Beginning with the 2018-2019 school year, the school shall 573
comply with the framework for granting units of high school 574
credit to students who demonstrate subject area competency 575
through work-based learning experiences, internships, or 576
cooperative education developed by the department under division 577
(J) (3) of section 3313.603 of the Revised Code. 578

(g) The school governing authority will submit within four 579
months after the end of each school year a report of its 580
activities and progress in meeting the goals and standards of 581
divisions (A) (3) and (4) of this section and its financial 582
status to the sponsor and the parents of all students enrolled 583
in the school. 584

(h) The school, unless it is an internet- or computer- 585
based community school, will comply with section 3313.801 of the 586
Revised Code as if it were a school district. 587

(i) If the school is the recipient of moneys from a grant 588
awarded under the federal race to the top program, Division (A), 589
Title XIV, Sections 14005 and 14006 of the "American Recovery 590
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 591
the school will pay teachers based upon performance in 592
accordance with section 3317.141 and will comply with section 593
3319.111 of the Revised Code as if it were a school district. 594

(j) If the school operates a preschool program that is 595
licensed by the department under sections 3301.52 to 3301.59 of 596
the Revised Code, the school shall comply with sections 3301.50 597
to 3301.59 of the Revised Code and the minimum standards for 598
preschool programs prescribed in rules adopted by the department 599
of children and youth under section 3301.53 of the Revised Code. 600

(k) The school will comply with sections 3313.6021 and 601
3313.6023 of the Revised Code as if it were a school district 602
unless it is either of the following: 603

(i) An internet- or computer-based community school; 604

(ii) A community school in which a majority of the 605
enrolled students are children with disabilities as described in 606
division (A) (4) (b) of section 3314.35 of the Revised Code. 607

(l) The school will comply with section 3321.191 of the 608
Revised Code, unless it is an internet- or computer-based 609
community school that is subject to section 3314.261 of the 610
Revised Code. 611

(12) Arrangements for providing health and other benefits 612
to employees; 613

(13) The length of the contract, which shall begin at the 614
beginning of an academic year. No contract shall exceed five 615
years unless such contract has been renewed pursuant to division 616
(E) of this section. 617

(14) The governing authority of the school, which shall be 618
responsible for carrying out the provisions of the contract; 619

(15) A financial plan detailing an estimated school budget 620
for each year of the period of the contract and specifying the 621
total estimated per pupil expenditure amount for each such year. 622

(16) Requirements and procedures regarding the disposition 623
of employees of the school in the event the contract is 624
terminated or not renewed pursuant to section 3314.07 of the 625
Revised Code; 626

(17) Whether the school is to be created by converting all 627
or part of an existing public school or educational service 628

center building or is to be a new start-up school, and if it is 629
a converted public school or service center building, 630
specification of any duties or responsibilities of an employer 631
that the board of education or service center governing board 632
that operated the school or building before conversion is 633
delegating to the governing authority of the community school 634
with respect to all or any specified group of employees provided 635
the delegation is not prohibited by a collective bargaining 636
agreement applicable to such employees; 637

(18) Provisions establishing procedures for resolving 638
disputes or differences of opinion between the sponsor and the 639
governing authority of the community school; 640

(19) A provision requiring the governing authority to 641
adopt a policy regarding the admission of students who reside 642
outside the district in which the school is located. That policy 643
shall comply with the admissions procedures specified in 644
sections 3314.06 and 3314.061 of the Revised Code and, at the 645
sole discretion of the authority, shall do one of the following: 646

(a) Prohibit the enrollment of students who reside outside 647
the district in which the school is located; 648

(b) Permit the enrollment of students who reside in 649
districts adjacent to the district in which the school is 650
located; 651

(c) Permit the enrollment of students who reside in any 652
other district in the state. 653

(20) A provision recognizing the authority of the 654
department to take over the sponsorship of the school in 655
accordance with the provisions of division (C) of section 656
3314.015 of the Revised Code; 657

(21) A provision recognizing the sponsor's authority to 658
assume the operation of a school under the conditions specified 659
in division (B) of section 3314.073 of the Revised Code; 660

(22) A provision recognizing both of the following: 661

(a) The authority of public health and safety officials to 662
inspect the facilities of the school and to order the facilities 663
closed if those officials find that the facilities are not in 664
compliance with health and safety laws and regulations; 665

(b) The authority of the department as the community 666
school oversight body to suspend the operation of the school 667
under section 3314.072 of the Revised Code if the department has 668
evidence of conditions or violations of law at the school that 669
pose an imminent danger to the health and safety of the school's 670
students and employees and the sponsor refuses to take such 671
action. 672

(23) A description of the learning opportunities that will 673
be offered to students including both classroom-based and non- 674
classroom-based learning opportunities that is in compliance 675
with criteria for student participation established by the 676
department under division (H) (2) of section 3314.08 of the 677
Revised Code; 678

(24) The school will comply with sections 3302.04 and 679
3302.041 of the Revised Code, except that any action required to 680
be taken by a school district pursuant to those sections shall 681
be taken by the sponsor of the school. 682

(25) Beginning in the 2006-2007 school year, the school 683
will open for operation not later than the thirtieth day of 684
September each school year, unless the mission of the school as 685
specified under division (A) (2) of this section is solely to 686

serve dropouts. In its initial year of operation, if the school 687
fails to open by the thirtieth day of September, or within one 688
year after the adoption of the contract pursuant to division (D) 689
of section 3314.02 of the Revised Code if the mission of the 690
school is solely to serve dropouts, the contract shall be void. 691

(26) Whether the school's governing authority is planning 692
to seek designation for the school as a STEM school equivalent 693
under section 3326.032 of the Revised Code; 694

(27) That the school's attendance and participation 695
policies will be available for public inspection; 696

(28) That the school's attendance and participation 697
records shall be made available to the department, auditor of 698
state, and school's sponsor to the extent permitted under and in 699
accordance with the "Family Educational Rights and Privacy Act 700
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 701
regulations promulgated under that act, and section 3319.321 of 702
the Revised Code; 703

(29) If a school operates using the blended learning 704
model, as defined in section 3301.079 of the Revised Code, all 705
of the following information: 706

(a) An indication of what blended learning model or models 707
will be used; 708

(b) A description of how student instructional needs will 709
be determined and documented; 710

(c) The method to be used for determining competency, 711
granting credit, and promoting students to a higher grade level; 712

(d) The school's attendance requirements, including how 713
the school will document participation in learning 714

opportunities; 715

(e) A statement describing how student progress will be 716
monitored; 717

(f) A statement describing how private student data will 718
be protected; 719

(g) A description of the professional development 720
activities that will be offered to teachers. 721

(30) A provision requiring that all moneys the school's 722
operator loans to the school, including facilities loans or cash 723
flow assistance, must be accounted for, documented, and bear 724
interest at a fair market rate; 725

(31) A provision requiring that, if the governing 726
authority contracts with an attorney, accountant, or entity 727
specializing in audits, the attorney, accountant, or entity 728
shall be independent from the operator with which the school has 729
contracted. 730

(32) A provision requiring the governing authority to 731
adopt an enrollment and attendance policy that requires a 732
student's parent to notify the community school in which the 733
student is enrolled when there is a change in the location of 734
the parent's or student's primary residence. 735

(33) A provision requiring the governing authority to 736
adopt a student residence and address verification policy for 737
students enrolling in or attending the school. 738

(B) The community school shall also submit to the sponsor 739
a comprehensive plan for the school. The plan shall specify the 740
following: 741

(1) The process by which the governing authority of the 742

school will be selected in the future; 743

(2) The management and administration of the school; 744

(3) If the community school is a currently existing public 745
school or educational service center building, alternative 746
arrangements for current public school students who choose not 747
to attend the converted school and for teachers who choose not 748
to teach in the school or building after conversion; 749

(4) The instructional program and educational philosophy 750
of the school; 751

(5) Internal financial controls. 752

When submitting the plan under this division, the school 753
shall also submit copies of all policies and procedures 754
regarding internal financial controls adopted by the governing 755
authority of the school. 756

(C) A contract entered into under section 3314.02 of the 757
Revised Code between a sponsor and the governing authority of a 758
community school may provide for the community school governing 759
authority to make payments to the sponsor, which is hereby 760
authorized to receive such payments as set forth in the contract 761
between the governing authority and the sponsor. The total 762
amount of such payments for monitoring, oversight, and technical 763
assistance of the school shall not exceed three per cent of the 764
total amount of payments for operating expenses that the school 765
receives from the state. 766

(D) The contract shall specify the duties of the sponsor 767
which shall be in accordance with the written agreement entered 768
into with the department under division (B) of section 3314.015 769
of the Revised Code and shall include the following: 770

(1) Monitor the community school's compliance with all 771
laws applicable to the school and with the terms of the 772
contract; 773

(2) Monitor and evaluate the academic and fiscal 774
performance and the organization and operation of the community 775
school on at least an annual basis; 776

(3) Report on an annual basis the results of the 777
evaluation conducted under division (D) (2) of this section to 778
the department and to the parents of students enrolled in the 779
community school; 780

(4) Provide technical assistance to the community school 781
in complying with laws applicable to the school and terms of the 782
contract; 783

(5) Take steps to intervene in the school's operation to 784
correct problems in the school's overall performance, declare 785
the school to be on probationary status pursuant to section 786
3314.073 of the Revised Code, suspend the operation of the 787
school pursuant to section 3314.072 of the Revised Code, or 788
terminate the contract of the school pursuant to section 3314.07 789
of the Revised Code as determined necessary by the sponsor; 790

(6) Have in place a plan of action to be undertaken in the 791
event the community school experiences financial difficulties or 792
closes prior to the end of a school year. 793

(E) Upon the expiration of a contract entered into under 794
this section, the sponsor of a community school may, with the 795
approval of the governing authority of the school, renew that 796
contract for a period of time determined by the sponsor, but not 797
ending earlier than the end of any school year, if the sponsor 798
finds that the school's compliance with applicable laws and 799

terms of the contract and the school's progress in meeting the 800
academic goals prescribed in the contract have been 801
satisfactory. Any contract that is renewed under this division 802
remains subject to the provisions of sections 3314.07, 3314.072, 803
and 3314.073 of the Revised Code. 804

(F) If a community school fails to open for operation 805
within one year after the contract entered into under this 806
section is adopted pursuant to division (D) of section 3314.02 807
of the Revised Code or permanently closes prior to the 808
expiration of the contract, the contract shall be void and the 809
school shall not enter into a contract with any other sponsor. A 810
school shall not be considered permanently closed because the 811
operations of the school have been suspended pursuant to section 812
3314.072 of the Revised Code. 813

Section 4. That the existing version of section 3314.03 of 814
the Revised Code that is scheduled to take effect January 1, 815
2025, is hereby repealed. 816

Section 5. Sections 3 and 4 of this act take effect on 817
January 1, 2025. 818