

_____ moved to amend as follows:

Delete lines 57 through 420

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After line 420, insert:

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"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.

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

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

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

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(b) A public benefit corporation established under Chapter

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1702. of the Revised Code, if established after April 8, 2003. 17

(2) The education program of the school, including the 18
school's mission and educational philosophy, the characteristics 19
of the students the school is expected to attract, the ages and 20
grades of students, and the focus of the curriculum; 21

(3) The academic goals to be achieved and the method of 22
measurement that will be used to determine progress toward those 23
goals, which shall include the statewide achievement 24
assessments; 25

(4) Performance standards, including but not limited to 26
all applicable report card measures set forth in section 3302.03 27
or 3314.017 of the Revised Code, by which the success of the 28
school will be evaluated by the sponsor; 29

(5) The admission standards of section 3314.06 of the 30
Revised Code and, if applicable, section 3314.061 of the Revised 31
Code; 32

(6) (a) Dismissal procedures; 33

(b) A requirement that the governing authority adopt an 34
attendance policy that includes a procedure for automatically 35
withdrawing a student from the school if the student without a 36
legitimate excuse fails to participate in seventy-two 37
consecutive hours of the learning opportunities offered to the 38
student. 39

(7) The ways by which the school will achieve racial and 40
ethnic balance reflective of the community it serves; 41

(8) Requirements for financial audits by the auditor of 42
state. The contract shall require financial records of the 43
school to be maintained in the same manner as are financial 44

records of school districts, pursuant to rules of the auditor of 45
state. Audits shall be conducted in accordance with section 46
117.10 of the Revised Code. 47

(9) An addendum to the contract outlining the facilities 48
to be used that contains at least the following information: 49

(a) A detailed description of each facility used for 50
instructional purposes; 51

(b) The annual costs associated with leasing each facility 52
that are paid by or on behalf of the school; 53

(c) The annual mortgage principal and interest payments 54
that are paid by the school; 55

(d) The name of the lender or landlord, identified as 56
such, and the lender's or landlord's relationship to the 57
operator, if any. 58

(10) Qualifications of employees, including both of the 59
following: 60

(a) A requirement that the school's classroom teachers be 61
licensed in accordance with sections 3319.22 to 3319.31 of the 62
Revised Code, except that a community school may engage 63
noncertificated persons to teach up to twelve hours or forty 64
hours per week pursuant to section 3319.301 of the Revised Code; 65

(b) A prohibition against the school employing an 66
individual described in section 3314.104 of the Revised Code in 67
any position. 68

(11) That the school will comply with the following 69
requirements: 70

(a) The school will provide learning opportunities to a 71

minimum of twenty-five students for a minimum of nine hundred	72
twenty hours per school year.	73
(b) The governing authority will purchase liability	74
insurance, or otherwise provide for the potential liability of	75
the school.	76
(c) The school will be nonsectarian in its programs,	77
admission policies, employment practices, and all other	78
operations, and will not be operated by a sectarian school or	79
religious institution.	80
(d) The school will comply with sections 9.90, 9.91,	81
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710,	82
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.24, 3301.948,	83
3302.037, 3313.472, 3313.473, 3313.474, 3313.50, 3313.539,	84
3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.609, 3313.6012,	85
3313.6013, 3313.6014, 3313.6020, 3313.6024, 3313.6026,	86
3313.6028, 3313.6029, 3313.6031, 3313.643, 3313.648, 3313.6411,	87
3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667,	88
3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672,	89
3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719,	90
3313.7112, 3313.7117, 3313.721, 3313.753, 3313.80, 3313.814,	91
3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 3313.89,	92
3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.238,	93
3319.318, 3319.321, 3319.324, 3319.39, 3319.391, 3319.393,	94
3319.41, 3319.46, 3319.90, 3319.614, 3320.01, 3320.02, 3320.03,	95
3320.04, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17,	96
3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17,	97
4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 117.,	98
1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of	99
the Revised Code as if it were a school district and will comply	100
with section 3301.0714 of the Revised Code in the manner	101

specified in section 3314.17 of the Revised Code. 102

(e) The school shall comply with Chapter 102. and section 103
2921.42 of the Revised Code. 104

(f) The school will comply with sections 3313.61, 105
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 106
Revised Code, except that for students who enter ninth grade for 107
the first time before July 1, 2010, the requirement in sections 108
3313.61 and 3313.611 of the Revised Code that a person must 109
successfully complete the curriculum in any high school prior to 110
receiving a high school diploma may be met by completing the 111
curriculum adopted by the governing authority of the community 112
school rather than the curriculum specified in Title XXXIII of 113
the Revised Code or any rules of the department. Beginning with 114
students who enter ninth grade for the first time on or after 115
July 1, 2010, the requirement in sections 3313.61 and 3313.611 116
of the Revised Code that a person must successfully complete the 117
curriculum of a high school prior to receiving a high school 118
diploma shall be met by completing the requirements prescribed 119
in section 3313.6027 and division (C) of section 3313.603 of the 120
Revised Code, unless the person qualifies under division (D) or 121
(F) of that section. Each school shall comply with the plan for 122
awarding high school credit based on demonstration of subject 123
area competency, and beginning with the 2017-2018 school year, 124
with the updated plan that permits students enrolled in seventh 125
and eighth grade to meet curriculum requirements based on 126
subject area competency adopted by the department under 127
divisions (J) (1) and (2) of section 3313.603 of the Revised 128
Code. Beginning with the 2018-2019 school year, the school shall 129
comply with the framework for granting units of high school 130
credit to students who demonstrate subject area competency 131
through work-based learning experiences, internships, or 132

cooperative education developed by the department under division 133
(J) (3) of section 3313.603 of the Revised Code. 134

(g) The school governing authority will submit within four 135
months after the end of each school year a report of its 136
activities and progress in meeting the goals and standards of 137
divisions (A) (3) and (4) of this section and its financial 138
status to the sponsor and the parents of all students enrolled 139
in the school. 140

(h) The school, unless it is an internet- or computer- 141
based community school, will comply with ~~section~~ sections 142
3313.801 and 3313.802 of the Revised Code as if it were a school 143
district. 144

(i) If the school is the recipient of moneys from a grant 145
awarded under the federal race to the top program, Division (A), 146
Title XIV, Sections 14005 and 14006 of the "American Recovery 147
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 148
the school will pay teachers based upon performance in 149
accordance with section 3317.141 and will comply with section 150
3319.111 of the Revised Code as if it were a school district. 151

(j) If the school operates a preschool program that is 152
licensed by the department under sections 3301.52 to 3301.59 of 153
the Revised Code, the school shall comply with sections 3301.50 154
to 3301.59 of the Revised Code and the minimum standards for 155
preschool programs prescribed in rules adopted by the department 156
of children and youth under section 3301.53 of the Revised Code. 157

(k) The school will comply with sections 3313.6021 and 158
3313.6023 of the Revised Code as if it were a school district 159
unless it is either of the following: 160

(i) An internet- or computer-based community school; 161

(ii) A community school in which a majority of the
enrolled students are children with disabilities as described in
division (B) (2) 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.

(m) The school will comply with section 3313.7118 of the
Revised Code if it serves elementary school students.

(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
(D) of this section.

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

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

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

(17) Whether the school is to be created by converting all
or part of an existing public school or educational service
center building or is to be a new start-up school, and if it is
a converted public school or service center building, both of

the following:	190
(a) Specification of any duties or responsibilities of an employer that the board of education or service center governing board that operated the school or building before conversion is delegating to the governing authority of the community school with respect to all or any specified group of employees provided the delegation is not prohibited by a collective bargaining agreement applicable to such employees;	191 192 193 194 195 196 197
(b) 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.	198 199 200 201
(18) Provisions establishing procedures for resolving disputes or differences of opinion between the sponsor and the governing authority of the community school;	202 203 204
(19) A provision requiring the governing authority to adopt a policy regarding the admission of students who reside outside the district in which the school is located. That policy shall comply with the admissions procedures specified in sections 3314.06 and 3314.061 of the Revised Code and, at the sole discretion of the authority, shall do one of the following:	205 206 207 208 209 210
(a) Prohibit the enrollment of students who reside outside the district in which the school is located;	211 212
(b) Permit the enrollment of students who reside in districts adjacent to the district in which the school is located;	213 214 215
(c) Permit the enrollment of students who reside in any other district in the state.	216 217

(20) A provision recognizing the authority of the	218
department to take over the sponsorship of the school in	219
accordance with the provisions of division (C) of section	220
3314.015 of the Revised Code;	221
(21) A provision recognizing the sponsor's authority to	222
assume the operation of a school under the conditions specified	223
in division (B) of section 3314.073 of the Revised Code;	224
(22) A provision recognizing both of the following:	225
(a) The authority of public health and safety officials to	226
inspect the facilities of the school and to order the facilities	227
closed if those officials find that the facilities are not in	228
compliance with health and safety laws and regulations;	229
(b) The authority of the department as the community	230
school oversight body to suspend the operation of the school	231
under section 3314.072 of the Revised Code if the department has	232
evidence of conditions or violations of law at the school that	233
pose an imminent danger to the health and safety of the school's	234
students and employees and the sponsor refuses to take such	235
action.	236
(23) A description of the learning opportunities that will	237
be offered to students including both classroom-based and non-	238
classroom-based learning opportunities that is in compliance	239
with criteria for student participation established by the	240
department under division (H) (2) of section 3314.08 of the	241
Revised Code;	242
(24) The school will comply with sections 3302.04 and	243
3302.041 of the Revised Code, except that any action required to	244
be taken by a school district pursuant to those sections shall	245
be taken by the sponsor of the school.	246

(25) Beginning in the 2006-2007 school year, the school 247
will open for operation not later than the thirtieth day of 248
September each school year, unless the mission of the school as 249
specified under division (A) (2) of this section is solely to 250
serve dropouts. In its initial year of operation, if the school 251
fails to open by the thirtieth day of September, or within one 252
year after the adoption of the contract pursuant to division (D) 253
of section 3314.02 of the Revised Code if the mission of the 254
school is solely to serve dropouts, the contract shall be void. 255

(26) Whether the school's governing authority is planning 256
to seek designation for the school as a STEM school equivalent 257
under section 3326.032 of the Revised Code; 258

(27) That the school's attendance and participation 259
policies will be available for public inspection; 260

(28) That the school's attendance and participation 261
records shall be made available to the department, auditor of 262
state, and school's sponsor to the extent permitted under and in 263
accordance with the "Family Educational Rights and Privacy Act 264
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 265
regulations promulgated under that act, and section 3319.321 of 266
the Revised Code; 267

(29) If a school operates using the blended learning 268
model, as defined in section 3301.079 of the Revised Code, all 269
of the following information: 270

(a) An indication of what blended learning model or models 271
will be used; 272

(b) A description of how student instructional needs will 273
be determined and documented; 274

(c) The method to be used for determining competency,	275
granting credit, and promoting students to a higher grade level;	276
(d) The school's attendance requirements, including how	277
the school will document participation in learning	278
opportunities;	279
(e) A statement describing how student progress will be	280
monitored;	281
(f) A statement describing how private student data will	282
be protected;	283
(g) A description of the professional development	284
activities that will be offered to teachers.	285
(30) A provision requiring that all moneys the school's	286
operator loans to the school, including facilities loans or cash	287
flow assistance, must be accounted for, documented, and bear	288
interest at a fair market rate;	289
(31) A provision requiring that, if the governing	290
authority contracts with an attorney, accountant, or entity	291
specializing in audits, the attorney, accountant, or entity	292
shall be independent from the operator with which the school has	293
contracted.	294
(32) A provision requiring the governing authority to	295
adopt an enrollment and attendance policy that requires a	296
student's parent to notify the community school in which the	297
student is enrolled when there is a change in the location of	298
the parent's or student's primary residence.	299
(33) A provision requiring the governing authority to	300
adopt a student residence and address verification policy for	301
students enrolling in or attending the school.	302

(34) A provision establishing the process by which the	303
governing authority of the school will be selected in the	304
future.	305
(35) A description of the management and administration of	306
the school.	307
(36) A provision requiring the governing authority to	308
adopt policies and procedures to establish internal financial	309
controls for the school.	310
(B) A contract entered into under section 3314.02 of the	311
Revised Code between a sponsor and the governing authority of a	312
community school may provide for the community school governing	313
authority to make payments to the sponsor, which is hereby	314
authorized to receive such payments as set forth in the contract	315
between the governing authority and the sponsor. The total	316
amount of such payments for monitoring, oversight, and technical	317
assistance of the school shall not exceed three per cent of the	318
total amount of payments for operating expenses that the school	319
receives from the state.	320
(C) The contract shall specify the duties of the sponsor	321
which shall be in accordance with the written agreement entered	322
into with the department under division (B) of section 3314.015	323
of the Revised Code and shall include the following:	324
(1) Monitor the community school's compliance with all	325
laws applicable to the school and with the terms of the	326
contract;	327
(2) Monitor and evaluate the academic and fiscal	328
performance and the organization and operation of the community	329
school on at least an annual basis;	330

(3) Provide technical assistance to the community school 331
in complying with laws applicable to the school and terms of the 332
contract; 333

(4) Take steps to intervene in the school's operation to 334
correct problems in the school's overall performance, declare 335
the school to be on probationary status pursuant to section 336
3314.073 of the Revised Code, suspend the operation of the 337
school pursuant to section 3314.072 of the Revised Code, or 338
terminate the contract of the school pursuant to section 3314.07 339
of the Revised Code as determined necessary by the sponsor; 340

(5) Have in place a plan of action to be undertaken in the 341
event the community school experiences financial difficulties or 342
closes prior to the end of a school year. 343

(D) Upon the expiration of a contract entered into under 344
this section, the sponsor of a community school may, with the 345
approval of the governing authority of the school, renew that 346
contract for a period of time determined by the sponsor, but not 347
ending earlier than the end of any school year, if the sponsor 348
finds that the school's compliance with applicable laws and 349
terms of the contract and the school's progress in meeting the 350
academic goals prescribed in the contract have been 351
satisfactory. Any contract that is renewed under this division 352
remains subject to the provisions of sections 3314.07, 3314.072, 353
and 3314.073 of the Revised Code. 354

(E) If a community school fails to open for operation 355
within one year after the contract entered into under this 356
section is adopted pursuant to division (D) of section 3314.02 357
of the Revised Code or permanently closes prior to the 358
expiration of the contract, the contract shall be void and the 359
school shall not enter into a contract with any other sponsor. A 360

school shall not be considered permanently closed because the	361
operations of the school have been suspended pursuant to section	362
3314.072 of the Revised Code."	363
Delete lines 421 through 446	364
After line 446, insert:	365
"Sec. 3326.11. Each science, technology, engineering, and	366
mathematics school established under this chapter and its	367
governing body shall comply with sections 9.90, 9.91, 109.65,	368
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43,	369
3301.0714, 3301.0715, 3301.0729, 3301.24, 3301.948, 3302.037,	370
3313.14, 3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472,	371
3313.473, 3313.474, 3313.48, 3313.481, 3313.482, 3313.50,	372
3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.6012,	373
3313.6013, 3313.6014, 3313.6020, 3313.6021, 3313.6023,	374
3313.6024, 3313.6026, 3313.6028, 3313.6029, 3313.6031, 3313.61,	375
3313.611, 3313.614, 3313.615, 3313.617, 3313.618, 3313.6114,	376
3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661,	377
3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610,	378
3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71,	379
3313.716, 3313.717, 3313.718, 3313.719, 3313.7112, 3313.7117,	380
3313.7118, 3313.721, 3313.753, 3313.80, 3313.801, <u>3313.802,</u>	381
3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 3313.86,	382
3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.0812,	383
3319.21, 3319.238, 3319.318, 3319.32, 3319.321, 3319.324,	384
3319.35, 3319.39, 3319.391, 3319.393, 3319.41, 3319.45, 3319.46,	385
3319.90, 3319.614, 3320.01, 3320.02, 3320.03, 3320.04, 3321.01,	386
3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18,	387
3321.19, 3321.191, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17,	388
4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 102.,	389
117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 4123.,	390

4141., and 4167. of the Revised Code as if it were a school 391
district." 392
Delete lines 447 through 459 393
After line 459, insert: 394

"Sec. 3328.24. A college-preparatory boarding school 395
established under this chapter and its board of trustees shall 396
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 397
3301.0714, 3301.0729, 3301.948, 3302.037, 3313.474, 3313.5318, 398
3313.5319, 3313.6013, 3313.6021, 3313.6023, 3313.6024, 399
3313.6026, 3313.6029, 3313.6031, 3313.617, 3313.618, 3313.6114, 400
3313.6411, 3313.6413, 3313.668, 3313.669, 3313.6610, 3313.717, 401
3313.7112, 3313.7117, 3313.721, 3313.753, 3313.802, 3313.89, 402
3319.073, 3319.077, 3319.078, 3319.318, 3319.324, 3319.39, 403
3319.391, 3319.393, 3319.46, 3320.01, 3320.02, 3320.03, 3320.04, 404
3323.251, and 5502.262, and Chapter 3365. of the Revised Code as 405
if the school were a school district and the school's board of 406
trustees were a district board of education." 407
Delete lines 464 through 479 408

The motion was _____ agreed to.

SYNOPSIS 409

LSC technical amendment: section updates 410

R.C. 3314.03, 3326.11, and 3328.24; Section 4 411

Updates out-of-date Revised Code sections. 412