

**As Reported by the Senate Finance - Education Subcommittee**

**131st General Assembly**

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**Sub. H. B. No. 2**

**Representatives Dovilla, Roegner**

**Cosponsors: Representatives Brenner, Anielski, Blessing, Buchy, Burkley, Cupp, Dever, DeVitis, Duffey, Grossman, Hackett, Hagan, Hayes, Henne, Koehler, Kraus, Kunze, Manning, McClain, Pelanda, Perales, Romanchuk, Scherer, Slaby, Smith, R., Terhar, Thompson, Young, Speaker Rosenberger**

**Senators Coley, Hite**

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**A BILL**

To amend sections 3302.03, 3314.011, 3314.015, 1  
3314.016, 3314.02, 3314.021, 3314.023, 3314.024, 2  
3314.027, 3314.029, 3314.03, 3314.07, 3314.074, 3  
3314.091, 3314.23, 3314.27, 3314.35, 3314.351, 4  
3317.034, and 3321.19; to enact sections 5  
117.105, 3302.037, 3313.131, 3314.019, 3314.031, 6  
3314.032, 3314.034, 3314.035, 3314.036, 7  
3314.037, 3314.038, 3314.039, 3314.251, 8  
3314.271, and 3314.46; and to repeal section 9  
3314.026 of the Revised Code with regard to 10  
governance, sponsorship, and management of 11  
community schools; to require the Department of 12  
Education to study and use a regression formula 13  
to create a measure of student academic 14  
performance; and to revise the conditions of 15  
enrollment status for high school students. 16

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

**Section 1.** That sections 3302.03, 3314.011, 3314.015, 17  
3314.016, 3314.02, 3314.021, 3314.023, 3314.024, 3314.027, 18  
3314.029, 3314.03, 3314.07, 3314.074, 3314.091, 3314.23, 19  
3314.27, 3314.35, 3314.351, 3317.034, and 3321.19 be amended and 20  
sections 117.105, 3302.037, 3313.131, 3314.019, 3314.031, 21  
3314.032, 3314.034, 3314.035, 3314.036, 3314.037, 3314.038, 22  
3314.039, 3314.251, 3314.271, and 3314.46 of the Revised Code be 23  
enacted to read as follows: 24

**Sec. 117.105.** The auditor of state shall provide written 25  
notice to the sponsor of a community school regarding any action 26  
taken against or upcoming audits of a community school to assist 27  
the sponsor in complying with the requirements of section 28  
3314.019 of the Revised Code. 29

**Sec. 3302.03.** Annually, not later than the fifteenth day 30  
of September or the preceding Friday when that day falls on a 31  
Saturday or Sunday, the department of education shall assign a 32  
letter grade for overall academic performance and for each 33  
separate performance measure for each school district, and each 34  
school building in a district, in accordance with this section. 35  
The state board shall adopt rules pursuant to Chapter 119. of 36  
the Revised Code to establish performance criteria for each 37  
letter grade and prescribe a method by which the department 38  
assigns each letter grade. For a school building to which any of 39  
the performance measures do not apply, due to grade levels 40  
served by the building, the state board shall designate the 41  
performance measures that are applicable to the building and 42  
that must be calculated separately and used to calculate the 43  
building's overall grade. The department shall issue annual 44  
report cards reflecting the performance of each school district, 45  
each building within each district, and for the state as a whole 46  
using the performance measures and letter grade system described 47

in this section. The department shall include on the report card 48  
for each district and each building within each district the 49  
most recent two-year trend data in student achievement for each 50  
subject and each grade. 51

(A) (1) For the 2012-2013 school year, the department shall 52  
issue grades as described in division (E) of this section for 53  
each of the following performance measures: 54

(a) Annual measurable objectives; 55

(b) Performance index score for a school district or 56  
building. Grades shall be awarded as a percentage of the total 57  
possible points on the performance index system as adopted by 58  
the state board. In adopting benchmarks for assigning letter 59  
grades under division (A) (1) (b) of this section, the state board 60  
of education shall designate ninety per cent or higher for an 61  
"A," at least seventy per cent but not more than eighty per cent 62  
for a "C," and less than fifty per cent for an "F." 63

(c) The extent to which the school district or building 64  
meets each of the applicable performance indicators established 65  
by the state board under section 3302.02 of the Revised Code and 66  
the percentage of applicable performance indicators that have 67  
been achieved. In adopting benchmarks for assigning letter 68  
grades under division (A) (1) (c) of this section, the state board 69  
shall designate ninety per cent or higher for an "A." 70

(d) The four- and five-year adjusted cohort graduation 71  
rates. 72

In adopting benchmarks for assigning letter grades under 73  
division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of this section, the 74  
department shall designate a four-year adjusted cohort 75  
graduation rate of ninety-three per cent or higher for an "A" 76

and a five-year cohort graduation rate of ninety-five per cent	77
or higher for an "A."	78
(e) The overall score under the value-added progress	79
dimension of a school district or building, for which the	80
department shall use up to three years of value-added data as	81
available. The letter grade assigned for this growth measure	82
shall be as follows:	83
(i) A score that is at least two standard errors of	84
measure above the mean score shall be designated as an "A."	85
(ii) A score that is at least one standard error of	86
measure but less than two standard errors of measure above the	87
mean score shall be designated as a "B."	88
(iii) A score that is less than one standard error of	89
measure above the mean score but greater than or equal to one	90
standard error of measure below the mean score shall be	91
designated as a "C."	92
(iv) A score that is not greater than one standard error	93
of measure below the mean score but is greater than or equal to	94
two standard errors of measure below the mean score shall be	95
designated as a "D."	96
(v) A score that is not greater than two standard errors	97
of measure below the mean score shall be designated as an "F."	98
Whenever the value-added progress dimension is used as a	99
graded performance measure, whether as an overall measure or as	100
a measure of separate subgroups, the grades for the measure	101
shall be calculated in the same manner as prescribed in division	102
(A) (1) (e) of this section.	103
(f) The value-added progress dimension score for a school	104

district or building disaggregated for each of the following 105  
subgroups: students identified as gifted, students with 106  
disabilities, and students whose performance places them in the 107  
lowest quintile for achievement on a statewide basis. Each 108  
subgroup shall be a separate graded measure. 109

(2) Not later than April 30, 2013, the state board of 110  
education shall adopt a resolution describing the performance 111  
measures, benchmarks, and grading system for the 2012-2013 112  
school year and, not later than June 30, 2013, shall adopt rules 113  
in accordance with Chapter 119. of the Revised Code that 114  
prescribe the methods by which the performance measures under 115  
division (A) (1) of this section shall be assessed and assigned a 116  
letter grade, including performance benchmarks for each letter 117  
grade. 118

At least forty-five days prior to the state board's 119  
adoption of rules to prescribe the methods by which the 120  
performance measures under division (A) (1) of this section shall 121  
be assessed and assigned a letter grade, the department shall 122  
conduct a public presentation before the standing committees of 123  
the house of representatives and the senate that consider 124  
education legislation describing such methods, including 125  
performance benchmarks. 126

(3) There shall not be an overall letter grade for a 127  
school district or building for the 2012-2013 school year. 128

(B) (1) For the 2013-2014 school year, the department shall 129  
issue grades as described in division (E) of this section for 130  
each of the following performance measures: 131

(a) Annual measurable objectives; 132

(b) Performance index score for a school district or 133

building. Grades shall be awarded as a percentage of the total 134  
possible points on the performance index system as created by 135  
the department. In adopting benchmarks for assigning letter 136  
grades under division (B) (1) (b) of this section, the state board 137  
shall designate ninety per cent or higher for an "A," at least 138  
seventy per cent but not more than eighty per cent for a "C," 139  
and less than fifty per cent for an "F." 140

(c) The extent to which the school district or building 141  
meets each of the applicable performance indicators established 142  
by the state board under section 3302.03 of the Revised Code and 143  
the percentage of applicable performance indicators that have 144  
been achieved. In adopting benchmarks for assigning letter 145  
grades under division (B) (1) (c) of this section, the state board 146  
shall designate ninety per cent or higher for an "A." 147

(d) The four- and five-year adjusted cohort graduation 148  
rates; 149

(e) The overall score under the value-added progress 150  
dimension of a school district or building, for which the 151  
department shall use up to three years of value-added data as 152  
available. 153

(f) The value-added progress dimension score for a school 154  
district or building disaggregated for each of the following 155  
subgroups: students identified as gifted in superior cognitive 156  
ability and specific academic ability fields under Chapter 3324. 157  
of the Revised Code, students with disabilities, and students 158  
whose performance places them in the lowest quintile for 159  
achievement on a statewide basis. Each subgroup shall be a 160  
separate graded measure. 161

(g) Whether a school district or building is making 162

progress in improving literacy in grades kindergarten through 163  
three, as determined using a method prescribed by the state 164  
board. The state board shall adopt rules to prescribe benchmarks 165  
and standards for assigning grades to districts and buildings 166  
for purposes of division (B) (1) (g) of this section. In adopting 167  
benchmarks for assigning letter grades under divisions (B) (1) (g) 168  
and (C) (1) (g) of this section, the state board shall determine 169  
progress made based on the reduction in the total percentage of 170  
students scoring below grade level, or below proficient, 171  
compared from year to year on the reading and writing diagnostic 172  
assessments administered under section 3301.0715 of the Revised 173  
Code and the third grade English language arts assessment under 174  
section 3301.0710 of the Revised Code, as applicable. The state 175  
board shall designate for a "C" grade a value that is not lower 176  
than the statewide average value for this measure. No grade 177  
shall be issued under divisions (B) (1) (g) and (C) (1) (g) of this 178  
section for a district or building in which less than five per 179  
cent of students have scored below grade level on the diagnostic 180  
assessment administered to students in kindergarten under 181  
division (B) (1) of section 3313.608 of the Revised Code. 182

(h) For a high mobility school district or building, an 183  
additional value-added progress dimension score. For this 184  
measure, the department shall use value-added data from the most 185  
recent school year available and shall use assessment scores for 186  
only those students to whom the district or building has 187  
administered the assessments prescribed by section 3301.0710 of 188  
the Revised Code for each of the two most recent consecutive 189  
school years. 190

As used in this division, "high mobility school district 191  
or building" means a school district or building where at least 192  
twenty-five per cent of its total enrollment is made up of 193

students who have attended that school district or building for 194  
less than one year. 195

(2) In addition to the graded measures in division (B) (1) 196  
of this section, the department shall include on a school 197  
district's or building's report card all of the following 198  
without an assigned letter grade: 199

(a) The percentage of students enrolled in a district or 200  
building participating in advanced placement classes and the 201  
percentage of those students who received a score of three or 202  
better on advanced placement examinations; 203

(b) The number of a district's or building's students who 204  
have earned at least three college credits through dual 205  
enrollment or advanced standing programs, such as the post- 206  
secondary enrollment options program under Chapter 3365. of the 207  
Revised Code and state-approved career-technical courses offered 208  
through dual enrollment or statewide articulation, that appear 209  
on a student's transcript or other official document, either of 210  
which is issued by the institution of higher education from 211  
which the student earned the college credit. The credits earned 212  
that are reported under divisions (B) (2) (b) and (C) (2) (c) of 213  
this section shall not include any that are remedial or 214  
developmental and shall include those that count toward the 215  
curriculum requirements established for completion of a degree. 216

(c) The percentage of students enrolled in a district or 217  
building who have taken a national standardized test used for 218  
college admission determinations and the percentage of those 219  
students who are determined to be remediation-free in accordance 220  
with standards adopted under division (F) of section 3345.061 of 221  
the Revised Code; 222

(d) The percentage of the district's or the building's 223  
students who receive industry-recognized credentials. The state 224  
board shall adopt criteria for acceptable industry-recognized 225  
credentials. 226

(e) The percentage of students enrolled in a district or 227  
building who are participating in an international baccalaureate 228  
program and the percentage of those students who receive a score 229  
of four or better on the international baccalaureate 230  
examinations. 231

(f) The percentage of the district's or building's 232  
students who receive an honors diploma under division (B) of 233  
section 3313.61 of the Revised Code. 234

(3) Not later than December 31, 2013, the state board 235  
shall adopt rules in accordance with Chapter 119. of the Revised 236  
Code that prescribe the methods by which the performance 237  
measures under divisions (B) (1) (f) and (B) (1) (g) of this section 238  
will be assessed and assigned a letter grade, including 239  
performance benchmarks for each grade. 240

At least forty-five days prior to the state board's 241  
adoption of rules to prescribe the methods by which the 242  
performance measures under division (B) (1) of this section shall 243  
be assessed and assigned a letter grade, the department shall 244  
conduct a public presentation before the standing committees of 245  
the house of representatives and the senate that consider 246  
education legislation describing such methods, including 247  
performance benchmarks. 248

(4) There shall not be an overall letter grade for a 249  
school district or building for the 2013-2014 school year. 250

(C) (1) For the 2014-2015 school year and each school year 251

thereafter, the department shall issue grades as described in 252  
division (E) of this section for each of the performance 253  
measures prescribed in division (C) (1) of this section and an 254  
overall letter grade based on an aggregate of those measures, 255  
except for the performance measure set forth in division (C) (1) 256  
(h) of this section. The graded measures are as follows: 257

(a) Annual measurable objectives; 258

(b) Performance index score for a school district or 259  
building. Grades shall be awarded as a percentage of the total 260  
possible points on the performance index system as created by 261  
the department. In adopting benchmarks for assigning letter 262  
grades under division (C) (1) (b) of this section, the state board 263  
shall designate ninety per cent or higher for an "A," at least 264  
seventy per cent but not more than eighty per cent for a "C," 265  
and less than fifty per cent for an "F." 266

(c) The extent to which the school district or building 267  
meets each of the applicable performance indicators established 268  
by the state board under section 3302.03 of the Revised Code and 269  
the percentage of applicable performance indicators that have 270  
been achieved. In adopting benchmarks for assigning letter 271  
grades under division (C) (1) (c) of this section, the state board 272  
shall designate ninety per cent or higher for an "A." 273

(d) The four- and five-year adjusted cohort graduation 274  
rates; 275

(e) The overall score under the value-added progress 276  
dimension, or another measure of student academic progress if 277  
adopted by the state board, of a school district or building, 278  
for which the department shall use up to three years of value- 279  
added data as available. 280

In adopting benchmarks for assigning letter grades for overall score on value-added progress dimension under division (C) (1) (e) of this section, the state board shall prohibit the assigning of a grade of "A" for that measure unless the district's or building's grade assigned for value-added progress dimension for all subgroups under division (C) (1) (f) of this section is a "B" or higher.

For the metric prescribed by division (C) (1) (e) of this section, the state board may adopt a student academic progress measure to be used instead of the value-added progress dimension. If the state board adopts such a measure, it also shall prescribe a method for assigning letter grades for the new measure that is comparable to the method prescribed in division (A) (1) (e) of this section.

(f) The value-added progress dimension score of a school district or building disaggregated for each of the following subgroups: students identified as gifted in superior cognitive ability and specific academic ability fields under Chapter 3324. of the Revised Code, students with disabilities, and students whose performance places them in the lowest quintile for achievement on a statewide basis, as determined by a method prescribed by the state board. Each subgroup shall be a separate graded measure.

The state board may adopt student academic progress measures to be used instead of the value-added progress dimension. If the state board adopts such measures, it also shall prescribe a method for assigning letter grades for the new measures that is comparable to the method prescribed in division (A) (1) (e) of this section.

(g) Whether a school district or building is making

progress in improving literacy in grades kindergarten through 311  
three, as determined using a method prescribed by the state 312  
board. The state board shall adopt rules to prescribe benchmarks 313  
and standards for assigning grades to a district or building for 314  
purposes of division (C)(1)(g) of this section. The state board 315  
shall designate for a "C" grade a value that is not lower than 316  
the statewide average value for this measure. No grade shall be 317  
issued under division (C)(1)(g) of this section for a district 318  
or building in which less than five per cent of students have 319  
scored below grade level on the kindergarten diagnostic 320  
assessment under division (B)(1) of section 3313.608 of the 321  
Revised Code. 322

(h) For a high mobility school district or building, an 323  
additional value-added progress dimension score. For this 324  
measure, the department shall use value-added data from the most 325  
recent school year available and shall use assessment scores for 326  
only those students to whom the district or building has 327  
administered the assessments prescribed by section 3301.0710 of 328  
the Revised Code for each of the two most recent consecutive 329  
school years. 330

As used in this division, "high mobility school district 331  
or building" means a school district or building where at least 332  
twenty-five per cent of its total enrollment is made up of 333  
students who have attended that school district or building for 334  
less than one year. 335

(2) In addition to the graded measures in division (C)(1) 336  
of this section, the department shall include on a school 337  
district's or building's report card all of the following 338  
without an assigned letter grade: 339

(a) The percentage of students enrolled in a district or 340

building who have taken a national standardized test used for 341  
college admission determinations and the percentage of those 342  
students who are determined to be remediation-free in accordance 343  
with the standards adopted under division (F) of section 344  
3345.061 of the Revised Code; 345

(b) The percentage of students enrolled in a district or 346  
building participating in advanced placement classes and the 347  
percentage of those students who received a score of three or 348  
better on advanced placement examinations; 349

(c) The percentage of a district's or building's students 350  
who have earned at least three college credits through advanced 351  
standing programs, such as the college credit plus program under 352  
Chapter 3365. of the Revised Code and state-approved career- 353  
technical courses offered through dual enrollment or statewide 354  
articulation, that appear on a student's college transcript 355  
issued by the institution of higher education from which the 356  
student earned the college credit. The credits earned that are 357  
reported under divisions (B) (2) (b) and (C) (2) (c) of this section 358  
shall not include any that are remedial or developmental and 359  
shall include those that count toward the curriculum 360  
requirements established for completion of a degree. 361

(d) The percentage of the district's or building's 362  
students who receive an honor's diploma under division (B) of 363  
section 3313.61 of the Revised Code; 364

(e) The percentage of the district's or building's 365  
students who receive industry-recognized credentials; 366

(f) The percentage of students enrolled in a district or 367  
building who are participating in an international baccalaureate 368  
program and the percentage of those students who receive a score 369

of four or better on the international baccalaureate 370  
examinations; 371

(g) The results of the college and career-ready 372  
assessments administered under division (B)(1) of section 373  
3301.0712 of the Revised Code. 374

(3) The state board shall adopt rules pursuant to Chapter 375  
119. of the Revised Code that establish a method to assign an 376  
overall grade for a school district or school building for the 377  
2014-2015 school year and each school year thereafter. The rules 378  
shall group the performance measures in divisions (C)(1) and (2) 379  
of this section into the following components: 380

(a) Gap closing, which shall include the performance 381  
measure in division (C)(1)(a) of this section; 382

(b) Achievement, which shall include the performance 383  
measures in divisions (C)(1)(b) and (c) of this section; 384

(c) Progress, which shall include the performance measures 385  
in divisions (C)(1)(e) and (f) of this section; 386

(d) Graduation, which shall include the performance 387  
measure in division (C)(1)(d) of this section; 388

(e) Kindergarten through third-grade literacy, which shall 389  
include the performance measure in division (C)(1)(g) of this 390  
section; 391

(f) Prepared for success, which shall include the 392  
performance measures in divisions (C)(2)(a), (b), (c), (d), (e), 393  
and (f) of this section. The state board shall develop a method 394  
to determine a grade for the component in division (C)(3)(f) of 395  
this section using the performance measures in divisions (C)(2) 396  
(a), (b), (c), (d), (e), and (f) of this section. When 397

available, the state board may incorporate the performance 398  
measure under division (C) (2) (g) of this section into the 399  
component under division (C) (3) (f) of this section. When 400  
determining the overall grade for the prepared for success 401  
component prescribed by division (C) (3) (f) of this section, no 402  
individual student shall be counted in more than one performance 403  
measure. However, if a student qualifies for more than one 404  
performance measure in the component, the state board may, in 405  
its method to determine a grade for the component, specify an 406  
additional weight for such a student that is not greater than or 407  
equal to 1.0. In determining the overall score under division 408  
(C) (3) (f) of this section, the state board shall ensure that the 409  
pool of students included in the performance measures aggregated 410  
under that division are all of the students included in the 411  
four- and five-year adjusted graduation cohort. 412

In the rules adopted under division (C) (3) of this 413  
section, the state board shall adopt a method for determining a 414  
grade for each component in divisions (C) (3) (a) to (f) of this 415  
section. The state board also shall establish a method to assign 416  
an overall grade of "A," "B," "C," "D," or "F" using the grades 417  
assigned for each component. The method the state board adopts 418  
for assigning an overall grade shall give equal weight to the 419  
components in divisions (C) (3) (b) and (c) of this section. 420

At least forty-five days prior to the state board's 421  
adoption of rules to prescribe the methods for calculating the 422  
overall grade for the report card, as required by this division, 423  
the department shall conduct a public presentation before the 424  
standing committees of the house of representatives and the 425  
senate that consider education legislation describing the format 426  
for the report card, weights that will be assigned to the 427  
components of the overall grade, and the method for calculating 428

the overall grade. 429

(D) Not later than July 1, 2015, the state board shall 430  
develop a measure of student academic progress for high school 431  
students using only data from assessments in English language 432  
arts and mathematics. For the 2014-2015 school year, the 433  
department shall include this measure on a school district or 434  
building's report card, as applicable, without an assigned 435  
letter grade. Beginning with the report card for the 2015-2016 436  
school year, each school district and applicable school building 437  
shall be assigned a separate letter grade for this measure and 438  
the district's or building's grade for that measure shall be 439  
included in determining the district's or building's overall 440  
letter grade. This measure shall be included within the measure 441  
prescribed in division (C) (3) (c) of this section in the 442  
calculation for the overall letter grade. 443

(E) The letter grades assigned to a school district or 444  
building under this section shall be as follows: 445

(1) "A" for a district or school making excellent 446  
progress; 447

(2) "B" for a district or school making above average 448  
progress; 449

(3) "C" for a district or school making average progress; 450

(4) "D" for a district or school making below average 451  
progress; 452

(5) "F" for a district or school failing to meet minimum 453  
progress. 454

(F) When reporting data on student achievement and 455  
progress, the department shall disaggregate that data according 456

to the following categories:	457
(1) Performance of students by grade-level;	458
(2) Performance of students by race and ethnic group;	459
(3) Performance of students by gender;	460
(4) Performance of students grouped by those who have been enrolled in a district or school for three or more years;	461 462
(5) Performance of students grouped by those who have been enrolled in a district or school for more than one year and less than three years;	463 464 465
(6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;	466 467
(7) Performance of students grouped by those who are economically disadvantaged;	468 469
(8) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;	470 471 472
(9) Performance of students grouped by those who are classified as limited English proficient;	473 474
(10) Performance of students grouped by those who have disabilities;	475 476
(11) Performance of students grouped by those who are classified as migrants;	477 478
(12) Performance of students grouped by those who are identified as gifted in superior cognitive ability and the specific academic ability fields of reading and math pursuant to Chapter 3324. of the Revised Code. In disaggregating specific academic ability fields for gifted students, the department	479 480 481 482 483

shall use data for those students with specific academic ability 484  
in math and reading. If any other academic field is assessed, 485  
the department shall also include data for students with 486  
specific academic ability in that field as well. 487

(13) Performance of students grouped by those who perform 488  
in the lowest quintile for achievement on a statewide basis, as 489  
determined by a method prescribed by the state board. 490

The department may disaggregate data on student 491  
performance according to other categories that the department 492  
determines are appropriate. To the extent possible, the 493  
department shall disaggregate data on student performance 494  
according to any combinations of two or more of the categories 495  
listed in divisions (F) (1) to (13) of this section that it deems 496  
relevant. 497

In reporting data pursuant to division (F) of this 498  
section, the department shall not include in the report cards 499  
any data statistical in nature that is statistically unreliable 500  
or that could result in the identification of individual 501  
students. For this purpose, the department shall not report 502  
student performance data for any group identified in division 503  
(F) of this section that contains less than ten students. If the 504  
department does not report student performance data for a group 505  
because it contains less than ten students, the department shall 506  
indicate on the report card that is why data was not reported. 507

(G) The department may include with the report cards any 508  
additional education and fiscal performance data it deems 509  
valuable. 510

(H) The department shall include on each report card a 511  
list of additional information collected by the department that 512

is available regarding the district or building for which the 513  
report card is issued. When available, such additional 514  
information shall include student mobility data disaggregated by 515  
race and socioeconomic status, college enrollment data, and the 516  
reports prepared under section 3302.031 of the Revised Code. 517

The department shall maintain a site on the world wide 518  
web. The report card shall include the address of the site and 519  
shall specify that such additional information is available to 520  
the public at that site. The department shall also provide a 521  
copy of each item on the list to the superintendent of each 522  
school district. The district superintendent shall provide a 523  
copy of any item on the list to anyone who requests it. 524

~~(I) Division (I) of this section does not apply to 525  
conversion community schools that primarily enroll students 526  
between sixteen and twenty two years of age who dropped out of 527  
high school or are at risk of dropping out of high school due to 528  
poor attendance, disciplinary problems, or suspensions. 529~~

(1) For (a) Except as provided in division (I) (1) (b) of 530  
this section, for any district that sponsors a conversion 531  
community school under Chapter 3314. of the Revised Code, the 532  
department shall combine data regarding the academic performance 533  
of students enrolled in the community school with comparable 534  
data from the schools of the district for the purpose of 535  
determining the performance of the district as a whole on the 536  
report card issued for the district under this section or 537  
section 3302.033 of the Revised Code. 538

(b) The department shall not combine data from any 539  
conversion community school that a district sponsors if a 540  
majority of the students enrolled in the conversion community 541  
school are enrolled in a dropout prevention and recovery program 542

that is operated by the school, as described in division (A) (4) 543  
(a) of section 3314.35 of the Revised Code. The department shall 544  
include as an addendum to the district's report card the ratings 545  
and performance measures that are required under section 546  
3314.017 of the Revised Code for any community school to which 547  
division (I) (1) (b) of this section applies. 548

(2) Any district that leases a building to a community 549  
school located in the district or that enters into an agreement 550  
with a community school located in the district whereby the 551  
district and the school endorse each other's programs may elect 552  
to have data regarding the academic performance of students 553  
enrolled in the community school combined with comparable data 554  
from the schools of the district for the purpose of determining 555  
the performance of the district as a whole on the district 556  
report card. Any district that so elects shall annually file a 557  
copy of the lease or agreement with the department. 558

(3) Any municipal school district, as defined in section 559  
3311.71 of the Revised Code, that sponsors a community school 560  
located within the district's territory, or that enters into an 561  
agreement with a community school located within the district's 562  
territory whereby the district and the community school endorse 563  
each other's programs, may exercise either or both of the 564  
following elections: 565

(a) To have data regarding the academic performance of 566  
students enrolled in that community school combined with 567  
comparable data from the schools of the district for the purpose 568  
of determining the performance of the district as a whole on the 569  
district's report card; 570

(b) To have the number of students attending that 571  
community school noted separately on the district's report card. 572

The election authorized under division (I) (3) (a) of this section is subject to approval by the governing authority of the community school.

Any municipal school district that exercises an election to combine or include data under division (I) (3) of this section, by the first day of October of each year, shall file with the department documentation indicating eligibility for that election, as required by the department.

(J) The department shall include on each report card the percentage of teachers in the district or building who are highly qualified, as defined by the No Child Left Behind Act of 2001, and a comparison of that percentage with the percentages of such teachers in similar districts and buildings.

(K) (1) In calculating English language arts, mathematics, social studies, or science assessment passage rates used to determine school district or building performance under this section, the department shall include all students taking an assessment with accommodation or to whom an alternate assessment is administered pursuant to division (C) (1) or (3) of section 3301.0711 of the Revised Code.

(2) In calculating performance index scores, rates of achievement on the performance indicators established by the state board under section 3302.02 of the Revised Code, and annual measurable objectives for determining adequate yearly progress for school districts and buildings under this section, the department shall do all of the following:

(a) Include for each district or building only those students who are included in the ADM certified for the first full school week of October and are continuously enrolled in the

district or building through the time of the spring 602  
administration of any assessment prescribed by division (A) (1) 603  
or (B) (1) of section 3301.0710 or division (B) of section 604  
3301.0712 of the Revised Code that is administered to the 605  
student's grade level; 606

(b) Include cumulative totals from both the fall and 607  
spring administrations of the third grade English language arts 608  
achievement assessment; 609

(c) Except as required by the No Child Left Behind Act of 610  
2001, exclude for each district or building any limited English 611  
proficient student who has been enrolled in United States 612  
schools for less than one full school year. 613

(L) Beginning with the 2015-2016 school year and at least 614  
once every three years thereafter, the state board of education 615  
shall review and may adjust the benchmarks for assigning letter 616  
grades to the performance measures and components prescribed 617  
under divisions (C) (3) and (D) of this section. 618

Sec. 3302.037. (A) In the 2015-2016 school year, the 619  
department of education shall conduct a study to evaluate the 620  
validity and usefulness of using the "similar students measure," 621  
as created by the California charter schools association, to 622  
calculate student academic progress, using a regression model to 623  
take into account demographic differences, for each public 624  
school. 625

The department shall prepare and submit reports regarding 626  
its findings as the state board of education or general assembly 627  
requests. 628

(B) Beginning with the 2016-2017 school year, the 629  
department shall use the "similar students measure" to produce a 630

measure of student academic progress as the department, in 631  
consultation with the state board and the standing committees of 632  
the house of representatives and the senate principally 633  
responsible for education policy, determines appropriate. 634

(C) As used in this section, "public school" means a 635  
school operated by a school district, a community school 636  
established under Chapter 3314. of the Revised Code, except as 637  
otherwise provided, a STEM school established under Chapter 638  
3326. of the Revised Code, and a college-preparatory boarding 639  
school established under Chapter 3328. of the Revised Code. 640  
"Public school" does not include community schools that 641  
primarily serve students enrolled in dropout prevention and 642  
recovery programs as described in division (A)(4)(a) of section 643  
3314.35 of the Revised Code. 644

Sec. 3313.131. No person who is a member of the governing 645  
authority of a community school established under Chapter 3314. 646  
of the Revised Code shall be a member of a board of education. 647

Sec. 3314.011. (A) Every community school established 648  
under this chapter shall have a designated fiscal officer. 649  
Except as provided for in division (C) of this section, the 650  
fiscal officer shall be employed by or engaged under a contract 651  
with the governing authority of the community school. 652

(B) The auditor of state ~~may shall~~ require ~~by rule~~ that 653  
the fiscal officer of any community school, before entering upon 654  
duties as fiscal officer of the school, execute a bond in an 655  
amount and with surety to be approved by the governing authority 656  
of the school, payable to the state, conditioned for the 657  
faithful performance of all the official duties required of the 658  
fiscal officer. ~~Any such~~ The bond shall be deposited with the 659  
governing authority of the school, and a copy thereof, certified 660

by the governing authority, shall be filed with the county auditor. 661  
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(C) Prior to assuming the duties of fiscal officer, the fiscal officer designated under this section shall be licensed under section 3301.074 of the Revised Code. Any person serving as a fiscal officer of a community school on ~~the effective date of this amendment~~ March 22, 2013, who is not licensed as a treasurer shall be permitted to serve as a fiscal officer for not more than one year following ~~the effective date of this amendment~~ March 22, 2013. Beginning on that date and thereafter, no community school shall permit any individual to serve as a fiscal officer without a license as required by this section. 663  
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(D) (1) The governing authority of a community school may adopt a resolution waiving the requirement that the governing authority is the party responsible to employ or contract with the designated fiscal officer, as prescribed by division (A) of this section, so long as the school's sponsor also approves the resolution. The resolution shall be valid for one year. A new resolution shall be adopted for each year that the governing authority wishes to waive this requirement, so long as the school's sponsor also approves the resolution. 673  
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No resolution adopted pursuant to this division may waive the requirement for a community school to have a designated fiscal officer. 682  
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(2) If the governing authority adopts a resolution pursuant to division (D) (1) of this section, the school's designated fiscal officer annually shall meet with the governing authority to review the school's financial status. 685  
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(3) The governing authority shall submit to the department 689

of education a copy of each resolution adopted pursuant to 690  
division (D) (1) of this section. 691

**Sec. 3314.015.** (A) The department of education shall be 692  
responsible for the oversight of any and all sponsors of the 693  
community schools established under this chapter and shall 694  
provide technical assistance to schools and sponsors in their 695  
compliance with applicable laws and the terms of the contracts 696  
entered into under section 3314.03 of the Revised Code and in 697  
the development and start-up activities of those schools. In 698  
carrying out its duties under this section, the department shall 699  
do all of the following: 700

(1) In providing technical assistance to proposing 701  
parties, governing authorities, and sponsors, conduct training 702  
sessions and distribute informational materials; 703

(2) Approve entities to be sponsors of community schools; 704

(3) Monitor and evaluate, as required under section 705  
3314.016 of the Revised Code, the effectiveness of any and all 706  
sponsors in their oversight of the schools with which they have 707  
contracted; 708

(4) By December thirty-first of each year, issue a report 709  
to the governor, the speaker of the house of representatives, 710  
the president of the senate, and the chairpersons of the house 711  
and senate committees principally responsible for education 712  
matters regarding the effectiveness of academic programs, 713  
operations, and legal compliance and of the financial condition 714  
of all community schools established under this chapter and on 715  
the performance of community school sponsors; 716

(5) From time to time, make legislative recommendations to 717  
the general assembly designed to enhance the operation and 718

performance of community schools. 719

(B) (1) Except as provided in sections 3314.021 and 720  
3314.027 of the Revised Code, no entity ~~listed in division (C)~~ 721  
~~(1) of section 3314.02 of the Revised Code~~ shall enter into a 722  
preliminary agreement under division (C) (2) of section 3314.02 723  
of the Revised Code or renew an existing contract to sponsor a 724  
community school until it has received approval from the 725  
department of education to sponsor community schools under this 726  
chapter and has entered into a written agreement with the 727  
department regarding the manner in which the entity will conduct 728  
such sponsorship. All new and renewed agreements between the 729  
department and a sponsor shall contain specific language 730  
addressing the parameters under which the department can 731  
intervene and potentially revoke sponsorship authority in the 732  
event that the sponsor is unwilling or unable to fulfill its 733  
obligations. Additionally, each agreement shall provide for an 734  
annual evaluation process and a clause permitting the department 735  
to modify the agreement under the following circumstances: 736

(a) Poor fiscal management; 737

(b) Lack of academic progress. 738

(2) The initial term of a sponsor's agreement with the 739  
department shall be for up to ~~seven~~ five years. ~~For every year~~ 740  
~~that the sponsor satisfies the conditions of division (B) (1) (a)~~ 741  
~~or (b) of this section, as applicable, the department shall add~~ 742  
~~one year to the agreement term, subject to divisions (C) and (F)~~ 743  
~~of this section, unless the sponsor notifies the department that~~ 744  
~~it does not wish to have the term of the agreement so extended.~~ 745

~~To qualify for the extension of the term of the sponsor's~~ 746  
~~agreement, the sponsor shall satisfy one of the following, as~~ 747

applicable: 748

~~(a) Prior to January 1, 2015, the sponsor is not in the lowest twenty per cent of sponsors statewide according to the composite performance index score as ranked under section 3314.016 of the Revised Code, as that section exists prior to that date, and the sponsor continues to meet all the requirements of this chapter pertaining to community school sponsors.~~ 749  
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~~(b) On or after January 1, 2015, the sponsor is rated as "exemplary" or "effective" under section 3314.016 of the Revised Code, as that section exists on and after that date, and the sponsor continues to meet all the requirements of this chapter pertaining to community school sponsors.~~ 756  
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(a) An agreement entered into with the department pursuant to this section may be renewed for a term of up to twelve years using the following criteria: 761  
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(i) The academic performance of students enrolled in each community school the entity sponsors, as determined by the department pursuant to division (B) (1) (a) of section 3314.016 of the Revised Code; 764  
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(ii) The sponsor's adherence to quality practices, as determined by the department pursuant to division (B) (1) (b) of section 3314.016 of the Revised Code. 768  
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(b) The department shall adopt in accordance with Chapter 119. of the Revised Code rules containing criteria, procedures, and deadlines for processing applications for approval of sponsors, for oversight of sponsors, for notifying a sponsor of noncompliance with applicable laws and administrative rules under division (F) of this section, for revocation of the 771  
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approval of sponsors under division (C) of this section, and for 777  
entering into written agreements with sponsors. The rules shall 778  
require an entity to submit evidence of the entity's ability and 779  
willingness to comply with the provisions of division (D) of 780  
section 3314.03 of the Revised Code. The rules also shall 781  
require all entities approved as sponsors ~~on and after June 30,~~ 782  
~~2005,~~ to demonstrate a record of financial responsibility and 783  
successful implementation of educational programs. If an entity 784  
seeking approval ~~on or after June 30, 2005,~~ to sponsor community 785  
schools in this state sponsors or operates schools in another 786  
state, at least one of the schools sponsored or operated by the 787  
entity must be comparable to or better than the performance of 788  
Ohio schools in need of continuous improvement under section 789  
3302.03 of the Revised Code, as determined by the department. 790

Subject to section 3314.016 of the Revised Code, an entity 791  
that sponsors community schools may enter into preliminary 792  
agreements and sponsor up to one hundred schools, provided each 793  
school and the contract for sponsorship meets the requirements 794  
of this chapter. 795

~~(2)~~ (3) The state board of education shall determine, 796  
pursuant to criteria specified in rules adopted in accordance 797  
with Chapter 119. of the Revised Code, whether the mission 798  
proposed to be specified in the contract of a community school 799  
to be sponsored by a state university board of trustees or the 800  
board's designee under division (C) (1) (e) of section 3314.02 of 801  
the Revised Code complies with the requirements of that 802  
division. Such determination of the state board is final. 803

~~(3)~~ (4) The state board of education shall determine, 804  
pursuant to criteria specified in rules adopted in accordance 805  
with Chapter 119. of the Revised Code, if any tax-exempt entity 806

under section 501(c) (3) of the Internal Revenue Code that is 807  
proposed to be a sponsor of a community school is an education- 808  
oriented entity for purpose of satisfying the condition 809  
prescribed in division (C) (1) (f) (iii) of section 3314.02 of the 810  
Revised Code. Such determination of the state board is final. 811

(C) If at any time the state board of education finds that 812  
a sponsor is not in compliance or is no longer willing to comply 813  
with its contract with any community school or with the 814  
department's rules for sponsorship, the state board or designee 815  
shall conduct a hearing in accordance with Chapter 119. of the 816  
Revised Code on that matter. If after the hearing, the state 817  
board or designee has confirmed the original finding, the 818  
department of education may revoke the sponsor's approval to 819  
sponsor community schools. In that case, the department's office 820  
of Ohio school sponsorship, established under section 3314.029 821  
of the Revised Code, may assume the sponsorship of any schools 822  
with which the sponsor has contracted until the earlier of the 823  
expiration of two school years or until a new sponsor as 824  
described in division (C) (1) of section 3314.02 of the Revised 825  
Code is secured by the school's governing authority. The office 826  
of Ohio school sponsorship may extend the term of the contract 827  
in the case of a school for which it has assumed sponsorship 828  
under this division as necessary to accommodate the term of the 829  
department's authorization to sponsor the school specified in 830  
this division. Community schools sponsored under this division 831  
shall not apply to the limit on directly authorized community 832  
schools under division (A) (3) of section 3314.029 of the Revised 833  
Code. However, nothing in this division shall preclude a 834  
community school affected by this division from applying for 835  
sponsorship under that section. 836

(D) The decision of the department to disapprove an entity 837

for sponsorship of a community school or to revoke approval for 838  
such sponsorship under division (C) of this section, may be 839  
appealed by the entity in accordance with section 119.12 of the 840  
Revised Code. 841

(E) The department shall adopt procedures for use by a 842  
community school governing authority and sponsor when the school 843  
permanently closes and ceases operation, which shall include at 844  
least procedures for data reporting to the department, handling 845  
of student records, distribution of assets in accordance with 846  
section 3314.074 of the Revised Code, and other matters related 847  
to ceasing operation of the school. 848

(F) (1) In lieu of revoking a sponsor's authority to 849  
sponsor community schools under division (C) of this section, if 850  
the department finds that a sponsor is not in compliance with 851  
applicable laws and administrative rules, the department shall 852  
declare in a written notice to the sponsor the specific laws or 853  
rules, or both, for which the sponsor is noncompliant. A sponsor 854  
notified under division (F) (1) of this section shall respond to 855  
the department not later than fourteen days after the 856  
notification with a proposed plan to remedy the conditions for 857  
which the sponsor was found to be noncompliant. The department 858  
shall approve or disapprove the plan not later than fourteen 859  
days after receiving it. If the plan is disapproved, the sponsor 860  
may submit a revised plan to the department not later than 861  
fourteen days after receiving notification of disapproval from 862  
the department or not later than sixty days after the date the 863  
sponsor received notification of noncompliance from the 864  
department, whichever is earlier. The department shall approve 865  
or disapprove the revised plan not later than fourteen days 866  
after receiving it or not later than sixty days after the date 867  
the sponsor received notification of noncompliance from the 868

department, whichever is earlier. A sponsor may continue to make 869  
revisions by the deadlines prescribed in division (F) (1) of this 870  
section to any revised plan that is disapproved by the 871  
department until the sixtieth day after the date the sponsor 872  
received notification of noncompliance from the department. 873

If a plan or a revised plan is approved, the sponsor shall 874  
implement it not later than sixty days after the date the 875  
sponsor received notification of noncompliance from the 876  
department or not later than thirty days after the plan is 877  
approved, whichever is later. If a sponsor does not respond to 878  
the department or implement an approved compliance plan by the 879  
deadlines prescribed by division (F) (1) of this section, or if a 880  
sponsor does not receive approval of a compliance plan on or 881  
before the sixtieth day after the date the sponsor received 882  
notification of noncompliance from the department, the 883  
department shall declare in written notice to the sponsor that 884  
the sponsor is in probationary status, and may limit the 885  
sponsor's ability to sponsor additional schools. 886

(2) A sponsor that has been placed on probationary status 887  
under division (F) (1) of this section may apply to the 888  
department for its probationary status to be lifted. The 889  
application for a sponsor's probationary status to be lifted 890  
shall include evidence, occurring after the initial notification 891  
of noncompliance, of the sponsor's compliance with applicable 892  
laws and administrative rules. Not later than fourteen days 893  
after receiving an application from the sponsor, the department 894  
shall decide whether or not to remove the sponsor's probationary 895  
status. 896

(G) In carrying out its duties under this chapter, the 897  
department shall not impose requirements on community schools or 898

their sponsors that are not permitted by law or duly adopted 899  
rules. 900

(H) This section applies to entities that sponsor 901  
conversion community schools and new start-up schools. 902

(I) Nothing in divisions (C) to (F) of this section 903  
prohibits the department from taking any action permitted or 904  
required under the written agreement between the department and 905  
a sponsoring entity without a hearing on the matter, in the 906  
event that the sponsor is unwilling or unable to fulfill its 907  
obligations. 908

**Sec. 3314.016.** This section applies to any entity that 909  
sponsors a community school, regardless of whether section 910  
3314.021 or 3314.027 of the Revised Code exempts the entity from 911  
the requirement to be approved for sponsorship under divisions 912  
(A) (2) and (B) (1) of section 3314.015 of the Revised Code. The 913  
office of Ohio school sponsorship established under section 914  
3314.029 of the Revised Code shall be rated under division (B) 915  
of this section, but divisions (A) and (C) of this section do 916  
not apply to the office. 917

(A) An entity that sponsors a community school shall be 918  
permitted to enter into contracts under section 3314.03 of the 919  
Revised Code to sponsor additional community schools only if the 920  
entity meets ~~both~~all of the following criteria: 921

(1) The entity is in compliance with all provisions of 922  
this chapter requiring sponsors of community schools to report 923  
data or information to the department of education. 924

(2) The entity is not rated as "ineffective" under 925  
division (B) (6) of this section. 926

(3) Except as set forth in sections 3314.021 and 3314.027 927

of the Revised Code, the entity has received approval from and 928  
entered into an agreement with the department of education 929  
pursuant to section 3314.015 of the Revised Code. 930

(B) (1) For purposes of this section, the department shall 931  
develop and implement an evaluation system that rates each 932  
entity that sponsors a community school based on the following 933  
components: 934

(a) ~~Academic~~ Annual academic performance of students 935  
enrolled in community schools sponsored by the same entity; 936

(b) Adherence by a sponsor to the quality practices 937  
prescribed by the department under division (B) (3) of this 938  
section shall be rated every third year. ~~The department shall~~ 939  
~~not include this measure in the sponsor evaluation rating system~~ 940  
~~until the department prescribes quality practices and develops~~ 941  
~~an instrument to measure adherence to those practices under~~ 942  
~~division (B) (3) of this section.~~ 943

(c) ~~Compliance~~ Annual compliance with all applicable laws 944  
and administrative rules by an entity that sponsors a community 945  
school. 946

(2) In calculating an academic performance component, the 947  
department shall exclude all of the following: 948

(a) All community schools that have been in operation for 949  
not more than two full school years; 950

(b) All community schools described in division (A) (4) (b) 951  
of section 3314.35 of the Revised Code. 952

(3) The department, in consultation with entities that 953  
sponsor community schools, shall prescribe quality practices for 954  
community school sponsors and develop an instrument to measure 955

adherence to those quality practices. The quality practices 956  
shall be based on standards developed by the national 957  
association of charter school authorizers or any other 958  
nationally organized community school organization. 959

(4) (a) The department may permit peer review of a 960  
sponsor's adherence to the quality practices prescribed under 961  
division (B) (3) of this section. 962

(b) The department shall require individuals participating 963  
in peer review under division (B) (4) (a) of this section to 964  
complete training approved or established by the department. 965

(c) The department may enter into an agreement with 966  
another entity to provide training to individuals conducting 967  
peer review of sponsors. Prior to entering into an agreement 968  
with an entity, the department shall review and approve of the 969  
entity's training program. 970

(5) Not later than July 1, 2013, the state board of 971  
education shall adopt rules in accordance with Chapter 119. of 972  
the Revised Code prescribing standards for measuring compliance 973  
with applicable laws and rules under division (B) (1) (c) of this 974  
section. 975

(6) The department annually shall rate all entities that 976  
sponsor community schools as either "exemplary," "effective," ~~or~~ 977  
"ineffective," or "poor," based on the components prescribed by 978  
division (B) of this section, ~~where each component is weighted~~ 979  
~~equally, except that entities sponsoring community schools for~~ 980  
~~the first time may be assigned the rating of "emerging" for only~~ 981  
~~the first two consecutive years. A separate rating shall be~~ 982  
given for each component of the evaluation system according to 983  
the established timeline. The department shall also assign an 984

overall rating. 985

If the department determines the data submitted by a 986  
sponsor to the department is insufficient to assess the annual 987  
academic performance component required pursuant to division (B) 988  
(1) (a) of this section, the sponsor shall not receive a rating 989  
of "exemplary" for that rating year. 990

The department shall publish the ratings between the first 991  
day of October and the fifteenth day of October of the 992  
applicable rating year, as set forth in division (B) (1) (a), (b), 993  
or (c) of this section. 994

~~(7) (a) Prior to the 2014-2015 school year, student~~ 995  
~~academic performance prescribed under division (B) (1) (a) of this~~ 996  
~~section shall not include student academic performance data from~~ 997  
~~community schools that primarily serve students enrolled in a~~ 998  
~~dropout prevention and recovery program as described in division~~ 999  
~~(A) (4) (a) of section 3314.35 of the Revised Code.~~ 1000

~~(b) Entities with an overall rating of "exemplary" for at~~ 1001  
~~least two consecutive years may take advantage of the following~~ 1002  
~~incentives:~~ 1003

(i) Renewal of the written agreement with the department, 1004  
not to exceed twelve years, provided that the entity consents to 1005  
continued evaluation of adherence to quality practices as 1006  
described in division (B) (1) (b) of this section; 1007

(ii) The ability to extend the term of the contract 1008  
between the sponsoring entity and the community school beyond 1009  
the term described in the written agreement with the department; 1010

(iii) An exemption from the preliminary agreement and 1011  
contract adoption and execution deadline requirements prescribed 1012  
in division (D) of section 3314.02 of the Revised Code; 1013

(iv) An exemption from the automatic contract expiration requirement, should a new community school fail to open by the thirtieth day of September of the calendar year in which the community school contract is executed; 1014  
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(v) No limit on the number of community schools the entity may sponsor; 1018  
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(vi) No territorial restrictions on sponsorship. 1020

An entity may continue to sponsor any community schools with which it entered into agreements under division (B) (7) (a) (v) or (vi) of this section while rated "exemplary," notwithstanding the fact that the entity later receives a lower overall rating. 1021  
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(b) Entities that receive an overall rating of "ineffective" shall be prohibited from sponsoring any new or additional community schools and shall be subject to a one-year quality improvement plan based on correcting the deficiencies that led to the "ineffective" rating, with timelines and benchmarks that have been established by the department. 1026  
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(c) Entities that receive an overall rating of "poor" shall have all sponsorship authority revoked. Within thirty days after receiving a rating of "poor," the entity may appeal the revocation of its sponsorship authority to the superintendent of public instruction, who shall appoint an independent hearing officer to conduct a hearing in accordance with Chapter 119. of the Revised Code. If, after the hearing, the state superintendent determines that the revocation is appropriate, the revocation shall be confirmed. 1032  
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(8) For the 2014-2015 school year and each school year thereafter, student academic performance prescribed under 1041  
1042

division (B) (1) (a) of this section shall include student 1043  
academic performance data from community schools that primarily 1044  
serve students enrolled in a dropout prevention and recovery 1045  
program. 1046

(C) If the governing authority of a community school 1047  
enters into a contract with a sponsor prior to the date on which 1048  
the sponsor is prohibited from sponsoring additional schools 1049  
under division (A) of this section and the school has not opened 1050  
for operation as of that date, that contract shall be void and 1051  
the school shall not open until the governing authority secures 1052  
a new sponsor by entering into a contract with the new sponsor 1053  
under section 3314.03 of the Revised Code. However, the 1054  
department's office of Ohio school sponsorship, established 1055  
under section 3314.029 of the Revised Code, may assume the 1056  
sponsorship of the school until the earlier of the expiration of 1057  
two school years or until a new sponsor is secured by the 1058  
school's governing authority. A community school sponsored by 1059  
the department under this division shall not be included when 1060  
calculating the maximum number of directly authorized community 1061  
schools permitted under division (A) (3) of section 3314.029 of 1062  
the Revised Code. 1063

(D) When an entity's authority to sponsor schools is 1064  
revoked pursuant to division (B) (7) (c) of this section, the 1065  
office of Ohio school sponsorship shall assume sponsorship of 1066  
any schools with which the original sponsor has contracted for 1067  
the remainder of that school year. The office may continue 1068  
sponsoring those schools until the earlier of: 1069

(1) The expiration of two school years from the time that 1070  
sponsorship is revoked; 1071

(2) When a new sponsor is secured by the governing 1072

authority pursuant to division (C)(1) of section 3314.02 of the 1073  
Revised Code. 1074

Any community school sponsored under this division shall 1075  
not be counted for purposes of directly authorized community 1076  
schools under division (A)(3) of section 3314.029 of the Revised 1077  
Code. 1078

Sec. 3314.019. A community school's sponsor shall 1079  
communicate with the auditor of state regarding an audit of the 1080  
school or the condition of financial and enrollment records of 1081  
the school, and shall maintain a presence at any and all 1082  
meetings with the auditor of state regardless of whether the 1083  
sponsor has entered into an agreement with another entity to 1084  
perform all or part of the sponsor's oversight duties. 1085

**Sec. 3314.02.** (A) As used in this chapter: 1086

(1) "Sponsor" means the board of education of a school 1087  
district or the governing board of an educational service center 1088  
that agrees to the conversion of all or part of a school or 1089  
building under division (B) of this section, or an entity listed 1090  
in division (C)(1) of this section, which either has been 1091  
approved by the department of education to sponsor community 1092  
schools or is exempted by section 3314.021 or 3314.027 of the 1093  
Revised Code from obtaining approval, and with which the 1094  
governing authority of a community school enters into a contract 1095  
under section 3314.03 of the Revised Code. 1096

(2) "Pilot project area" means the school districts 1097  
included in the territory of the former community school pilot 1098  
project established by former Section 50.52 of Am. Sub. H.B. No. 1099  
215 of the 122nd general assembly. 1100

(3) "Challenged school district" means any of the 1101

following:	1102
(a) A school district that is part of the pilot project area;	1103 1104
(b) A school district that meets one of the following conditions:	1105 1106
(i) On March 22, 2013, the district was in a state of academic emergency or in a state of academic watch under section 3302.03 of the Revised Code, as that section existed prior to March 22, 2013;	1107 1108 1109 1110
(ii) For two of the 2012-2013, 2013-2014, and 2014-2015 school years, the district received a grade of "D" or "F" for the performance index score and a grade of "F" for the value-added progress dimension under section 3302.03 of the Revised Code;	1111 1112 1113 1114 1115
(iii) For the 2015-2016 school year and for any school year thereafter, the district has received an overall grade of "D" or "F" under division (C) (3) of section 3302.03 of the Revised Code, or, for at least two of the three most recent school years, the district received a grade of "F" for the value-added progress dimension under division (C) (1) (e) of that section.	1116 1117 1118 1119 1120 1121 1122
(c) A big eight school district;	1123
(d) A school district ranked in the lowest five per cent of school districts according to performance index score under section 3302.21 of the Revised Code.	1124 1125 1126
(4) "Big eight school district" means a school district that for fiscal year 1997 had both of the following:	1127 1128
(a) A percentage of children residing in the district and	1129

participating in the predecessor of Ohio works first greater 1130  
than thirty per cent, as reported pursuant to section 3317.10 of 1131  
the Revised Code; 1132

(b) An average daily membership greater than twelve 1133  
thousand, as reported pursuant to former division (A) of section 1134  
3317.03 of the Revised Code. 1135

(5) "New start-up school" means a community school other 1136  
than one created by converting all or part of an existing public 1137  
school or educational service center building, as designated in 1138  
the school's contract pursuant to division (A)(17) of section 1139  
3314.03 of the Revised Code. 1140

(6) "Urban school district" means one of the state's 1141  
twenty-one urban school districts as defined in division (O) of 1142  
section 3317.02 of the Revised Code as that section existed 1143  
prior to July 1, 1998. 1144

(7) "Internet- or computer-based community school" means a 1145  
community school established under this chapter in which the 1146  
enrolled students work primarily from their residences on 1147  
assignments in nonclassroom-based learning opportunities 1148  
provided via an internet- or other computer-based instructional 1149  
method that does not rely on regular classroom instruction or 1150  
via comprehensive instructional methods that include internet- 1151  
based, other computer-based, and noncomputer-based learning 1152  
opportunities. 1153

(8) "Operator" means either of the following: 1154

(a) An individual or organization that manages the daily 1155  
operations of a community school pursuant to a contract between 1156  
the operator and the school's governing authority; 1157

(b) A nonprofit organization that provides programmatic 1158

oversight and support to a community school under a contract 1159  
with the school's governing authority and that retains the right 1160  
to terminate its affiliation with the school if the school fails 1161  
to meet the organization's quality standards. 1162

(9) "Alliance municipal school district" has the same 1163  
meaning as in section 3311.86 of the Revised Code. 1164

(B) (1) Any person or group of individuals may initially 1165  
propose under this division the conversion of all or a portion 1166  
of a public school to a community school. The proposal shall be 1167  
made to the board of education of the city, local, exempted 1168  
village, or joint vocational school district in which the public 1169  
school is proposed to be converted. 1170

(2) Any person or group of individuals may initially 1171  
propose under this division the conversion of all or a portion 1172  
of a building operated by an educational service center to a 1173  
community school. The proposal shall be made to the governing 1174  
board of the service center. 1175

~~A service center that proposes the establishment of a 1176  
conversion community school located in a county within the 1177  
territory of the service center or in a county contiguous to 1178  
such county is exempt from approval from the department of 1179  
education, except as provided under division (B) (4) of this 1180  
section, and from the agreement required under division (B) (1) 1181  
of section 3314.015 of the Revised Code. 1182~~

~~However, a service center that proposes the establishment 1183  
of a conversion community school located in a county outside of 1184  
the territory of the service center or a county contiguous to 1185  
such county shall be subject to approval from the department of 1186  
education and from the agreement required under that section. 1187~~

~~Division (B) (2) of this section does not apply to an educational service center that sponsors community schools and that is exempted under section 3314.021 or 3314.027 of the Revised Code from the requirement to be approved for sponsorship under divisions (A) (2) and (B) (1) of section 3314.015 of the Revised Code.~~

An educational service center that sponsors a community school in accordance with this division shall be approved by and enter into a written agreement with the department as described in section 3314.015 of the Revised Code.

(3) Upon receipt of a proposal, and after an agreement has been entered into pursuant to section 3314.015 of the Revised Code, a board may enter into a preliminary agreement with the person or group proposing the conversion of the public school or service center building, indicating the intention of the board to support the conversion to a community school. A proposing person or group that has a preliminary agreement under this division may proceed to finalize plans for the school, establish a governing authority for the school, and negotiate a contract with the board. Provided the proposing person or group adheres to the preliminary agreement and all provisions of this chapter, the board shall negotiate in good faith to enter into a contract in accordance with section 3314.03 of the Revised Code and division (C) of this section.

(4) The sponsor of a conversion community school proposed to open in an alliance municipal school district shall be subject to approval by the department of education for sponsorship of that school using the criteria established under division (A) of section 3311.87 of the Revised Code.

Division (B) (4) of this section does not apply to a

sponsor that is exempted under section 3314.021 or 3314.027 of 1218  
the Revised Code from the requirement to be approved for 1219  
sponsorship under divisions (A) (2) and (B) (1) of section 1220  
3314.015 of the Revised Code. 1221

(C) (1) Any person or group of individuals may propose 1222  
under this division the establishment of a new start-up school 1223  
to be located in a challenged school district. The proposal may 1224  
be made to any of the following entities: 1225

(a) The board of education of the district in which the 1226  
school is proposed to be located; 1227

(b) The board of education of any joint vocational school 1228  
district with territory in the county in which is located the 1229  
majority of the territory of the district in which the school is 1230  
proposed to be located; 1231

(c) The board of education of any other city, local, or 1232  
exempted village school district having territory in the same 1233  
county where the district in which the school is proposed to be 1234  
located has the major portion of its territory; 1235

(d) The governing board of any educational service center, 1236  
regardless of the location of the proposed school, may sponsor a 1237  
new start-up school in any challenged school district in the 1238  
state if all of the following are satisfied: 1239

(i) If applicable, it satisfies the requirements of 1240  
division (E) of section 3311.86 of the Revised Code; 1241

(ii) It is approved to do so by the department; 1242

(iii) It enters into an agreement with the department 1243  
under section 3314.015 of the Revised Code. 1244

(e) A sponsoring authority designated by the board of 1245

trustees of any of the thirteen state universities listed in 1246  
section 3345.011 of the Revised Code or the board of trustees 1247  
itself as long as a mission of the proposed school to be 1248  
specified in the contract under division (A) (2) of section 1249  
3314.03 of the Revised Code and as approved by the department 1250  
under division (B) ~~(2)~~ (3) of section 3314.015 of the Revised 1251  
Code will be the practical demonstration of teaching methods, 1252  
educational technology, or other teaching practices that are 1253  
included in the curriculum of the university's teacher 1254  
preparation program approved by the state board of education; 1255

(f) Any qualified tax-exempt entity under section 501(c) 1256  
(3) of the Internal Revenue Code as long as all of the following 1257  
conditions are satisfied: 1258

(i) The entity has been in operation for at least five 1259  
years prior to applying to be a community school sponsor. 1260

(ii) The entity has assets of at least five hundred 1261  
thousand dollars and a demonstrated record of financial 1262  
responsibility. 1263

(iii) The department has determined that the entity is an 1264  
education-oriented entity under division (B) ~~(3)~~ (4) of section 1265  
3314.015 of the Revised Code and the entity has a demonstrated 1266  
record of successful implementation of educational programs. 1267

(iv) The entity is not a community school. 1268

(g) The mayor of a city in which the majority of the 1269  
territory of a school district to which section 3311.60 of the 1270  
Revised Code applies is located, regardless of whether that 1271  
district has created the position of independent auditor as 1272  
prescribed by that section. The mayor's sponsorship authority 1273  
under this division is limited to community schools that are 1274

located in that school district. Such mayor may sponsor 1275  
community schools only with the approval of the city council of 1276  
that city, after establishing standards with which community 1277  
schools sponsored by the mayor must comply, and after entering 1278  
into a sponsor agreement with the department as prescribed under 1279  
section 3314.015 of the Revised Code. The mayor shall establish 1280  
the standards for community schools sponsored by the mayor not 1281  
later than one hundred eighty days after July 15, 2013, and 1282  
shall submit them to the department upon their establishment. 1283  
The department shall approve the mayor to sponsor community 1284  
schools in the district, upon receipt of an application by the 1285  
mayor to do so. Not later than ninety days after the 1286  
department's approval of the mayor as a community school 1287  
sponsor, the department shall enter into the sponsor agreement 1288  
with the mayor. 1289

Any entity described in division (C) (1) of this section 1290  
may enter into a preliminary agreement pursuant to division (C) 1291  
(2) of this section with the proposing person or group. 1292

(2) A preliminary agreement indicates the intention of an 1293  
entity described in division (C) (1) of this section to sponsor 1294  
the community school. A proposing person or group that has such 1295  
a preliminary agreement may proceed to finalize plans for the 1296  
school, establish a governing authority as described in division 1297  
(E) of this section for the school, and negotiate a contract 1298  
with the entity. Provided the proposing person or group adheres 1299  
to the preliminary agreement and all provisions of this chapter, 1300  
the entity shall negotiate in good faith to enter into a 1301  
contract in accordance with section 3314.03 of the Revised Code. 1302

(3) A new start-up school that is established in a school 1303  
district described in either division (A) (3) (b) or (d) of this 1304

section may continue in existence once the school district no 1305  
longer meets the conditions described in either division, 1306  
provided there is a valid contract between the school and a 1307  
sponsor. 1308

(4) A copy of every preliminary agreement entered into 1309  
under this division shall be filed with the superintendent of 1310  
public instruction. 1311

(D) A majority vote of the board of a sponsoring entity 1312  
and a majority vote of the members of the governing authority of 1313  
a community school shall be required to adopt a contract and 1314  
convert the public school or educational service center building 1315  
to a community school or establish the new start-up school. 1316  
Beginning September 29, 2005, adoption of the contract shall 1317  
occur not later than the fifteenth day of March, and signing of 1318  
the contract shall occur not later than the fifteenth day of 1319  
May, prior to the school year in which the school will open. The 1320  
governing authority shall notify the department of education 1321  
when the contract has been signed. Subject to sections 3314.013 1322  
and 3314.016 of the Revised Code, an unlimited number of 1323  
community schools may be established in any school district 1324  
provided that a contract is entered into for each community 1325  
school pursuant to this chapter. 1326

(E) (1) As used in this division, "immediate relatives" are 1327  
limited to spouses, children, parents, grandparents, siblings, 1328  
and in-laws. 1329

Each new start-up community school established under this 1330  
chapter shall be under the direction of a governing authority 1331  
which shall consist of a board of not less than five 1332  
individuals. 1333

(2)(a) No person shall serve on the governing authority or 1334  
operate the community school under contract with the governing 1335  
authority so long as the person under any of the following 1336  
circumstances: 1337

(i) The person owes the state any money or is in a dispute 1338  
over whether the person owes the state any money concerning the 1339  
operation of a community school that has closed. 1340

(ii) The person would otherwise be subject to division (B) 1341  
of section 3319.31 of the Revised Code with respect to refusal, 1342  
limitation, or revocation of a license to teach, if the person 1343  
were a licensed educator. 1344

(iii) The person has pleaded guilty to or been convicted 1345  
of theft in office under section 2921.41 of the Revised Code, or 1346  
has pleaded guilty to or been convicted of a substantially 1347  
similar offense in another state. 1348

(b) No person shall serve on the governing authority or 1349  
engage in the financial day-to-day management of the community 1350  
school under contract with the governing authority unless and 1351  
until that person has submitted to a criminal records check in 1352  
the manner prescribed by section 3319.39 of the Revised Code. 1353

(c) Each sponsor of a community school shall annually 1354  
verify that a finding for recovery has not been issued by the 1355  
auditor of state against any individual or individuals who 1356  
propose to create a community school or any member of the 1357  
governing authority, the operator, or any employee of each 1358  
community school. 1359

~~(2)~~(3) No person shall serve on the governing authorities 1360  
of more than five start-up community schools at the same time. 1361

~~(3)~~(4) No present or former member, or immediate relative 1362

of a present or former member, of the governing authority of any 1363  
community school established under this chapter shall be an 1364  
owner, employee, or consultant of any sponsor or operator of a 1365  
community school, unless at least one year has elapsed since the 1366  
conclusion of the person's membership. 1367

~~(4)~~(5) The governing authority of a start-up community 1368  
school may provide by resolution for the compensation of its 1369  
members. However, no individual who serves on the governing 1370  
authority of a start-up community school shall be compensated 1371  
more than ~~four hundred twenty-five~~ one hundred twenty-five 1372  
dollars per meeting of that governing authority and no such 1373  
individual shall be compensated more than a total amount of five 1374  
thousand dollars per year for all governing authorities upon 1375  
which the individual serves. Each member of the governing 1376  
authority may be paid compensation for attendance at an approved 1377  
training program, provided that such compensation shall not 1378  
exceed sixty dollars a day for attendance at a training program 1379  
three hours or less in length and one hundred twenty-five 1380  
dollars a day for attendance at a training program longer than 1381  
three hours in length. 1382

(6) No person who is the employee of a school district or 1383  
educational service center shall serve on the governing 1384  
authority of any community school sponsored by that school 1385  
district or service center. 1386

(7) Each member of the governing authority of a community 1387  
school shall annually file a disclosure statement setting forth 1388  
the names of any immediate relatives or business associates 1389  
employed by any of the following within the previous three 1390  
years: 1391

(a) The sponsor or operator of that community school; 1392

(b) A school district or educational service center that 1393  
has contracted with that community school; 1394

(c) A vendor that is or has engaged in business with that 1395  
community school. 1396

(8) No person who is a member of a school district board 1397  
of education shall serve on the governing authority of any 1398  
community school. 1399

(F) (1) A new start-up school that is established prior to 1400  
August 15, 2003, in an urban school district that is not also a 1401  
big-eight school district may continue to operate after that 1402  
date and the contract between the school's governing authority 1403  
and the school's sponsor may be renewed, as provided under this 1404  
chapter, after that date, but no additional new start-up schools 1405  
may be established in such a district unless the district is a 1406  
challenged school district as defined in this section as it 1407  
exists on and after that date. 1408

(2) A community school that was established prior to June 1409  
29, 1999, and is located in a county contiguous to the pilot 1410  
project area and in a school district that is not a challenged 1411  
school district may continue to operate after that date, 1412  
provided the school complies with all provisions of this 1413  
chapter. The contract between the school's governing authority 1414  
and the school's sponsor may be renewed, but no additional 1415  
start-up community school may be established in that district 1416  
unless the district is a challenged school district. 1417

(3) Any educational service center that, on June 30, 2007, 1418  
sponsors a community school that is not located in a county 1419  
within the territory of the service center or in a county 1420  
contiguous to such county may continue to sponsor that community 1421

school on and after June 30, 2007, and may renew its contract 1422  
with the school. However, the educational service center shall 1423  
not enter into a contract with any additional community school, 1424  
unless the school is located in a county within the territory of 1425  
the service center or in a county contiguous to such county, or 1426  
unless the governing board of the service center has entered 1427  
into an agreement with the department authorizing the service 1428  
center to sponsor a community school in any challenged school 1429  
district in the state. 1430

**Sec. 3314.021.** (A) This section applies to any entity that 1431  
is exempt from taxation under section 501(c)(3) of the Internal 1432  
Revenue Code and that satisfies the conditions specified in 1433  
divisions (C)(1)(f)(ii) and (iii) of section 3314.02 of the 1434  
Revised Code but does not satisfy the condition specified in 1435  
division (C)(1)(f)(i) of that section. 1436

(B) Notwithstanding division (C)(1)(f)(i) of section 1437  
3314.02 of the Revised Code, and subject to division (D)(2) of 1438  
this section, an entity described in division (A) of this 1439  
section may do both of the following without obtaining the 1440  
department of education's initial approval of its sponsorship 1441  
under divisions (A)(2) and (B)(1) of section 3314.015 of the 1442  
Revised Code: 1443

(1) Succeed the board of trustees of a state university 1444  
located in the pilot project area or that board's designee as 1445  
the sponsor of a community school established under this 1446  
chapter; 1447

(2) Continue to sponsor that school in conformance with 1448  
the terms of the contract between the board of trustees or its 1449  
designee and the governing authority of the community school and 1450  
renew that contract as provided in division (E) of section 1451

3314.03 of the Revised Code. 1452

(C) The entity that succeeds the board of trustees or the 1453  
board's designee as sponsor of a community school under division 1454  
(B) of this section also may enter into contracts to sponsor 1455  
other community schools located in any challenged school 1456  
district, without obtaining the department's initial approval of 1457  
its sponsorship of those schools under divisions (A) (2) and (B) 1458  
(1) of section 3314.015 of the Revised Code as long as the 1459  
contracts conform with and the entity complies with all other 1460  
requirements of this chapter. 1461

(D) (1) Regardless of the entity's authority to sponsor 1462  
community schools without the initial approval of the 1463  
department, the entity is under the continuing oversight of the 1464  
department in accordance with rules adopted under section 1465  
3314.015 of the Revised Code. 1466

(2) If an entity described in division (A) of this section 1467  
receives a rating below "effective" under division (B) of 1468  
section 3314.016 of the Revised Code for two or more consecutive 1469  
years, that entity shall receive approval from the department of 1470  
education to sponsor community schools and enter into a written 1471  
agreement with the department in accordance with division (B) (1) 1472  
of section 3314.015 of the Revised Code prior to entering into 1473  
any further preliminary agreements under division (C) (2) of 1474  
section 3314.02 of the Revised Code or renewing any existing 1475  
contract to sponsor a community school. 1476

**Sec. 3314.023.** A sponsor shall provide monitoring, 1477  
oversight, and technical assistance to each school that it 1478  
sponsors. In order to provide monitoring, oversight, and 1479  
technical assistance, a representative of the sponsor of a 1480  
community school shall meet with the governing authority or 1481

fiscal officer of the school and shall review the financial and 1482  
enrollment records of the school at least once every month. Not 1483  
later than ten days after each review, the sponsor shall provide 1484  
the governing authority and fiscal officer with a written report 1485  
regarding the review. Copies of those financial and enrollment 1486  
records shall be furnished to the community school sponsor and 1487  
operator, members of the governing authority, and the fiscal 1488  
officer designated in section 3314.011 of the Revised Code on a 1489  
monthly basis. 1490

If a community school closes or is permanently closed, the 1491  
designated fiscal officer shall deliver all financial and 1492  
enrollment records to the school's sponsor within thirty days of 1493  
the school's closure. If the fiscal officer fails to provide the 1494  
records in a timely manner, or fails to faithfully perform any 1495  
of the fiscal officer's other duties, the sponsor has the right 1496  
of action against the fiscal officer to compel delivery of all 1497  
financial and enrollment records of the school and shall, if 1498  
necessary, seek recovery of any funds owed as a result of any 1499  
finding of recovery by the auditor of state against the fiscal 1500  
officer. 1501

For purposes of this chapter, "monitoring, oversight, and 1502  
technical assistance" shall include the following: 1503

(A) Monitoring the community school's compliance with all 1504  
laws applicable to the school and with the terms of the 1505  
contract; 1506

(B) Monitoring and evaluating the academic and fiscal 1507  
performance and the organization and operation of the community 1508  
school on at least an annual basis; 1509

(C) Reporting on an annual basis the results of the 1510

evaluation conducted under division (D)(2) of section 3314.03 of 1511  
the Revised Code to the department of education and to the 1512  
parents of students enrolled in the community school; 1513

(D) Providing technical assistance to the community school 1514  
in complying with laws applicable to the school and terms of the 1515  
contract; 1516

(E) Taking steps to intervene in the school's operation to 1517  
correct problems in the school's overall performance, declaring 1518  
the school to be on probationary status pursuant to section 1519  
3314.073 of the Revised Code, suspending the operation of the 1520  
school pursuant to section 3314.072 of the Revised Code, or 1521  
terminating the contract of the school pursuant to section 1522  
3314.07 of the Revised Code as determined necessary by the 1523  
sponsor; 1524

(F) Having in place a plan of action to be undertaken in 1525  
the event the community school experiences financial 1526  
difficulties or closes prior to the end of a school year. 1527

(G) Other activities designed to specifically benefit the 1528  
community school the entity sponsors. 1529

**Sec. 3314.024.** (A) A management company that ~~provides~~ 1530  
~~services to a community school that amounts to~~ receives more 1531  
than twenty per cent of the annual gross revenues of ~~the a~~ 1532  
community school shall provide a detailed accounting including 1533  
the nature and costs of ~~the goods and~~ services it provides to 1534  
the community school. This information shall be ~~included in the~~ 1535  
~~footnotes of the financial statements of the school reported~~ 1536  
using the categories and designations set forth in divisions (B) 1537  
and (C) of this section, as applicable. 1538

(B) The detailed accounting shall include the following 1539

<u>categories of expenses for each designation as set forth in</u>	1540
<u>division (C) of this section:</u>	1541
<u>(1) Aggregate salaries and wages;</u>	1542
<u>(2) Aggregate employee benefits;</u>	1543
<u>(3) Professional and technical services;</u>	1544
<u>(4) Property services;</u>	1545
<u>(5) Utilities;</u>	1546
<u>(6) Contracted craft or trade services;</u>	1547
<u>(7) Tuition paid to other districts;</u>	1548
<u>(8) Transportation;</u>	1549
<u>(9) Other purchased services;</u>	1550
<u>(10) Supplies;</u>	1551
<u>(11) Land;</u>	1552
<u>(12) Buildings;</u>	1553
<u>(13) Improvements other than buildings;</u>	1554
<u>(14) Equipment;</u>	1555
<u>(15) All other capital outlay;</u>	1556
<u>(16) Principal;</u>	1557
<u>(17) Interest;</u>	1558
<u>(18) Judgments;</u>	1559
<u>(19) Other direct costs;</u>	1560
<u>(20) Other miscellaneous expenses.</u>	1561
<u>(C) The expenses set forth in division (B) of this section</u>	1562

<u>shall be disaggregated according to the following designations,</u>	1563
<u>as applicable:</u>	1564
<u>(1) Regular instruction;</u>	1565
<u>(2) Special instruction;</u>	1566
<u>(3) Vocational instruction;</u>	1567
<u>(4) Other instruction;</u>	1568
<u>(5) Support services;</u>	1569
<u>(6) Noninstructional activities.</u>	1570
<u>(D) The information provided pursuant to this section</u>	1571
<u>shall be</u> subject to audit during the course of the regular	1572
financial audit of the community school.	1573
<b>Sec. 3314.027.</b> Notwithstanding the requirement for initial	1574
approval of sponsorship by the department of education	1575
prescribed in divisions (A) (2) and (B) (1) of section 3314.015 of	1576
the Revised Code and any geographical restriction or mission	1577
requirement prescribed in division (C) (1) of section 3314.02 of	1578
the Revised Code, an entity that has entered into a contract to	1579
sponsor a community school on April 8, 2003, may continue to	1580
sponsor the school in conformance with the terms of that	1581
contract and also may enter into new contracts to sponsor	1582
community schools after April 8, 2003, as long as the contracts	1583
conform to and the entity complies with all other provisions of	1584
this chapter.	1585
Regardless of the entity's authority to sponsor community	1586
schools without the initial approval of the department, each	1587
entity described in this section is under the continuing	1588
oversight of the department in accordance with rules adopted	1589
under section 3314.015 of the Revised Code.	1590

If an entity to which this section applies receives a 1591  
rating below "effective" under division (B) of section 3314.016 1592  
of the Revised Code for two or more consecutive years, that 1593  
entity shall receive approval from the department of education 1594  
to sponsor community schools and enter into a written agreement 1595  
with the department in accordance with division (B)(1) of 1596  
section 3314.015 of the Revised Code prior to entering into any 1597  
further preliminary agreements under division (C)(2) of section 1598  
3314.02 of the Revised Code or renewing any existing contract to 1599  
sponsor a community school. 1600

**Sec. 3314.029.** This section establishes the Ohio school 1601  
sponsorship program. The department of education shall establish 1602  
an office of Ohio school sponsorship to perform the department's 1603  
duties prescribed by this section. 1604

(A) (1) Notwithstanding anything to the contrary in this 1605  
chapter, any person, group of individuals, or entity may apply 1606  
to the department for direct authorization to establish a 1607  
community school and, upon approval of the application, may 1608  
establish the school. Notwithstanding anything to the contrary 1609  
in this chapter, the governing authority of an existing 1610  
community school, upon the expiration or termination of its 1611  
contract with the school's sponsor entered into under section 1612  
3314.03 of the Revised Code, may apply to the department for 1613  
direct authorization to continue operating the school and, upon 1614  
approval of the application, may continue to operate the school. 1615  
The department may establish a format and deadlines for an 1616  
application. 1617

Each application submitted to the department shall include 1618  
the following: 1619

(a) Evidence that the applicant will be able to comply 1620

with division (C) of this section; 1621

(b) A statement indicating that the applicant agrees to 1622  
comply with all applicable provisions of this chapter, including 1623  
the requirement to be established as a nonprofit corporation or 1624  
public benefit corporation in accordance with division (A) (1) of 1625  
section 3314.03 of the Revised Code; 1626

(c) A statement attesting that no unresolved finding of 1627  
recovery has been issued by the auditor of state against any 1628  
person, group of individuals, or entity that is a party to the 1629  
application and that no person who is party to the application 1630  
has been a member of the governing authority of any community 1631  
school that has permanently closed and against which an 1632  
unresolved finding of recovery has been issued by the auditor of 1633  
state. In the case of an application submitted by the governing 1634  
authority of an existing community school, a person who is party 1635  
to the application shall include each individual member of that 1636  
governing authority. 1637

(d) A statement that the school will be nonsectarian in 1638  
its programs, admission policies, employment practices, and all 1639  
other operations, and will not be operated by a sectarian school 1640  
or religious institution; 1641

(e) A statement of whether the school is to be created by 1642  
converting all or part of an existing public school or 1643  
educational service center building or is to be a new start-up 1644  
school. If it is a converted public school or service center 1645  
building, the statement shall include a specification of any 1646  
duties or responsibilities of an employer that the board of 1647  
education or service center governing board that operated the 1648  
school or building before conversion is delegating to the 1649  
governing authority of the community school with respect to all 1650

or any specified group of employees, provided the delegation is 1651  
not prohibited by a collective bargaining agreement applicable 1652  
to such employees. 1653

(f) A statement that the school's teachers will be 1654  
licensed in the manner prescribed by division (A) (10) of section 1655  
3314.03 of the Revised Code; 1656

(g) A statement that the school will comply with all of 1657  
the provisions of law enumerated in divisions (A) (11) (d) and (e) 1658  
of section 3314.03 of the Revised Code and of division (A) (11) 1659  
(h) of that section, if applicable; 1660

(h) A statement that the school's graduation and 1661  
curriculum requirements will comply with division (A) (11) (f) of 1662  
section 3314.03 of the Revised Code; 1663

(i) A description of each of the following: 1664

(i) The school's mission and educational program, the 1665  
characteristics of the students the school is expected to 1666  
attract, the ages and grade levels of students, and the focus of 1667  
the curriculum; 1668

(ii) The school's governing authority, which shall be in 1669  
compliance with division (E) of section 3314.02 of the Revised 1670  
Code; 1671

(iii) The school's admission and dismissal policies, which 1672  
shall be in compliance with divisions (A) (5) and (6) of section 1673  
3314.03 of the Revised Code; 1674

(iv) The school's business plan, including a five-year 1675  
financial forecast; 1676

(v) In the case of an application to establish a community 1677  
school, the applicant's resources and capacity to establish and 1678

operate the school; 1679

(vi) The school's academic goals to be achieved and the 1680  
method of measurement that will be used to determine progress 1681  
toward those goals, which shall include the statewide 1682  
achievement assessments; 1683

(vii) The facilities to be used by the school and their 1684  
locations; 1685

(viii) A description of the learning opportunities that 1686  
will be offered to students including both classroom-based and 1687  
nonclassroom-based learning opportunities that are in compliance 1688  
with criteria for student participation established by the 1689  
department under division (H) (2) of section 3314.08 of the 1690  
Revised Code. 1691

(2) Subject to division (A) (3) of this section, the 1692  
department ~~shall may approve each application, unless, within~~ 1693  
~~thirty days after receipt of the application, the department~~ 1694  
~~determines that the application does not satisfy the~~ 1695  
~~requirements of division (A) (1) of this section and provides the~~ 1696  
~~applicant a written explanation of the reasons for the~~ 1697  
~~determination. In that case, the department shall grant the~~ 1698  
~~applicant thirty days to correct the insufficiencies in the~~ 1699  
~~application. If the department determines that the~~ 1700  
~~insufficiencies have been corrected, it shall approve the~~ 1701  
~~application. If the department determines that the~~ 1702  
~~insufficiencies have not been corrected, it shall deny the~~ 1703  
~~application and provide the applicant with a written explanation~~ 1704  
~~of the reasons for the denial. The denial of an application may~~ 1705  
~~be appealed in accordance with section 119.12 of the Revised~~ 1706  
Code or deny an application, taking into consideration the 1707  
standards for quality authorizing, capacity requirements, 1708

financial constraints, or any other criteria it determines 1709  
necessary and appropriate. The department shall assign each 1710  
applicant school a rating established for a new start-up 1711  
community school or an existing community school, as applicable. 1712

The department of education shall annually publish on its 1713  
web site the criteria it uses to approve or deny an application 1714  
submitted pursuant to this section. 1715

(3) For each of five school years, beginning with the 1716  
school year that begins in the calendar year in which this 1717  
section takes effect, the department may approve up to twenty 1718  
applications for community schools to be established or to 1719  
continue operation under division (A) of this section; however, 1720  
of the twenty applications that may be approved each school 1721  
year, only up to five may be for the establishment of new 1722  
schools. 1723

(4) Notwithstanding division (A) (2) of this section, the 1724  
department may deny an application submitted by the governing 1725  
authority of an existing community school, if a previous sponsor 1726  
of that school did not renew its contract or terminated its 1727  
contract with the school entered into under section 3314.03 of 1728  
the Revised Code. 1729

(5) In the case of a proposed new community school to be 1730  
located in an alliance municipal school district, in addition to 1731  
the requirements of division (A) (2) of this section, the 1732  
department shall not approve the application of that community 1733  
school unless the application complies with the rules adopted by 1734  
the state board of education under division (A) (5) of this 1735  
section. 1736

The state board shall adopt rules in accordance with 1737

Chapter 119. of the Revised Code to establish criteria, 1738  
procedures, and deadlines for processing applications for direct 1739  
authorization of a community school located in, or proposed to 1740  
be located in, an alliance municipal school district. The rules 1741  
shall require the department to do both of the following: 1742

(a) Determine that the applicant has requested and 1743  
received a recommendation from the alliance in the manner 1744  
prescribed by divisions (E) (1) and (2) of section 3311.86 of the 1745  
Revised Code; 1746

(b) Use the criteria established under division (A) (1) of 1747  
section 3311.87 of the Revised Code to determine if it will 1748  
authorize the community school. 1749

As used in this section, "alliance municipal school 1750  
district" and "alliance" have the same meanings as in section 1751  
3311.86 of the Revised Code. 1752

(B) The department and the governing authority of each 1753  
community school authorized under this section shall enter into 1754  
a contract under section 3314.03 of the Revised Code. 1755  
Notwithstanding division (A) (13) of that section, the contract 1756  
with an existing community school may begin at any time during 1757  
the academic year. The length of the initial contract of any 1758  
community school under this section may be for any term up to 1759  
five years. The contract may be renewed in accordance with 1760  
division (E) of that section. The contract may provide for the 1761  
school's governing authority to pay a fee for oversight and 1762  
monitoring of the school that does not exceed three per cent of 1763  
the total amount of payments for operating expenses that the 1764  
school receives from the state. 1765

(C) The department may require a community school 1766

authorized under this section to post and file with the 1767  
superintendent of public instruction a bond payable to the state 1768  
or to file with the state superintendent a guarantee, which 1769  
shall be used to pay the state any moneys owed by the community 1770  
school in the event the school closes. 1771

(D) Except as otherwise provided in this section, a 1772  
community school authorized under this section shall comply with 1773  
all applicable provisions of this chapter. The department may 1774  
take any action that a sponsor may take under this chapter to 1775  
enforce the school's compliance with this division and the terms 1776  
of the contract entered into under division (B) of this section. 1777

(E) Not later than December 31, 2012, and annually 1778  
thereafter, the department shall issue a report on the program, 1779  
including information about the number of community schools 1780  
participating in the program and their compliance with the 1781  
provisions of this chapter. In its fifth report, the department 1782  
shall include a complete evaluation of the program and 1783  
recommendations regarding the program's continuation. Each 1784  
report shall be provided to the general assembly, in accordance 1785  
with section 101.68 of the Revised Code, and to the governor. 1786

**Sec. 3314.03.** A copy of every contract entered into under 1787  
this section shall be filed with the superintendent of public 1788  
instruction. The department of education shall make available on 1789  
its web site a copy of every approved, executed contract filed 1790  
with the superintendent under this section. 1791

(A) Each contract entered into between a sponsor and the 1792  
governing authority of a community school shall specify the 1793  
following: 1794

(1) That the school shall be established as either of the 1795

following:	1796
(a) A nonprofit corporation established under Chapter 1702. of the Revised Code, if established prior to April 8, 2003;	1797 1798 1799
(b) A public benefit corporation established under Chapter 1702. of the Revised Code, if established after April 8, 2003.	1800 1801
(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;	1802 1803 1804 1805
(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;	1806 1807 1808 1809
(4) Performance standards, <u>including but not limited to all applicable report card measures set forth in section 3302.03 or 3314.017 of the Revised Code,</u> by which the success of the school will be evaluated by the sponsor;	1810 1811 1812 1813
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	1814 1815 1816
(6) (a) Dismissal procedures;	1817
(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 one hundred five consecutive hours of the learning opportunities offered to the student.	1818 1819 1820 1821 1822 1823

- (7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves; 1824  
1825
- (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. 1826  
1827  
1828  
1829  
1830  
1831
- (9) ~~The~~ An addendum to the contract outlining the facilities to be used and their locations, that contains at least the following information: 1832  
1833  
1834
- (a) A detailed description of each facility used for instructional purposes; 1835  
1836
- (b) The annual costs associated with leasing each facility that are paid by or on behalf of the school; 1837  
1838
- (c) The annual mortgage principal and interest payments that are paid by the school; 1839  
1840
- (d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any. 1841  
1842  
1843
- (10) Qualifications of teachers, including a requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours per week pursuant to section 3319.301 of the Revised Code. 1844  
1845  
1846  
1847  
1848  
1849
- (11) That the school will comply with the following requirements: 1850  
1851

(a) The school will provide learning opportunities to a 1852  
minimum of twenty-five students for a minimum of nine hundred 1853  
twenty hours per school year. 1854

(b) The governing authority will purchase liability 1855  
insurance, or otherwise provide for the potential liability of 1856  
the school. 1857

(c) The school will be nonsectarian in its programs, 1858  
admission policies, employment practices, and all other 1859  
operations, and will not be operated by a sectarian school or 1860  
religious institution. 1861

(d) The school will comply with sections 9.90, 9.91, 1862  
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 1863  
3301.0711, 3301.0712, 3301.0715, 3301.948, 3313.472, 3313.50, 1864  
3313.536, 3313.539, 3313.608, 3313.609, 3313.6012, 3313.6013, 1865  
3313.6014, 3313.6015, 3313.6020, 3313.643, 3313.648, 3313.6411, 1866  
3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.67, 1867  
3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 1868  
3313.718, 3313.719, 3313.7112, 3313.80, 3313.814, 3313.816, 1869  
3313.817, 3313.86, 3313.89, 3313.96, 3319.073, 3319.321, 1870  
3319.39, 3319.391, 3319.41, 3319.46, 3321.01, 3321.041, 3321.13, 1871  
3321.14, 3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 1872  
4113.52, and 5705.391 and Chapters 117., 1347., 2744., 3365., 1873  
3742., 4112., 4123., 4141., and 4167. of the Revised Code as if 1874  
it were a school district and will comply with section 3301.0714 1875  
of the Revised Code in the manner specified in section 3314.17 1876  
of the Revised Code. 1877

(e) The school shall comply with Chapter 102. and section 1878  
2921.42 of the Revised Code. 1879

(f) The school will comply with sections 3313.61, 1880

3313.611, and 3313.614 of the Revised Code, except that for 1881  
students who enter ninth grade for the first time before July 1, 1882  
2010, the requirement in sections 3313.61 and 3313.611 of the 1883  
Revised Code that a person must successfully complete the 1884  
curriculum in any high school prior to receiving a high school 1885  
diploma may be met by completing the curriculum adopted by the 1886  
governing authority of the community school rather than the 1887  
curriculum specified in Title XXXVIII of the Revised Code or any 1888  
rules of the state board of education. Beginning with students 1889  
who enter ninth grade for the first time on or after July 1, 1890  
2010, the requirement in sections 3313.61 and 3313.611 of the 1891  
Revised Code that a person must successfully complete the 1892  
curriculum of a high school prior to receiving a high school 1893  
diploma shall be met by completing the requirements prescribed 1894  
in division (C) of section 3313.603 of the Revised Code, unless 1895  
the person qualifies under division (D) or (F) of that section. 1896  
Each school shall comply with the plan for awarding high school 1897  
credit based on demonstration of subject area competency, 1898  
adopted by the state board of education under division (J) of 1899  
section 3313.603 of the Revised Code. 1900

(g) The school governing authority will submit within four 1901  
months after the end of each school year a report of its 1902  
activities and progress in meeting the goals and standards of 1903  
divisions (A) (3) and (4) of this section and its financial 1904  
status to the sponsor and the parents of all students enrolled 1905  
in the school. 1906

(h) The school, unless it is an internet- or computer- 1907  
based community school, will comply with section 3313.801 of the 1908  
Revised Code as if it were a school district. 1909

(i) If the school is the recipient of moneys from a grant 1910

awarded under the federal race to the top program, Division (A), 1911  
Title XIV, Sections 14005 and 14006 of the "American Recovery 1912  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 1913  
the school will pay teachers based upon performance in 1914  
accordance with section 3317.141 and will comply with section 1915  
3319.111 of the Revised Code as if it were a school district. 1916

(12) Arrangements for providing health and other benefits 1917  
to employees; 1918

(13) The length of the contract, which shall begin at the 1919  
beginning of an academic year. No contract shall exceed five 1920  
years unless such contract has been renewed pursuant to division 1921  
(E) of this section. 1922

(14) The governing authority of the school, which shall be 1923  
responsible for carrying out the provisions of the contract; 1924

(15) A financial plan detailing an estimated school budget 1925  
for each year of the period of the contract and specifying the 1926  
total estimated per pupil expenditure amount for each such year. 1927

(16) Requirements and procedures regarding the disposition 1928  
of employees of the school in the event the contract is 1929  
terminated or not renewed pursuant to section 3314.07 of the 1930  
Revised Code; 1931

(17) Whether the school is to be created by converting all 1932  
or part of an existing public school or educational service 1933  
center building or is to be a new start-up school, and if it is 1934  
a converted public school or service center building, 1935  
specification of any duties or responsibilities of an employer 1936  
that the board of education or service center governing board 1937  
that operated the school or building before conversion is 1938  
delegating to the governing authority of the community school 1939

with respect to all or any specified group of employees provided 1940  
the delegation is not prohibited by a collective bargaining 1941  
agreement applicable to such employees; 1942

(18) Provisions establishing procedures for resolving 1943  
disputes or differences of opinion between the sponsor and the 1944  
governing authority of the community school; 1945

(19) A provision requiring the governing authority to 1946  
adopt a policy regarding the admission of students who reside 1947  
outside the district in which the school is located. That policy 1948  
shall comply with the admissions procedures specified in 1949  
sections 3314.06 and 3314.061 of the Revised Code and, at the 1950  
sole discretion of the authority, shall do one of the following: 1951

(a) Prohibit the enrollment of students who reside outside 1952  
the district in which the school is located; 1953

(b) Permit the enrollment of students who reside in 1954  
districts adjacent to the district in which the school is 1955  
located; 1956

(c) Permit the enrollment of students who reside in any 1957  
other district in the state. 1958

(20) A provision recognizing the authority of the 1959  
department of education to take over the sponsorship of the 1960  
school in accordance with the provisions of division (C) of 1961  
section 3314.015 of the Revised Code; 1962

(21) A provision recognizing the sponsor's authority to 1963  
assume the operation of a school under the conditions specified 1964  
in division (B) of section 3314.073 of the Revised Code; 1965

(22) A provision recognizing both of the following: 1966

(a) The authority of public health and safety officials to 1967

inspect the facilities of the school and to order the facilities 1968  
closed if those officials find that the facilities are not in 1969  
compliance with health and safety laws and regulations; 1970

(b) The authority of the department of education as the 1971  
community school oversight body to suspend the operation of the 1972  
school under section 3314.072 of the Revised Code if the 1973  
department has evidence of conditions or violations of law at 1974  
the school that pose an imminent danger to the health and safety 1975  
of the school's students and employees and the sponsor refuses 1976  
to take such action. 1977

(23) A description of the learning opportunities that will 1978  
be offered to students including both classroom-based and non- 1979  
classroom-based learning opportunities that is in compliance 1980  
with criteria for student participation established by the 1981  
department under division (H) (2) of section 3314.08 of the 1982  
Revised Code; 1983

(24) The school will comply with sections 3302.04 and 1984  
3302.041 of the Revised Code, except that any action required to 1985  
be taken by a school district pursuant to those sections shall 1986  
be taken by the sponsor of the school. However, the sponsor 1987  
shall not be required to take any action described in division 1988  
(F) of section 3302.04 of the Revised Code. 1989

(25) Beginning in the 2006-2007 school year, the school 1990  
will open for operation not later than the thirtieth day of 1991  
September each school year, unless the mission of the school as 1992  
specified under division (A) (2) of this section is solely to 1993  
serve dropouts. In its initial year of operation, if the school 1994  
fails to open by the thirtieth day of September, or within one 1995  
year after the adoption of the contract pursuant to division (D) 1996  
of section 3314.02 of the Revised Code if the mission of the 1997

school is solely to serve dropouts, the contract shall be void.	1998
(26) Whether the school's governing authority is planning to seek designation for the school as a STEM school equivalent under section 3326.032 of the Revised Code;	1999 2000 2001
<u>(27) That the school's attendance and participation policies and records will be available for public inspection;</u>	2002 2003
<u>(28) If a school operates using the blended learning model, as defined in section 3301.079 of the Revised Code, all of the following information:</u>	2004 2005 2006
<u>(a) An indication of what blended learning model or models will be used;</u>	2007 2008
<u>(b) A description of how student instructional needs will be determined and documented;</u>	2009 2010
<u>(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;</u>	2011 2012
<u>(d) The school's attendance requirements, including how the school will document participation in learning opportunities;</u>	2013 2014 2015
<u>(e) A statement describing how student progress will be monitored;</u>	2016 2017
<u>(f) A statement describing how private student data will be protected;</u>	2018 2019
<u>(g) A description of the professional development activities that will be offered to teachers.</u>	2020 2021
<u>(29) 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</u>	2022 2023 2024

interest at a fair market rate; 2025

(30) A provision requiring that, if the governing 2026  
authority contracts with an attorney, accountant, or entity 2027  
specializing in audits, the attorney, accountant, or entity 2028  
shall be independent from the operator with which the school has 2029  
contracted. 2030

(B) The community school shall also submit to the sponsor 2031  
a comprehensive plan for the school. The plan shall specify the 2032  
following: 2033

(1) The process by which the governing authority of the 2034  
school will be selected in the future; 2035

(2) The management and administration of the school; 2036

(3) If the community school is a currently existing public 2037  
school or educational service center building, alternative 2038  
arrangements for current public school students who choose not 2039  
to attend the converted school and for teachers who choose not 2040  
to teach in the school or building after conversion; 2041

(4) The instructional program and educational philosophy 2042  
of the school; 2043

(5) Internal financial controls. 2044

When submitting the plan under this division, the school 2045  
shall also submit copies of all policies and procedures 2046  
regarding internal financial controls adopted by the governing 2047  
authority of the school. 2048

(C) A contract entered into under section 3314.02 of the 2049  
Revised Code between a sponsor and the governing authority of a 2050  
community school may provide for the community school governing 2051  
authority to make payments to the sponsor, which is hereby 2052

authorized to receive such payments as set forth in the contract 2053  
between the governing authority and the sponsor. The total 2054  
amount of such payments for ~~oversight and monitoring~~, oversight, 2055  
and technical assistance of the school shall not exceed three 2056  
per cent of the total amount of payments for operating expenses 2057  
that the school receives from the state. Any amount paid 2058  
pursuant to this division shall be used only to carry out the 2059  
duties of a sponsor in compliance with this chapter. 2060

(D) The contract shall specify the duties of the sponsor 2061  
which shall be in accordance with the written agreement entered 2062  
into with the department of education under division (B) of 2063  
section 3314.015 of the Revised Code and shall include the 2064  
following: 2065

(1) Monitor the community school's compliance with all 2066  
laws applicable to the school and with the terms of the 2067  
contract; 2068

(2) Monitor and evaluate the academic and fiscal 2069  
performance and the organization and operation of the community 2070  
school on at least an annual basis; 2071

(3) Report on an annual basis the results of the 2072  
evaluation conducted under division (D) (2) of this section to 2073  
the department of education and to the parents of students 2074  
enrolled in the community school; 2075

(4) Provide technical assistance to the community school 2076  
in complying with laws applicable to the school and terms of the 2077  
contract; 2078

(5) Take steps to intervene in the school's operation to 2079  
correct problems in the school's overall performance, declare 2080  
the school to be on probationary status pursuant to section 2081

3314.073 of the Revised Code, suspend the operation of the 2082  
school pursuant to section 3314.072 of the Revised Code, or 2083  
terminate the contract of the school pursuant to section 3314.07 2084  
of the Revised Code as determined necessary by the sponsor; 2085

(6) Have in place a plan of action to be undertaken in the 2086  
event the community school experiences financial difficulties or 2087  
closes prior to the end of a school year. 2088

(E) Upon the expiration of a contract entered into under 2089  
this section, the sponsor of a community school may, with the 2090  
approval of the governing authority of the school, renew that 2091  
contract for a period of time determined by the sponsor, but not 2092  
ending earlier than the end of any school year, if the sponsor 2093  
finds that the school's compliance with applicable laws and 2094  
terms of the contract and the school's progress in meeting the 2095  
academic goals prescribed in the contract have been 2096  
satisfactory. Any contract that is renewed under this division 2097  
remains subject to the provisions of sections 3314.07, 3314.072, 2098  
and 3314.073 of the Revised Code. 2099

(F) If a community school fails to open for operation 2100  
within one year after the contract entered into under this 2101  
section is adopted pursuant to division (D) of section 3314.02 2102  
of the Revised Code or permanently closes prior to the 2103  
expiration of the contract, the contract shall be void and the 2104  
school shall not enter into a contract with any other sponsor. A 2105  
school shall not be considered permanently closed because the 2106  
operations of the school have been suspended pursuant to section 2107  
3314.072 of the Revised Code. 2108

Sec. 3314.031. (A) Beginning December 31, 2015, the 2109  
department shall do the following: 2110

(1) Maintain and annually publish an accurate record of 2111  
the names and identifying information of all entities that have 2112  
entered into a contract with the governing authority of a 2113  
community school to manage or operate that school; 2114

(2) Receive from the governing authority of each community 2115  
school a copy of the contract between a governing authority and 2116  
its operator. A copy of each contract shall be made available on 2117  
the department's web site. 2118

(B) Not later than July 1, 2016, and annually thereafter, 2119  
the department shall develop and publish a report on operator 2120  
performance for all operators of community schools in the state. 2121  
The report shall be made available on the department's web site. 2122

(C) The department shall include the performance report 2123  
obtained pursuant to division (B) of this section in the 2124  
department's annual report required by division (A) (4) of 2125  
section 3314.015 of the Revised Code. 2126

(D) For purposes of this section, "operator" has the same 2127  
meaning as in division (A) (8) of section 3314.02 of the Revised 2128  
Code. 2129

**Sec. 3314.032.** (A) On and after the effective date of this 2130  
section, any new or renewed contract between the governing 2131  
authority of a community school and an operator shall include at 2132  
least the following: 2133

(1) Criteria to be used for early termination of the 2134  
operator contract; 2135

(2) Required notification procedures and timeline for 2136  
early termination or nonrenewal of the operator contract; 2137

(3) A stipulation of which entity owns all community 2138

school facilities and property including, but not limited to, 2139  
equipment, furniture, fixtures, instructional materials and 2140  
supplies, computers, printers, and other digital devices 2141  
purchased by the governing authority or operator. 2142

(B) (1) The operator with which the governing authority of 2143  
a community school contracts for services shall not lease any 2144  
parcel of real property to that community school until an 2145  
independent professional in the real estate field verifies via 2146  
addendum that at the time the lease was agreed to, the lease was 2147  
commercially reasonable. 2148

(2) The independent professional described in division (B) 2149  
(1) of this section shall be immune from civil liability for any 2150  
decision rendered pursuant to this section. 2151

(C) On and after the effective date of this section the 2152  
governing authority of a community school shall adopt an annual 2153  
budget by the thirty-first day of October of each year. The 2154  
governing authority shall include the following information in 2155  
each budget: 2156

(1) Administrative costs for the community school as a 2157  
whole; 2158

(2) Instructional services costs for each category of 2159  
service provided directly to students, compiled and reported in 2160  
terms of average expenditure per pupil receiving the service; 2161

(3) The cost of instructional support services, such as 2162  
services provided by a speech-language pathologist, classroom 2163  
aide, multimedia aide, or librarian, provided directly to 2164  
students; 2165

(4) The cost of administrative support services, such as 2166  
the cost of personnel that develop the curriculum and the cost 2167

of personnel supervising or coordinating the delivery of the 2168  
instructional services; 2169

(5) The cost of support or extracurricular services costs 2170  
for services directly provided to students; 2171

(6) The cost of services provided directly to students by 2172  
a nonlicensed employee related to support or extracurricular 2173  
services, such as janitorial services, cafeteria services, or 2174  
services of a sports trainer; 2175

(7) The cost of administrative services related to support 2176  
or extracurricular services, such as the cost of any licensed or 2177  
unlicensed employees that develop, supervise, coordinate, or 2178  
otherwise are involved in administrating or aiding the delivery 2179  
of services. 2180

(D) The governing authority of a community school may 2181  
consult with, but shall not delegate to, any operator or other 2182  
entity with which the governing authority contracts the drafting 2183  
and establishment of an annual budget for the school. 2184

**Sec. 3314.034.** (A) Subject to division (B) of this 2185  
section, and after December 31, 2015, any community school to 2186  
which either of the following conditions apply shall be 2187  
prohibited from entering into a contract with a new sponsor: 2188

(1) The community school has received a grade of "D" or 2189  
"F" for the performance index score, under division (C) (1) (b) of 2190  
section 3302.03 of the Revised Code, and an overall grade of "D" 2191  
or "F" for the value-added progress dimension or another measure 2192  
of student academic progress if adopted by the state board, 2193  
under division (C) (1) (e) of that section, on the most recent 2194  
report card issued for the school pursuant to that section. 2195

(2) The community school is one in which a majority of the 2196

students are enrolled in a dropout prevention and recovery 2197  
program, and it has received a rating of "does not meet 2198  
standards" for the annual student growth measure and combined 2199  
graduation rates on the most recent report card issued for the 2200  
school under section 3314.017 of the Revised Code. 2201

(B) A community school to which division (A) of this 2202  
section applies may enter into a contract with a new sponsor if 2203  
all of the following conditions are satisfied: 2204

(1) The proposed sponsor received a rating of "effective" 2205  
or higher pursuant to division (B) (6) of section 3314.016 of the 2206  
Revised Code on its most recent evaluation conducted according 2207  
to that section. 2208

(2) The community school submits a request to enter into a 2209  
new contract with a sponsor. 2210

(3) The community school has not submitted a prior request 2211  
that was granted. 2212

(4) The department, after conducting a hearing in 2213  
accordance with Chapter 119. of the Revised Code on the matter, 2214  
at which the community school and the proposed new sponsor 2215  
submits reasons why the request should be granted, grants the 2216  
school's request. 2217

**Sec. 3314.035.** Each community school shall post on the 2218  
school's web site the name of each member of the school's 2219  
governing authority. Each community school also shall provide, 2220  
upon request, the name and address of each member of the 2221  
governing authority to the sponsor of the school and the 2222  
department of education. 2223

**Sec. 3314.036.** The governing authority of a community 2224  
school shall employ an attorney, who shall be independent from 2225

the school's sponsor or the operator with which the school has 2226  
contracted, for any services related to the negotiation of the 2227  
community school's contract with the sponsor or the school's 2228  
contract with the operator. 2229

**Sec. 3314.037.** The members of the governing authority of a 2230  
community school, the designated fiscal officer of the school, 2231  
the chief administrative officer and other administrative 2232  
employees of the school, and all individuals performing 2233  
supervisory or administrative services for the school under a 2234  
contract with the operator of the school shall complete training 2235  
on an annual basis on the public records and open meetings laws, 2236  
so that they may comply with those laws as prescribed by 2237  
division (A) (11) (d) of section 3314.03 of the Revised Code. 2238

**Sec. 3314.038.** Each community school shall annually submit 2239  
to the department of education and auditor of state a report of 2240  
each instance under which a student who is enrolled in that 2241  
community school resides in a children's residential center as 2242  
defined under section 5103.05 of the Revised Code. 2243

**Sec. 3314.039.** The department of education shall compile 2244  
and publish the following information, for each year since the 2245  
2010-2011 school year, in a simple, easily accessible location 2246  
on its web site: 2247

(A) A single document identifying each community school 2248  
that has closed during each year and the reason for the closure 2249  
of each school; 2250

(B) A single document for each entity that submitted an 2251  
application to sponsor schools that contains the following, 2252  
where applicable: 2253

(1) The entity's application and most recent evaluation; 2254

<u>(2) A designation of whether the entity's application was approved or denied;</u>	2255
	2256
<u>(3) All documentation used in determining whether to approve or deny the entity's application;</u>	2257
	2258
<u>(4) A short statement describing the rationale used in approving or denying the entity's application.</u>	2259
	2260
<u>(C) A single document containing the following information:</u>	2261
	2262
<u>(1) A list of all sponsor ratings for each school year for which ratings are available;</u>	2263
	2264
<u>(2) A list of each sponsor that is prohibited, as of the thirty-first day of December of each school year, from sponsoring new schools;</u>	2265
	2266
	2267
<u>(3) A list of each sponsor that sponsors or has sponsored a school that is or was subject to closure, and the reason for that closure.</u>	2268
	2269
	2270
<u>(D) The department shall update the document required pursuant to division (A) of this section on an annual basis.</u>	2271
	2272
<b>Sec. 3314.07.</b> (A) The expiration of the contract for a community school between a sponsor and a school shall be the date provided in the contract. A successor contract may be entered into pursuant to division (E) of section 3314.03 of the Revised Code unless the contract is terminated or not renewed pursuant to this section.	2273
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(B) (1) A sponsor may choose not to renew a contract at its expiration or may choose to terminate a contract prior to its expiration for any of the following reasons:	2279
	2280
	2281

(a) Failure to meet student performance requirements	2282
stated in the contract;	2283
(b) Failure to meet generally accepted standards of fiscal	2284
management;	2285
(c) Violation of any provision of the contract or	2286
applicable state or federal law;	2287
(d) Other good cause.	2288
(2) A sponsor may choose to terminate a contract prior to	2289
its expiration if the sponsor has suspended the operation of the	2290
contract under section 3314.072 of the Revised Code.	2291
(3) Not later than the first day of <del>February-December in-</del>	2292
<del>prior to</del> the year in which the sponsor intends to terminate or	2293
take actions not to renew the community school's contract, the	2294
sponsor shall notify the school of the proposed action in	2295
writing. The notice shall include the reasons for the proposed	2296
action in detail, the effective date of the termination or	2297
nonrenewal, and a statement that the school may, within fourteen	2298
days of receiving the notice, request an informal hearing before	2299
the sponsor. Such request must be in writing. The informal	2300
hearing shall be held within fourteen days of the receipt of a	2301
request for the hearing. Not later than fourteen days after the	2302
informal hearing, the sponsor shall issue a written decision	2303
either affirming or rescinding the decision to terminate or not	2304
renew the contract.	2305
(4) <del>A decision by the sponsor to terminate a contract may-</del>	2306
<del>be appealed to the state board of education. The notice of-</del>	2307
<del>appeal shall be filed with the state board not later than-</del>	2308
<del>fourteen days following receipt of the sponsor's written-</del>	2309
<del>decision to terminate the contract. Within sixty days of receipt-</del>	2310

~~of the notice of appeal, the state board shall conduct a hearing and issue a written decision on the appeal. The written decision of the state board shall include the reasons for affirming or rescinding the decision of the sponsor. The decision by the state board pertaining to an appeal under this division is final. If the sponsor is the state board, its decision to terminate a contract under division (B)(3) of this section shall be final.~~ 2311  
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~~(5)~~ The termination of a contract under this section shall be effective upon the occurrence of the later of the following events: 2319  
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(a) The date the sponsor notifies the school of its decision to terminate the contract as prescribed in division (B)(3) of this section; 2322  
2323  
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(b) If an informal hearing is requested under division (B)(3) of this section and as a result of that hearing the sponsor affirms its decision to terminate the contract, the effective date of the termination specified in the notice issued under division (B)(3) of this section, ~~or if that decision is appealed to the state board under division (B)(4) of this section and the state board affirms that decision, the date established in the resolution of the state board affirming the sponsor's decision.~~ 2325  
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~~(6)~~ (5) Any community school whose contract is terminated or not renewed under division (B) (1) (a) or (b) of this section shall close permanently at the end of the current school year or on a date specified in the notification of termination or nonrenewal under division (B) (3) of this section. Any community school whose contract is terminated or not renewed for failure to meet student performance requirements stated in the contract, or for failure to meet generally accepted standards of fiscal 2333  
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management under this division shall not enter into a contract 2341  
with any other sponsor. 2342

(C) A child attending a community school whose contract 2343  
has been terminated, nonrenewed, or suspended or that closes for 2344  
any reason shall be admitted to the schools of the district in 2345  
which the child is entitled to attend under section 3313.64 or 2346  
3313.65 of the Revised Code. Any deadlines established for the 2347  
purpose of admitting students under section 3313.97 or 3313.98 2348  
of the Revised Code shall be waived for students to whom this 2349  
division pertains. 2350

(D) If a community school does not intend to renew a 2351  
contract with its sponsor, the community school shall notify its 2352  
sponsor in writing of that fact at least one hundred eighty days 2353  
prior to the expiration of the contract. Such a community school 2354  
may enter into a contract with a new sponsor in accordance with 2355  
section 3314.03 of the Revised Code upon the expiration of the 2356  
previous contract. 2357

(E) A sponsor of a community school and the officers, 2358  
directors, or employees of such a sponsor are immune from civil 2359  
liability for any action authorized under this chapter or the 2360  
contract entered into with the school under section 3314.03 of 2361  
the Revised Code that is taken to fulfill the sponsor's 2362  
responsibility to oversee and monitor the school. The sponsor 2363  
and its officers, directors, or employees are not liable in 2364  
damages in a tort or other civil action for harm allegedly 2365  
arising from ~~either~~ any of the following: 2366

(1) A failure of the community school or any of its 2367  
officers, directors, or employees to perform any statutory or 2368  
common law duty or responsibility or any other legal obligation; 2369

(2) An action or omission of the community school or any of its officers, directors, or employees that results in harm. 2370  
2371

(3) A failure of the community school or any of its officers, directors, or employees to meet the obligations of any contract or other obligation entered into on behalf of the community school and another party. 2372  
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A sponsor who prevails in an action for a failure to meet contractual obligations as described in division (E)(3) of this section shall be awarded, upon request, reasonable attorney's fees and other expenses of litigation to be paid jointly and severally by the governing authority of the community school or from any other plaintiff the court considers necessary and appropriate. 2376  
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(F) As used in this section: 2383

(1) "Harm" means injury, death, or loss to person or property. 2384  
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(2) "Tort action" means a civil action for damages for injury, death, or loss to person or property other than a civil action for damages for a breach of contract or another agreement between persons. 2386  
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**Sec. 3314.074.** Divisions (A) and (B) of this section apply only to the extent permitted under Chapter 1702. of the Revised Code. 2390  
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2392

(A) If any community school established under this chapter permanently closes and ceases its operation as a community school, the assets of that school shall be distributed first to the retirement funds of employees of the school, employees of the school, and private creditors who are owed compensation, and then any remaining funds shall be paid to the department of 2393  
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education for redistribution to the school districts in which 2399  
the students who were enrolled in the school at the time it 2400  
ceased operation were entitled to attend school under section 2401  
3313.64 or 3313.65 of the Revised Code. The amount distributed 2402  
to each school district shall be proportional to the district's 2403  
share of the total enrollment in the community school. 2404

(B) If a community school closes and ceases to operate as 2405  
a community school and the school has received computer hardware 2406  
or software from the former Ohio SchoolNet commission or the 2407  
former eTech Ohio commission, such hardware or software shall be 2408  
turned over to the department of education, which shall 2409  
redistribute the hardware and software, to the extent such 2410  
redistribution is possible, to school districts in conformance 2411  
with the provisions of the programs as they were operated and 2412  
administered by the former eTech Ohio commission. 2413

(C) If the assets of the school are insufficient to pay 2414  
all persons or entities to whom compensation is owed, the 2415  
prioritization of the distribution of the assets to individual 2416  
persons or entities within each class of payees may be 2417  
determined by decree of a court in accordance with this section 2418  
and Chapter 1702. of the Revised Code. 2419

(D) A community school that engages in a merger or 2420  
consolidation pursuant to division (B) of section 1702.41 of the 2421  
Revised Code and becomes a single public benefit corporation 2422  
shall not be required to distribute assets pursuant to divisions 2423  
(A), (B), and (C) of this section, provided that the governing 2424  
authority of the community school created by the merger or 2425  
consolidation enters into a contract for sponsorship under 2426  
section 3314.03 of the Revised Code with an entity rated 2427  
"effective" or higher by the department of education pursuant to 2428

section 3314.016 of the Revised Code. 2429

**Sec. 3314.091.** (A) A school district is not required to 2430  
provide transportation for any native student enrolled in a 2431  
community school if the district board of education has entered 2432  
into an agreement with the community school's governing 2433  
authority that designates the community school as responsible 2434  
for providing or arranging for the transportation of the 2435  
district's native students to and from the community school. For 2436  
any such agreement to be effective, it must be certified by the 2437  
superintendent of public instruction as having met all of the 2438  
following requirements: 2439

(1) It is submitted to the department of education by a 2440  
deadline which shall be established by the department. 2441

(2) In accordance with divisions (C) (1) and (2) of this 2442  
section, it specifies qualifications, such as residing a minimum 2443  
distance from the school, for students to have their 2444  
transportation provided or arranged. 2445

(3) The transportation provided by the community school is 2446  
subject to all provisions of the Revised Code and all rules 2447  
adopted under the Revised Code pertaining to pupil 2448  
transportation. 2449

(4) The sponsor of the community school also has signed 2450  
the agreement. 2451

(B) (1) For the school year that begins on July 1, 2007, a 2452  
school district is not required to provide transportation for 2453  
any native student enrolled in a community school, if the 2454  
community school during the previous school year transported the 2455  
students enrolled in the school or arranged for the students' 2456  
transportation, even if that arrangement consisted of having 2457

parents transport their children to and from the school, but did 2458  
not enter into an agreement to transport or arrange for 2459  
transportation for those students under division (A) of this 2460  
section, and if the governing authority of the community school 2461  
by July 15, 2007, submits written notification to the district 2462  
board of education stating that the governing authority is 2463  
accepting responsibility for providing or arranging for the 2464  
transportation of the district's native students to and from the 2465  
community school. 2466

(2) Except as provided in division (B) (4) of this section, 2467  
for any school year subsequent to the school year that begins on 2468  
July 1, 2007, a school district is not required to provide 2469  
transportation for any native student enrolled in a community 2470  
school if the governing authority of the community school, by 2471  
the thirty-first day of January of the previous school year, 2472  
submits written notification to the district board of education 2473  
stating that the governing authority is accepting responsibility 2474  
for providing or arranging for the transportation of the 2475  
district's native students to and from the community school. If 2476  
the governing authority of the community school has previously 2477  
accepted responsibility for providing or arranging for the 2478  
transportation of a district's native students to and from the 2479  
community school, under division (B) (1) or (2) of this section, 2480  
and has since relinquished that responsibility under division 2481  
(B) (3) of this section, the governing authority shall not accept 2482  
that responsibility again unless the district board consents to 2483  
the governing authority's acceptance of that responsibility. 2484

(3) A governing authority's acceptance of responsibility 2485  
under division (B) (1) or (2) of this section shall cover an 2486  
entire school year, and shall remain in effect for subsequent 2487  
school years unless the governing authority submits written 2488

notification to the district board that the governing authority 2489  
is relinquishing the responsibility. However, a governing 2490  
authority shall not relinquish responsibility for transportation 2491  
before the end of a school year, and shall submit the notice 2492  
relinquishing responsibility by the thirty-first day of January, 2493  
in order to allow the school district reasonable time to prepare 2494  
transportation for its native students enrolled in the school. 2495

(4) (a) For any school year that begins on or after July 1, 2496  
2014, a school district is not required to provide 2497  
transportation for any native student enrolled in a community 2498  
school scheduled to open for operation in the current school 2499  
year, if the governing authority of the community school, by the 2500  
fifteenth day of April of the previous school year, submits 2501  
written notification to the district board of education stating 2502  
that the governing authority is accepting responsibility for 2503  
providing or arranging for the transportation of the district's 2504  
native students to and from the community school. 2505

(b) The governing authority of a community school that 2506  
accepts responsibility for transporting its students under 2507  
division (B)(4) (a) of this section shall comply with divisions 2508  
(B) (2) and (3) of this section to renew or relinquish that 2509  
authority for subsequent school years. 2510

(C) (1) A community school governing authority that enters 2511  
into an agreement under division (A) of this section, or that 2512  
accepts responsibility under division (B) of this section, shall 2513  
provide or arrange transportation free of any charge for each of 2514  
its enrolled students who is required to be transported under 2515  
section 3327.01 of the Revised Code ~~or who would otherwise be~~ 2516  
~~transported by the school district under the district's~~ 2517  
~~transportation policy.~~ The governing authority shall report to 2518

the department of education the number of students transported 2519  
or for whom transportation is arranged under this section in 2520  
accordance with rules adopted by the state board of education. 2521

(2) The governing authority may provide or arrange 2522  
transportation for any other enrolled student who is not 2523  
eligible for transportation in accordance with division (C) (1) 2524  
of this section and may charge a fee for such service up to the 2525  
actual cost of the service. 2526

(3) Notwithstanding anything to the contrary in division 2527  
(C) (1) or (2) of this section, a community school governing 2528  
authority shall provide or arrange transportation free of any 2529  
charge for any disabled student enrolled in the school for whom 2530  
the student's individualized education program developed under 2531  
Chapter 3323. of the Revised Code specifies transportation. 2532

(D) (1) If a school district board and a community school 2533  
governing authority elect to enter into an agreement under 2534  
division (A) of this section, the department of education shall 2535  
make payments to the community school according to the terms of 2536  
the agreement for each student actually transported under 2537  
division (C) (1) of this section. 2538

If a community school governing authority accepts 2539  
transportation responsibility under division (B) of this 2540  
section, the department shall make payments to the community 2541  
school for each student actually transported or for whom 2542  
transportation is arranged by the community school under 2543  
division (C) (1) of this section, calculated as follows: 2544

(a) For any fiscal year which the general assembly has 2545  
specified that transportation payments to school districts be 2546  
based on an across-the-board percentage of the district's 2547

payment for the previous school year, the per pupil payment to 2548  
the community school shall be the following quotient: 2549

(i) The total amount calculated for the school district in 2550  
which the child is entitled to attend school for student 2551  
transportation other than transportation of children with 2552  
disabilities; divided by 2553

(ii) The number of students included in the district's 2554  
transportation ADM for the current fiscal year, as calculated 2555  
under section 3317.03 of the Revised Code, plus the number of 2556  
students enrolled in the community school not counted in the 2557  
district's transportation ADM who are transported under division 2558  
(B) (1) or (2) of this section. 2559

(b) For any fiscal year which the general assembly has 2560  
specified that the transportation payments to school districts 2561  
be calculated in accordance with section 3317.0212 of the 2562  
Revised Code and any rules of the state board of education 2563  
implementing that section, the payment to the community school 2564  
shall be the amount so calculated on a per rider basis that 2565  
otherwise would be paid to the school district in which the 2566  
student is entitled to attend school by the method of 2567  
transportation the district would have used. The community 2568  
school, however, is not required to use the same method to 2569  
transport that student. 2570

(c) Divisions (D) (1) (a) and (b) of this section do not 2571  
apply to fiscal years 2012 and 2013. Rather, for each of those 2572  
fiscal years, the per pupil payment to a community school for 2573  
transporting a student shall be the total amount paid under 2574  
former section 3306.12 of the Revised Code for fiscal year 2011 2575  
to the school district in which the child is entitled to attend 2576  
school divided by that district's "qualifying ridership," as 2577

defined in that section for fiscal year 2011. 2578

As used in this division "entitled to attend school" means 2579  
entitled to attend school under section 3313.64 or 3313.65 of 2580  
the Revised Code. 2581

(2) The department shall deduct the payment under division 2582  
(D) (1) of this section from the state education aid, as defined 2583  
in section 3314.08 of the Revised Code, and, if necessary, the 2584  
payment under sections 321.14 and 323.156 of the Revised Code, 2585  
that is otherwise paid to the school district in which the 2586  
student enrolled in the community school is entitled to attend 2587  
school. The department shall include the number of the 2588  
district's native students for whom payment is made to a 2589  
community school under division (D) (1) of this section in the 2590  
calculation of the district's transportation payment under 2591  
section 3317.0212 of the Revised Code and the operating 2592  
appropriations act. 2593

(3) A community school shall be paid under division (D) (1) 2594  
of this section only for students who are eligible as specified 2595  
in section 3327.01 of the Revised Code and division (C) (1) of 2596  
this section, and whose transportation to and from school is 2597  
actually provided, who actually utilized transportation 2598  
arranged, or for whom a payment in lieu of transportation is 2599  
made by the community school's governing authority. To qualify 2600  
for the payments, the community school shall report to the 2601  
department, in the form and manner required by the department, 2602  
data on the number of students transported or whose 2603  
transportation is arranged, the number of miles traveled, cost 2604  
to transport, and any other information requested by the 2605  
department. 2606

(4) A community school shall use payments received under 2607

this section solely to pay the costs of providing or arranging 2608  
for the transportation of students who are eligible as specified 2609  
in section 3327.01 of the Revised Code and division (C) (1) of 2610  
this section, which may include payments to a parent, guardian, 2611  
or other person in charge of a child in lieu of transportation. 2612

(E) Except when arranged through payment to a parent, 2613  
guardian, or person in charge of a child, transportation 2614  
provided or arranged for by a community school pursuant to an 2615  
agreement under this section is subject to all provisions of the 2616  
Revised Code, and all rules adopted under the Revised Code, 2617  
pertaining to the construction, design, equipment, and operation 2618  
of school buses and other vehicles transporting students to and 2619  
from school. The drivers and mechanics of the vehicles are 2620  
subject to all provisions of the Revised Code, and all rules 2621  
adopted under the Revised Code, pertaining to drivers and 2622  
mechanics of such vehicles. The community school also shall 2623  
comply with sections 3313.201, 3327.09, and 3327.10 of the 2624  
Revised Code, division (B) of section 3327.16 of the Revised 2625  
Code and, subject to division (C) (1) of this section, sections 2626  
3327.01 and 3327.02 of the Revised Code, as if it were a school 2627  
district. 2628

**Sec. 3314.23.** (A) Subject to division (B) of this section, 2629  
each internet- or computer-based community school shall ~~do the~~ 2630  
~~applicable one of the following:~~ 2631

~~(1) If the general assembly has enacted standards for the~~ 2632  
~~operation of internet- or computer-based community schools by~~ 2633  
~~January 1, 2013, comply with the standards so enacted;~~ 2634

~~(2) If the general assembly has not enacted such standards~~ 2635  
~~by that date, comply with the standards developed by the~~ 2636  
international association for K-12 online learning. 2637

(B) Each internet- or computer-based community school that 2638  
initially opens for operation on or after January 1, 2013, shall 2639  
comply with the standards required by division (A) of this 2640  
section at the time it opens. Each internet- or computer-based 2641  
community school that initially opened for operation prior to 2642  
January 1, 2013, shall comply with the standards required by 2643  
division (A) of this section not later than July 1, 2013. 2644

(C) The sponsor of each internet- or computer-based 2645  
community school shall be responsible for monitoring, ensuring, 2646  
and reporting compliance with the online learning standards 2647  
described in divisions (A) and (B) of this section. 2648

**Sec. 3314.251.** Notwithstanding any provision of law to the 2649  
contrary, each internet- or computer-based community school may 2650  
provide its students with a location within a fifty-mile radius 2651  
of the student's residence at which the student may receive 2652  
counseling, instructional coaching, and testing assistance. 2653

**Sec. 3314.27.** No student enrolled in an internet- or 2654  
computer-based community school may participate in more than ten 2655  
hours of learning opportunities in any period of twenty-four 2656  
consecutive hours. Any time such a student participates in 2657  
learning opportunities beyond the limit prescribed in this 2658  
section shall not count toward the annual minimum number of 2659  
hours required to be provided to that student as prescribed in 2660  
division (A) (11) (a) of section 3314.03 of the Revised Code. If 2661  
any internet- or computer-based community school requires its 2662  
students to participate in learning opportunities on the basis 2663  
of days rather than hours, one day shall consist of a minimum of 2664  
five hours of such participation. 2665

Each internet- or computer-based community school shall 2666  
keep an accurate record of each individual student's 2667

participation in learning opportunities each day. The record 2668  
shall be kept in such a manner that the information contained 2669  
within it easily can be submitted to the department of 2670  
education, upon request by the department or the auditor of 2671  
state. 2672

**Sec. 3314.271.** (A) Each internet- or computer-based 2673  
community school shall offer a student orientation course and 2674  
shall notify each student who enrolls in that school of that 2675  
student's opportunity to participate in the student orientation 2676  
course. 2677

(B) The department of education shall provide guidance to 2678  
internet- or computer-based community schools for developing and 2679  
delivering the orientation course. 2680

(C) (1) Each internet- or computer-based community school 2681  
shall notify a student's parent or guardian of record in the 2682  
event the student is failing only one course while the student 2683  
is enrolled in that school. 2684

(2) If a student is failing two or more courses, the 2685  
student's parents or guardians, the student's teachers, and the 2686  
principal or lead teacher of the community school shall confer 2687  
to evaluate the student's performance. The conference may take 2688  
place via telephone or other electronic means. 2689

**Sec. 3314.35.** (A) (1) Except as provided in division (A) (4) 2690  
of this section, this section applies to any community school 2691  
that meets one of the following criteria after July 1, 2009, but 2692  
before July 1, 2011: 2693

(a) The school does not offer a grade level higher than 2694  
three and has been declared to be in a state of academic 2695  
emergency under section 3302.03 of the Revised Code for three of 2696

the four most recent school years.	2697
(b) The school satisfies all of the following conditions:	2698
(i) The school offers any of grade levels four to eight but does not offer a grade level higher than nine.	2699 2700
(ii) The school has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for two of the three most recent school years.	2701 2702 2703
(iii) In at least two of the three most recent school years, the school showed less than one standard year of academic growth in either reading or mathematics, as determined by the department of education in accordance with rules adopted under division (A) of section 3302.021 of the Revised Code.	2704 2705 2706 2707 2708
(c) The school offers any of grade levels ten to twelve and has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for three of the four most recent school years.	2709 2710 2711 2712
(2) Except as provided in division (A)(4) of this section, this section applies to any community school that meets one of the following criteria after July 1, 2011, but before July 1, 2013:	2713 2714 2715 2716
(a) The school does not offer a grade level higher than three and has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for two of the three most recent school years.	2717 2718 2719 2720
(b) The school satisfies all of the following conditions:	2721
(i) The school offers any of grade levels four to eight but does not offer a grade level higher than nine.	2722 2723

(ii) The school has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for two of the three most recent school years.

(iii) In at least two of the three most recent school years, the school showed less than one standard year of academic growth in either reading or mathematics, as determined by the department in accordance with rules adopted under division (A) of section 3302.021 of the Revised Code.

(c) The school offers any of grade levels ten to twelve and has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for two of the three most recent school years.

(3) Except as provided in division (A) (4) of this section, this section applies to any community school that meets one of the following criteria on or after July 1, 2013:

(a) The school does not offer a grade level higher than three and, for two of the three most recent school years, satisfies any of the following criteria:

(i) The school has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code, as it existed prior to March 22, 2013;

(ii) The school has received a grade of "F" in improving literacy in grades kindergarten through three under division (B) (1) (g) or (C) (1) (g) of section 3302.03 of the Revised Code;

(iii) The school has received an overall grade of "F" under division (C) of section 3302.03 of the Revised Code.

(b) The school offers any of grade levels four to eight but does not offer a grade level higher than nine and, for two

of the three most recent school years, satisfies any of the 2752  
following criteria: 2753

(i) The school has been declared to be in a state of 2754  
academic emergency under section 3302.03 of the Revised Code, as 2755  
it existed prior to March 22, 2013, and the school showed less 2756  
than one standard year of academic growth in either reading or 2757  
mathematics, as determined by the department in accordance with 2758  
rules adopted under division (A) of section 3302.021 of the 2759  
Revised Code; 2760

(ii) The school has received a grade of "F" for the 2761  
performance index score under division (A) (1) (b), (B) (1) (b), or 2762  
(C) (1) (b) and a grade of "F" for the value-added progress 2763  
dimension under division (A) (1) (e), (B) (1) (e), or (C) (1) (e) of 2764  
section 3302.03 of the Revised Code; 2765

(iii) The school has received an overall grade of "F" 2766  
under division (C) and a grade of "F" for the value-added 2767  
progress dimension under division (C) (1) (e) of section 3302.03 2768  
of the Revised Code. 2769

(c) The school offers any of grade levels ten to twelve 2770  
and, for two of the three most recent school years, satisfies 2771  
any of the following criteria: 2772

(i) The school has been declared to be in a state of 2773  
academic emergency under section 3302.03 of the Revised Code, as 2774  
it existed prior to March 22, 2013; 2775

(ii) The school has received a grade of "F" for the 2776  
performance index score under division (A) (1) (b), (B) (1) (b), or 2777  
(C) (1) (b) and has not met annual measurable objectives under 2778  
division (A) (1) (a), (B) (1) (a), or (C) (1) (a) of section 3302.03 2779  
of the Revised Code; 2780

(iii) The school has received an overall grade of "F" 2781  
under division (C) and a grade of "F" for the value-added 2782  
progress dimension under division (C) (1) (e) of section 3302.03 2783  
of the Revised Code. 2784

For purposes of division (A) (3) of this section only, the 2785  
department of education shall calculate the value-added progress 2786  
dimension for a community school using assessment scores for 2787  
only those students to whom the school has administered the 2788  
achievement assessments prescribed by section 3301.0710 of the 2789  
Revised Code for at least the two most recent school years but 2790  
using value-added data from only the most recent school year. 2791

(4) This section does not apply to either of the 2792  
following: 2793

(a) Any community school in which a majority of the 2794  
students are enrolled in a dropout prevention and recovery 2795  
program that is operated by the school. Rather, such schools 2796  
shall be subject to closure only as provided in section 3314.351 2797  
of the Revised Code. However, prior to July 1, 2014, a community 2798  
school in which a majority of the students are enrolled in a 2799  
dropout prevention and recovery program shall be exempt from 2800  
this section only if it has been granted a waiver under section 2801  
3314.36 of the Revised Code. 2802

(b) Any community school in which a majority of the 2803  
enrolled students are children with disabilities receiving 2804  
special education and related services in accordance with 2805  
Chapter 3323. of the Revised Code. 2806

(B) Any community school to which this section applies 2807  
shall permanently close at the conclusion of the school year in 2808  
which the school first becomes subject to this section. The 2809

sponsor and governing authority of the school shall comply with 2810  
all procedures for closing a community school adopted by the 2811  
department under division (E) of section 3314.015 of the Revised 2812  
Code. The governing authority of the school shall not enter into 2813  
a contract with any other sponsor under section 3314.03 of the 2814  
Revised Code after the school closes. 2815

(C) In accordance with division (B) of section 3314.012 of 2816  
the Revised Code, the department shall not consider the 2817  
performance ratings assigned to a community school for its first 2818  
two years of operation when determining whether the school meets 2819  
the criteria prescribed by division (A) (1) or (2) of this 2820  
section. 2821

(D) Nothing in this section or in any other provision of 2822  
the Revised Code prohibits the sponsor of a community school 2823  
from exercising its option not to renew a contract for any 2824  
reason or from terminating a contract prior to its expiration 2825  
for any of the reasons set forth in section 3314.07 of the 2826  
Revised Code. 2827

**Sec. 3314.351.** (A) This section applies to any community 2828  
school in which a majority of the students are enrolled in a 2829  
dropout prevention and recovery program. Beginning on or after 2830  
July 1, 2014, any such community school that has received a 2831  
designation of "does not meet standards," as described in 2832  
division (D) (1) of section 3314.017 of the Revised Code on the 2833  
report card issued under that section, for at least two of the 2834  
three most recent school years shall be subject to closure in 2835  
accordance with this section. 2836

(B) Not later than the first day of September in each 2837  
school year, the department of education shall notify each 2838  
school subject to closure under this section that the school 2839

must close not later than the thirtieth day of the following 2840  
June. 2841

A school so notified shall close as required. 2842

(C) A school that opens on or after July 1, 2014, shall 2843  
not be subject to closure under this section for its first two 2844  
years of operation. A school that is in operation prior to July 2845  
1, 2014, shall not be subject to closure under this section 2846  
until after August 31, 2016. 2847

(D) The sponsor and governing authority of the school 2848  
shall comply with all procedures for closing a community school 2849  
adopted by the department under division (E) of section 3314.015 2850  
of the Revised Code. The governing authority of the school shall 2851  
not enter into a contract with any other sponsor under section 2852  
3314.03 of the Revised Code after the school closes. 2853

(E) Nothing in this section or in any other provision of 2854  
the Revised Code prohibits the sponsor of a community school 2855  
from exercising its option not to renew a contract for any 2856  
reason or from terminating a contract prior to its expiration 2857  
for any of the reasons set forth in section 3314.07 of the 2858  
Revised Code. 2859

Sec. 3314.46. As used in this section, "sponsor" includes 2860  
any officer, director, employee of the sponsor of a community 2861  
school, and any person with decision-making authority regarding 2862  
the operations of a sponsor of a community school. 2863

(A) Except as provided in division (B) of this section, no 2864  
sponsor of a community school shall sell any goods or services 2865  
to any community school it sponsors. 2866

(B) (1) If the sponsor of a community school entered into a 2867  
contract prior to the effective date of this section that 2868

involves the sale of goods or services to a community school it 2869  
sponsors, the sponsor shall not be required to comply with 2870  
division (A) of this section with respect to that school until 2871  
the expiration of the contract. 2872

(2) If the sponsor of a community school is also the 2873  
school district in which that community school is located, the 2874  
sponsor may sell goods or services to that community school at 2875  
no profit to the sponsor. 2876

**Sec. 3317.034.** For purposes of section 3317.03 of the 2877  
Revised Code: 2878

(A) A student shall be considered to be enrolled in the 2879  
district for any portion of the school year the student is 2880  
participating at a college under Chapter 3365. of the Revised 2881  
Code. 2882

(B) A student shall be considered to be enrolled in the 2883  
district for the period of time beginning on the date on which 2884  
the school has both received the documentation of the student's 2885  
enrollment from a parent and the student has commenced 2886  
participation in learning opportunities offered by the district. 2887  
For purposes of applying divisions (B) and (C) of this section, 2888  
"learning opportunities" means both classroom-based and 2889  
nonclassroom-based learning opportunities overseen by licensed 2890  
educational employees of the district that is in compliance with 2891  
criteria and documentation requirements for student 2892  
participation, which shall be established by the department. Any 2893  
student's instruction time in nonclassroom-based learning 2894  
opportunities shall be certified by an employee of the district. 2895

(C) A student's enrollment shall be considered to cease on 2896  
the date on which any of the following occur: 2897

(1) The district receives documentation from a parent terminating enrollment of the student.	2898 2899
(2) The district is provided documentation of a student's enrollment in another public or nonpublic school.	2900 2901
(3) The student ceases to participate in learning opportunities provided by the school.	2902 2903
(D) No public school may enroll or withdraw a student from the education management information system established under section 3310.0714 of the Revised Code later than thirty days after the student's actual enrollment or withdrawal from the school.	2904 2905 2906 2907 2908
(E) A student in any of grades nine through twelve <del>shall</del> <u>may</u> be considered a full-time equivalent student if the student is enrolled in at least five units of instruction, as defined in section 3313.603 of the Revised Code, per school year.	2909 2910 2911 2912
<b>Sec. 3321.19.</b> (A) As used in this section and section 3321.191 of the Revised Code:	2913 2914
(1) "Habitual truant" has the same meaning as in section 2151.011 of the Revised Code.	2915 2916
(2) "Chronic truant" has the same meaning as in section 2152.02 of the Revised Code.	2917 2918
(B) When a board of education of any city, exempted village, local, joint vocational, or cooperative education school district or the governing board of any educational service center determines that a student in its district has been truant and the parent, guardian, or other person having care of the child has failed to cause the student's attendance at school, the board may require the parent, guardian, or other	2919 2920 2921 2922 2923 2924 2925

person having care of the child pursuant to division (B) of this 2926  
section to attend an educational program established pursuant to 2927  
rules adopted by the state board of education for the purpose of 2928  
encouraging parental involvement in compelling the attendance of 2929  
the child at school. 2930

No parent, guardian, or other person having care of a 2931  
child shall fail without good cause to attend an educational 2932  
program described in this division if the parent, guardian, or 2933  
other person has been served notice pursuant to division (C) of 2934  
this section. 2935

(C) On the request of the superintendent of schools, the 2936  
superintendent of any educational service center, the board of 2937  
education of any city, exempted village, local, joint 2938  
vocational, or cooperative education school district, or the 2939  
governing board of any educational service center or when it 2940  
otherwise comes to the notice of the attendance officer or other 2941  
appropriate officer of the school district, the attendance 2942  
officer or other appropriate officer shall examine into any case 2943  
of supposed truancy within the district and shall warn the 2944  
child, if found truant, and the child's parent, guardian, or 2945  
other person having care of the child, in writing, of the legal 2946  
consequences of being an habitual or chronic truant. When any 2947  
child of compulsory school age, in violation of law, is not 2948  
attending school, the attendance or other appropriate officer 2949  
shall notify the parent, guardian, or other person having care 2950  
of that child of the fact, and require the parent, guardian, or 2951  
other person to cause the child to attend school immediately. 2952  
The parent, guardian, or other person having care of the child 2953  
shall cause the child's attendance at school. Upon the failure 2954  
of the parent, guardian, or other person having care of the 2955  
child to do so, the attendance officer or other appropriate 2956

officer, if so directed by the superintendent, the district 2957  
board, or the educational service center governing board, shall 2958  
send notice requiring the attendance of that parent, guardian, 2959  
or other person at a parental education program established 2960  
pursuant to division (B) of this section and, subject to 2961  
divisions (D) and (E) of this section, may file a complaint 2962  
against the parent, guardian, or other person having care of the 2963  
child in any court of competent jurisdiction. 2964

(D) Upon the failure of the parent, guardian, or other 2965  
person having care of the child to cause the child's attendance 2966  
at school, if the child is considered an habitual truant, the 2967  
board of education of the school district or the governing board 2968  
of the educational service center shall do either or both of the 2969  
following: 2970

(1) Take any appropriate action as an intervention 2971  
strategy contained in the policy developed by the board pursuant 2972  
to section 3321.191 of the Revised Code; 2973

(2) File a complaint in the juvenile court of the county 2974  
in which the child has a residence or legal settlement or in 2975  
which the child is supposed to attend school jointly against the 2976  
child and the parent, guardian, or other person having care of 2977  
the child. A complaint filed in the juvenile court under this 2978  
division shall allege that the child is an unruly child for 2979  
being an habitual truant or is a delinquent child for being an 2980  
habitual truant who previously has been adjudicated an unruly 2981  
child for being an habitual truant and that the parent, 2982  
guardian, or other person having care of the child has violated 2983  
section 3321.38 of the Revised Code. In the event that the child 2984  
withdraws from the school district after a complaint has been 2985  
filed with the juvenile court, the school district shall proceed 2986

with the complaint until the court has reached its 2987  
determination. A designation by a court pursuant to this section 2988  
shall follow the child if the child later enrolls in a community 2989  
school established under Chapter 3314. of the Revised Code. 2990

(E) Upon the failure of the parent, guardian, or other 2991  
person having care of the child to cause the child's attendance 2992  
at school, if the child is considered a chronic truant, the 2993  
board of education of the school district or the governing board 2994  
of the educational service center shall file a complaint in the 2995  
juvenile court of the county in which the child has a residence 2996  
or legal settlement or in which the child is supposed to attend 2997  
school jointly against the child and the parent, guardian, or 2998  
other person having care of the child. A complaint filed in the 2999  
juvenile court under this division shall allege that the child 3000  
is a delinquent child for being a chronic truant and that the 3001  
parent, guardian, or other person having care of the child has 3002  
violated section 3321.38 of the Revised Code. In the event that 3003  
the child withdraws from the school district after a complaint 3004  
has been filed with the juvenile court, the school district 3005  
shall proceed with the complaint until the court has reached its 3006  
determination. A designation by a court pursuant to this section 3007  
shall follow the child if the child later enrolls in a community 3008  
school established under Chapter 3314. of the Revised Code. 3009

**Section 2.** That existing sections 3302.03, 3314.011, 3010  
3314.015, 3314.016, 3314.02, 3314.021, 3314.023, 3314.024, 3011  
3314.027, 3314.029, 3314.03, 3314.07, 3314.074, 3314.091, 3012  
3314.23, 3314.27, 3314.35, 3314.351, 3317.034, and 3321.19 and 3013  
section 3314.026 of the Revised Code are hereby repealed. 3014

**Section 3.** Not later than December 31, 2015, the State 3015  
Board of Education shall make recommendations to the General 3016

Assembly, in accordance with section 101.68 of the Revised Code, 3017  
and the Governor regarding the following: 3018

(A) Performance standards for community schools in which a 3019  
majority of the enrolled students are children with disabilities 3020  
receiving special education and related services in accordance 3021  
with Chapter 3323. of the Revised Code; 3022

(B) The feasibility of removal of the exemption from 3023  
permanent closure, prescribed by division (A) (4) (b) of section 3024  
3314.35 of the Revised Code, for schools described in division 3025  
(A) of this section. 3026

**Section 4.** (A) There is hereby created a committee to make 3027  
recommendations to the General Assembly regarding the definition 3028  
of "quality" for community schools that primarily enroll 3029  
students between sixteen and twenty-two years of age who dropped 3030  
out of high school or are at risk of dropping out of high school 3031  
due to poor attendance, disciplinary problems, or suspensions. 3032  
The committee shall also study the efficacy of a completion or 3033  
competency-based funding structure for these schools. The 3034  
committee shall consist of the following members: 3035

(1) A business leader appointed by the Governor or the 3036  
Governor's designee; 3037

(2) The president of a community college or the 3038  
president's designee, appointed by the Governor or the 3039  
Governor's designee; 3040

(3) The superintendent of a community school that received 3041  
a rating of "meets standards" or "exceeds standards" on its most 3042  
recent report card issued under section 3314.017 of the Revised 3043  
Code and primarily enrolls students between sixteen and twenty- 3044  
two years of age who dropped out of high school or are at risk 3045

of dropping out of high school due to poor attendance, 3046  
disciplinary problems, or suspensions, appointed by the Governor 3047  
or the Governor's designee; 3048

(4) The superintendent of a career-technical school, 3049  
appointed by the Speaker of the House of Representatives; 3050

(5) An individual representing the House of 3051  
Representatives, appointed by the Speaker of the House of 3052  
Representatives; 3053

(6) An individual representing the Senate, appointed by 3054  
the President of the Senate; 3055

(7) The president of a four-year university, or the 3056  
president's designee, appointed by the President of the Senate; 3057

(8) A representative of the Ohio Board of Regents, 3058  
appointed by the Chancellor of the Board of Regents; 3059

(9) A representative of the Department of Education, 3060  
appointed by the Superintendent of Public Instruction; 3061

(10) The superintendent of a big eight school district, as 3062  
defined in section 3314.02 of the Revised Code, as selected by 3063  
the Ohio 8 Coalition. 3064

(B) The committee shall serve under the guidance of the 3065  
Department of Education. 3066

(C) Not later than six months after the effective date of 3067  
this section, the committee shall prepare a report of its 3068  
recommendations and submit the report to the chairpersons of the 3069  
standing committees of the House of Representatives and the 3070  
Senate that are principally responsible for education policy. 3071