

As Introduced

134th General Assembly

Regular Session

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H. B. No. 205

Representatives Ghanbari, Sheehy

Cosponsors: Representatives Cross, Young, T., Weinstein, Carfagna, Lepore-Hagan, Miller, J., LaRe, Koehler, Miller, A.

A BILL

To amend sections 2903.31, 3301.22, 3313.661, 1
3313.666, 3314.03, and 3326.11 and to enact 2
sections 2903.311, 3301.165, 3313.6612, 3
3319.318, and 3345.19 of the Revised Code to 4
enact Collin's Law: The "Ohio Anti-Bullying and 5
Hazing Act" with regard to school discipline and 6
bullying and hazing policies at schools and 7
colleges. 8

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

Section 1. That sections 2903.31, 3301.22, 3313.661, 9
3313.666, 3314.03, and 3326.11 be amended and sections 2903.311, 10
3301.165, 3313.6612, 3319.318, and 3345.19 of the Revised Code 11
be enacted to read as follows: 12

Sec. 2903.31. (A) As used in this section, "hazing"means 13
doing any act or coercing another, including the victim, to do 14
any act of initiation into any student or other organizationor 15
any act to continue or reinstate membership in or affiliation 16
with any student or other organization that causes or creates a 17
substantial risk of causing mental or physical harm to any 18

person, including coercing another to consume alcohol or a drug 19
of abuse, as defined in section 3719.011 of the Revised Code. 20

(B) (1) No person shall recklessly participate in the 21
hazing of another. 22

(2) No administrator, employee, ~~or~~ faculty member, 23
teacher, consultant, alumnus, or volunteer of any organization, 24
including any primary, secondary, or post-secondary school or ~~of~~ 25
any other educational institution, public or private, shall 26
recklessly permit the hazing of any person associated with the 27
organization. 28

(C) (1) No person shall recklessly participate in the 29
hazing of another when the hazing includes coerced consumption 30
of alcohol or drugs of abuse resulting in serious physical harm 31
to the other person. 32

(2) No administrator, employee, faculty member, teacher, 33
consultant, alumnus, or volunteer of any organization, including 34
any primary, secondary, or post-secondary school or any other 35
educational institution, public or private, shall recklessly 36
permit the hazing of any person associated with the organization 37
when the hazing includes coerced consumption of alcohol or drugs 38
of abuse resulting in serious physical harm to that person. 39

(3) No parent or guardian whose child is a student at any 40
primary, secondary, or post-secondary school or any other 41
educational institution, public or private, shall recklessly 42
permit the hazing of any person associated with the school or 43
institution when the hazing includes coerced consumption of 44
alcohol or drugs of abuse resulting in serious physical harm to 45
that person. 46

(D) Whoever violates this section is guilty of hazing. A 47

violation of division (B) (1) or (2) of this section is a 48
misdemeanor of the ~~fourth~~ second degree. A violation of 49
division (C) (1), (2), or (3) of this section is a felony of the 50
third degree. 51

Sec. 2903.311. (A) As used in this section, "hazing" has 52
the same meaning as in section 2903.31 of the Revised Code. 53

(B) No administrator, employee, faculty member, teacher, 54
consultant, alumnus, or volunteer of any organization, including 55
any primary, secondary, or post-secondary school or any other 56
public or private educational institution, who is acting in an 57
official and professional capacity and knows, or has reasonable 58
cause to suspect based on facts that would cause a reasonable 59
person in a similar position to suspect, that a person 60
associated with the organization has suffered or faces a threat 61
of suffering any physical or mental wound, injury, disability, 62
or condition of a nature that reasonably indicates hazing shall 63
recklessly fail to immediately report that knowledge or 64
reasonable cause to a law enforcement agency in the county in 65
which the victim of hazing resides or in which the hazing is 66
occurring or has occurred. 67

(C) No parent or guardian whose child is a student at any 68
primary, secondary, or post-secondary school or any other public 69
or private educational institution who knows, or has reasonable 70
cause to suspect based on facts that would cause a reasonable 71
person in a similar position to suspect, that a person 72
associated with the school or institution has suffered or faces 73
a threat of suffering any physical or mental wound, injury, 74
disability, or condition of a nature that reasonably indicates 75
hazing shall recklessly fail to immediately report that 76
knowledge or reasonable cause to a law enforcement agency in the 77

county in which the victim of hazing resides or in which the 78
hazing is occurring or has occurred. 79

(D) A violation of this section is a misdemeanor of the 80
fourth degree, except that the violation is a misdemeanor of the 81
first degree if the hazing causes serious physical harm. 82

Sec. 3301.165. (A) As used in this section, "harassment, 83
intimidation, or bullying" has the same meaning as in section 84
3313.666 of the Revised Code. 85

(B) The governing authority of each chartered nonpublic 86
school shall adopt a policy that addresses harassment, 87
intimidation, or bullying. The governing authority shall review 88
the policy adopted under this section at least once every three 89
years and update it as necessary based on the review. 90

(C) The governing authority shall submit to the department 91
of education the policy adopted under division (B) of this 92
section in a form and manner determined by the department. 93

(D) If the school has a web site and has publicly posted 94
its code of conduct on that web site, the governing authority 95
also shall post the policy adopted under division (B) of this 96
section on that web site. 97

Sec. 3301.22. (A) The state board of education shall 98
develop a~~an evidence-based~~ model policy to prohibit harassment, 99
intimidation, or bullying in order to assist school districts in 100
developing their own policies under section 3313.666 of the 101
Revised Code.~~The board shall issue the model policy within six~~ 102
~~months after the effective date of this section~~ 103

(B) The department of education shall provide each school 104
district with evidence-based best practices regarding policies 105
to prohibit harassment, intimidation, or bullying. 106

(C) Beginning on the effective date of this amendment, 107
both of the following shall apply: 108

(1) The state board shall review the model policy 109
developed under this section at least once every four years, and 110
update them as necessary based on the review. 111

(2) The department shall review the best practices 112
provided under this section at least once every four years, and 113
update them as necessary based on the review. 114

Sec. 3313.661. (A) Subject to the limitations set forth in 115
section 3313.668 of the Revised Code, the board of education of 116
each city, exempted village, and local school district shall 117
adopt a policy regarding suspension, expulsion, removal, and 118
permanent exclusion that specifies the types of misconduct for 119
which a pupil may be suspended, expelled, or removed. The types 120
of misconduct may include misconduct by a pupil that occurs off 121
of property owned or controlled by the district but that is 122
connected to activities or incidents that have occurred on 123
property owned or controlled by that district and misconduct by 124
a pupil that, regardless of where it occurs, is directed at a 125
district official or employee, or the property of such official 126
or employee. The policy shall specify the reasons for which the 127
superintendent of the district may reduce the expulsion 128
requirement in division (B)(2) of section 3313.66 of the Revised 129
Code. If a board of education adopts a resolution pursuant to 130
division (B)(3) of section 3313.66 of the Revised Code, the 131
policy shall define the term "knife capable of causing serious 132
bodily injury" or "firearm," as applicable, for purposes of 133
expulsion under that resolution and shall specify any reasons 134
for which the superintendent of the district may reduce any 135
required expulsion period on a case-by-case basis. If a board of 136

education adopts a resolution pursuant to division (B)(4) or (5) 137
of section 3313.66 of the Revised Code, the policy shall specify 138
any reasons for which the superintendent of the district may 139
reduce any required expulsion period on a case-by-case basis. 140
The policy also shall set forth the acts listed in section 141
3313.662 of the Revised Code for which a pupil may be 142
permanently excluded. 143

The policy adopted under this division shall specify the 144
date and manner by which a pupil or a pupil's parent, guardian, 145
or custodian may notify the board of the pupil's, parent's, 146
guardian's, or custodian's intent to appeal an expulsion or 147
suspension to the board or its designee pursuant to division (E) 148
of section 3313.66 of the Revised Code. In the case of any 149
expulsion, the policy shall not specify a date that is less than 150
fourteen days after the date of the notice provided to the pupil 151
or the pupil's parent, guardian, or custodian under division (D) 152
of that section. 153

A copy of the policy shall be posted on the district's web 154
site, if the district has one, and in a central location in the 155
school and shall be made available to pupils upon request. No 156
pupil shall be suspended, expelled, or removed except in 157
accordance with the policy adopted by the board of education of 158
the school district in which the pupil attends school, and no 159
pupil shall be permanently excluded except in accordance with 160
sections 3301.121 and 3313.662 of the Revised Code. 161

(B) (1) A board of education may establish a program and 162
adopt guidelines under which a superintendent may require a 163
pupil to perform community service in conjunction with a 164
suspension or expulsion imposed under section 3313.66 of the 165
Revised Code or in place of a suspension or expulsion imposed 166

under section 3313.66 of the Revised Code except for an 167
expulsion imposed pursuant to division (B) (2) of that section. 168
If a board adopts guidelines under this division, they shall 169
permit, except with regard to an expulsion pursuant to division 170
(B) (2) of section 3313.66 of the Revised Code, a superintendent 171
to impose a community service requirement beyond the end of the 172
school year in lieu of applying an expulsion into the following 173
school year. Any guidelines adopted shall be included in the 174
policy adopted under this section. 175

(2) If a pupil is subject to detention or suspension for 176
an offense of harassment, intimidation, or bullying under 177
section 3313.669 of the Revised Code, the board of education may 178
develop an age-appropriate community service plan that a pupil 179
who is issued a detention or suspension under that section must 180
complete. The plan shall include specific goals and timelines 181
under which the pupil must perform community service during the 182
term of the pupil's detention or suspension. 183

(C) The written policy of each board of education that is 184
adopted pursuant to section 3313.20 of the Revised Code shall be 185
posted on the district's web site, if the district has one, and 186
in a central location in each school that is subject to the 187
policy and shall be made available to pupils upon request. 188

(D) Except as described in division (B) of section 189
3313.668 of the Revised Code, any policy, program, or guideline 190
adopted by a board of education under this section with regard 191
to suspensions or expulsions pursuant to division (A) or (B) of 192
section 3313.66 of the Revised Code shall apply to any student, 193
whether or not the student is enrolled in the district, 194
attending or otherwise participating in any curricular program 195
provided in a school operated by the board or provided on any 196

other property owned or controlled by the board.	197
(E) As used in this section, "permanently:	198
(1) <u>"Permanently exclude"</u> and "permanent exclusion" have the same meanings as in section 3313.662 of the Revised Code.	199 200
(2) <u>"Harassment, intimidation, or bullying" has the same meaning as in section 3313.666 of the Revised Code.</u>	201 202
Sec. 3313.666. (A) As used in this section:	203
(1) "Electronic act" means an act committed through the use of a cellular telephone, computer, pager, personal communication device, or other electronic communication device.	204 205 206
(2) "Harassment, intimidation, or bullying" means either <u>any</u> of the following:	207 208
(a) Any intentional written, verbal, electronic, or physical act that a student has exhibited toward another particular student <u>or an administrator, employee, faculty member, teacher, consultant, or volunteer of the district</u> more than once and the behavior both:	209 210 211 212 213
(i) Causes mental or physical harm to the other student <u>or the administrator, employee, faculty member, teacher, consultant, or volunteer of the district;</u>	214 215 216
(ii) Is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student <u>or the administrator, employee, faculty member, teacher, consultant, or volunteer of the district.</u>	217 218 219 220 221
(b) Violence within a dating relationship;	222
(c) <u>Hazing as defined in section 2903.31 of the Revised</u>	223

<u>Code.</u>	224
(B) The board of education of each city, local, exempted village, and joint vocational school district shall establish a policy prohibiting <u>the harassment, intimidation, or bullying of students and administrators, employees, faculty members, teachers, consultants, and volunteers of the district.</u> The policy shall be developed in consultation with parents, school employees, school volunteers, students, and community members, <u>and shall apply to grades four through twelve.</u> The policy shall include the following:	225 226 227 228 229 230 231 232 233
(1) A statement prohibiting harassment, intimidation, or bullying of any student on school property, on a school bus, or at school-sponsored events and expressly providing for the possibility of suspension of a student found responsible for harassment, intimidation, or bullying by an electronic act;	234 235 236 237 238
(2) A definition of harassment, intimidation, or bullying that includes the definition in division (A) of this section;	239 240
(3) A procedure for reporting prohibited incidents;	241
(4) A requirement that school personnel report prohibited incidents of which they are aware to the school principal or other administrator designated by the principal;	242 243 244
(5) A requirement that the custodial parent or guardian of any student involved in a prohibited incident be notified and, to the extent permitted by section 3319.321 of the Revised Code and the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, have access to any written reports pertaining to the prohibited incident † . <u>For each prohibited incident, the district shall maintain a record verifying that the custodial parent or guardian was notified of</u>	245 246 247 248 249 250 251 252

<u>the incident.</u>	253
(6) A procedure for documenting any prohibited incident that is reported;	254 255
(7) A procedure for responding to and investigating any reported incident;	256 257
(8) A strategy for protecting a victim or other person from new or additional harassment, intimidation, or bullying, and from retaliation following a report, including a means by which a person may report an incident anonymously;	258 259 260 261
(9) A disciplinary procedure for any student guilty of harassment, intimidation, or bullying, which shall not infringe on any student's rights under the first amendment to the Constitution of the United States + . <u>The disciplinary procedure shall comply with section 3313.669 of the Revised Code.</u>	262 263 264 265 266
(10) <u>A disciplinary procedure for any student guilty of retaliation against a student, administrator, employee, faculty member, teacher, consultant, or volunteer of the district who reports an incident of harassment, intimidation, or bullying;</u>	267 268 269 270
<u>(11)</u> A statement prohibiting students from deliberately making false reports of harassment, intimidation, or bullying and a disciplinary procedure for any student responsible for deliberately making a false report of that nature;	271 272 273 274
(11) <u>(12)</u> A requirement that the district administration semiannually provide the president of the district board a written summary of all reported incidents and post the summary on its web site, if the district has a web site, to the extent permitted by section 3319.321 of the Revised Code and the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended.	275 276 277 278 279 280 281

(C) Each board's policy shall appear in any student 282
handbooks, and in any of the publications that set forth the 283
comprehensive rules, procedures, and standards of conduct for 284
schools and students in the district. The policy and an 285
explanation of the seriousness of bullying by electronic means 286
shall be made available to students in the district and to their 287
custodial parents or guardians. Information regarding the policy 288
shall be incorporated into employee training materials. 289

(D) (1) To the extent that state or federal funds are 290
appropriated for this purpose, each board shall require that all 291
students enrolled in the district annually be provided with age- 292
appropriate instruction, as determined by the board, on the 293
board's policy, including a written or verbal discussion of the 294
consequences for violations of the policy. 295

(2) Each board shall require that once each school year a 296
written statement describing the policy and the consequences for 297
violations of the policy be sent to each student's custodial 298
parent or guardian. The statement may be sent with regular 299
student report cards or may be delivered electronically. 300

(E) A school district employee, student, or volunteer 301
shall be individually immune from liability in a civil action 302
for damages arising from reporting an incident in accordance 303
with a policy adopted pursuant to this section if that person 304
reports an incident of harassment, intimidation, or bullying 305
promptly in good faith and in compliance with the procedures as 306
specified in the policy. 307

(F) Except as provided in division (E) of this section, 308
nothing in this section prohibits a victim from seeking redress 309
under any other provision of the Revised Code or common law that 310
may apply. 311

(G) This section does not create a new cause of action or
a substantive legal right for any person.

(H) Each board shall update the policy adopted under this
section to include violence within a dating relationship~~and,~~
harassment, intimidation, or bullying by electronic means, and
hazing. The board also shall review the policy adopted under
this section at least once every three years and update it as
necessary based on the review.

Sec. 3313.6612. (A) The board of education of each city,
exempted village, or local school district shall adopt a
resolution establishing an evidence-based or evidence-informed
policy under section 3313.661 of the Revised Code that requires
the district to take a disciplinary action against any pupil who
commits an offense of harassment, intimidation, or bullying. The
policy shall authorize the imposition of any of the following
actions for each offense by a pupil as determined appropriate
under the circumstances:

(1) A detention requiring the pupil to be present in
school before or after the instructional day, or on days the
school is not normally open for instruction, for up to the total
number of hours equivalent to ten school days to complete
supervised learning activities or a community service plan
prescribed under division (B)(1) of this section;

(2) An in-school suspension of up to ten school days;

(3) An out-of-school suspension of up to ten school days;

(4) An alternative form of discipline aligned with
guidelines adopted under division (F) of this section.

Subject to division (D) of this section, any suspension
issued under this section shall be issued in accordance with

sections 3313.66, 3313.661, and 3313.668 of the Revised Code. 341

(B) (1) The board may develop an age-appropriate community service plan for any pupil subject to detention or suspension under this section and require that the pupil complete the plan. The plan shall include specific goals and timelines under which the pupil shall perform community service during the term of the pupil's detention or suspension under this section. The board shall determine the duration of the community service performed under the plan. The community service plan may continue beyond the date upon which a pupil returns to school. 342
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(2) The district shall prohibit a pupil from participating in any extracurricular activity during the period of a pupil's detention or suspension under this section. 351
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(3) As determined appropriate by the board, the district may impose additional measures, other than those prescribed under this division, on a pupil subject to detention or suspension under this section. 354
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(C) (1) During the period of a pupil's detention or suspension under this section, the district shall permit the pupil to do both of the following: 358
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(a) Complete all missed schoolwork. For this purpose, the district may offer tutoring and academic support to the pupil. 361
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(b) Take any required state assessment. For this purpose, the pupil shall be permitted to take the assessment in the pupil's regular school setting. 363
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(2) The district may provide counseling or intervention services for a pupil subject to detention, suspension, or an alternative form of discipline under this section, so long as the pupil's parent, guardian, or custodian gives permission for 366
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the pupil to undergo such counseling or intervention services. 370
If the district does not offer counseling or intervention 371
services, the district may coordinate with community 372
organizations that provide counseling or intervention services 373
and help identify counseling or intervention resources. 374

(D) As a condition of returning to school, a pupil who is 375
suspended under this section shall complete all missed 376
schoolwork, as determined by the district. If the pupil does not 377
complete this requirement, the pupil may be permitted to return 378
to school provided the district determines that the pupil has 379
made sufficient progress towards completing the requirement. 380

(E) Upon receiving a report or being notified of a 381
potential incident of harassment, intimidation, or bullying at 382
school or on school grounds, the principal or another 383
administrator shall conduct an investigation to determine if 384
harassment, intimidation, or bullying has occurred. The 385
principal or another administrator shall notify the parent, 386
guardian, or custodian of any pupil involved in a potential 387
incident of harassment, intimidation, or bullying of an 388
investigation conducted under this division. 389

(F) A board may adopt guidelines regarding the issuance of 390
an alternative form of discipline to a pupil who commits an 391
offense of harassment, intimidation, or bullying in lieu of a 392
detention or suspension under this section. The guidelines shall 393
include both of the following: 394

(1) One or more alternative forms of discipline approved 395
by the board. A board shall only approve an alternative form of 396
discipline that has a high chance of successfully reintegrating 397
a pupil into the school. 398

(2) Criteria for determining whether a pupil qualifies for an alternative form of discipline. The criteria shall at least include all of the following: 399
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(a) Extenuating circumstances that qualify a pupil for an alternative form of discipline, rather than a detention or suspension; 402
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(b) A requirement that a pupil has a high chance of successful reintegration into the school using the alternative form of discipline; 405
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(c) A requirement that the pupil does not pose a risk to the safety of the school and the victim. 408
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(G) Any suspension issued under this section shall be subject to the due process procedures for a suspension prescribed under section 3313.66 of the Revised Code. Additionally, any detention issued under this section shall be subject to due process procedures in a similar manner to the procedures for a suspension under section 3313.66 of the Revised Code. 410
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(H) (1) The board may offer counseling services to the victim of an offense of harassment, intimidation, or bullying. However, the victim is not required to participate in the counseling. 417
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(2) The board shall permit a victim of harassment, intimidation, or bullying to complete all missed schoolwork due to harassment, intimidation, or bullying. For this purpose, the district may offer tutoring and academic support to the victim. 421
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(I) Nothing in this section shall create a new requirement on the part of a board to provide the same services it would provide to a pupil attending school in the district to a pupil 425
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permanently excluded pursuant to section 3313.662 of the Revised Code. 428
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(J) Nothing in this section shall affect a district's obligation to provide a free and appropriate education to children with disabilities under 20 U.S.C. 1400, et seq. and Chapter 3323. of the Revised Code. 430
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(K) This section shall not apply to any pupil in grades pre-kindergarten through three. 434
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(L) As used in this section: 436

(1) "Extracurricular activity" has the same meaning as in section 3313.537 of the Revised Code. 437
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(2) "Harassment, intimidation, or bullying" has the same meaning as in section 3313.666 of the Revised Code. 439
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Sec. 3314.03. A copy of every contract entered into under this section shall be filed with the superintendent of public instruction. The department of education shall make available on its web site a copy of every approved, executed contract filed with the superintendent under this section. 441
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(A) Each contract entered into between a sponsor and the governing authority of a community school shall specify the following: 446
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(1) That the school shall be established as either of the following: 449
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(a) A nonprofit corporation established under Chapter 1702. of the Revised Code, if established prior to April 8, 2003; 451
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(b) A public benefit corporation established under Chapter 454

1702. of the Revised Code, if established after April 8, 2003.	455
(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;	456 457 458 459
(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;	460 461 462 463
(4) Performance standards, including but not limited to all applicable report card measures set forth in section 3302.03 or 3314.017 of the Revised Code, by which the success of the school will be evaluated by the sponsor;	464 465 466 467
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	468 469 470
(6) (a) Dismissal procedures;	471
(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in seventy-two consecutive hours of the learning opportunities offered to the student.	472 473 474 475 476 477
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	478 479
(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	480 481 482

records of school districts, pursuant to rules of the auditor of 483
state. Audits shall be conducted in accordance with section 484
117.10 of the Revised Code. 485

(9) An addendum to the contract outlining the facilities 486
to be used that contains at least the following information: 487

(a) A detailed description of each facility used for 488
instructional purposes; 489

(b) The annual costs associated with leasing each facility 490
that are paid by or on behalf of the school; 491

(c) The annual mortgage principal and interest payments 492
that are paid by the school; 493

(d) The name of the lender or landlord, identified as 494
such, and the lender's or landlord's relationship to the 495
operator, if any. 496

(10) Qualifications of teachers, including a requirement 497
that the school's classroom teachers be licensed in accordance 498
with sections 3319.22 to 3319.31 of the Revised Code, except 499
that a community school may engage noncertificated persons to 500
teach up to twelve hours or forty hours per week pursuant to 501
section 3319.301 of the Revised Code. 502

(11) That the school will comply with the following 503
requirements: 504

(a) The school will provide learning opportunities to a 505
minimum of twenty-five students for a minimum of nine hundred 506
twenty hours per school year. 507

(b) The governing authority will purchase liability 508
insurance, or otherwise provide for the potential liability of 509
the school. 510

(c) The school will be nonsectarian in its programs, 511
admission policies, employment practices, and all other 512
operations, and will not be operated by a sectarian school or 513
religious institution. 514

(d) The school will comply with sections 9.90, 9.91, 515
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 516
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3313.472, 517
3313.50, 3313.539, 3313.5310, 3313.608, 3313.609, 3313.6012, 518
3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.6024, 519
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3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 3313.86, 524
3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.318, 525
3319.321, 3319.39, 3319.391, 3319.41, 3319.46, 3320.01, 3320.02, 526
3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 527
3321.18, 3321.19, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 528
and 5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 529
4112., 4123., 4141., and 4167. of the Revised Code as if it were 530
a school district and will comply with section 3301.0714 of the 531
Revised Code in the manner specified in section 3314.17 of the 532
Revised Code. 533

(e) The school shall comply with Chapter 102. and section 534
2921.42 of the Revised Code. 535

(f) The school will comply with sections 3313.61, 536
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 537
Revised Code, except that for students who enter ninth grade for 538
the first time before July 1, 2010, the requirement in sections 539
3313.61 and 3313.611 of the Revised Code that a person must 540

successfully complete the curriculum in any high school prior to 541
receiving a high school diploma may be met by completing the 542
curriculum adopted by the governing authority of the community 543
school rather than the curriculum specified in Title XXXIII of 544
the Revised Code or any rules of the state board of education. 545
Beginning with students who enter ninth grade for the first time 546
on or after July 1, 2010, the requirement in sections 3313.61 547
and 3313.611 of the Revised Code that a person must successfully 548
complete the curriculum of a high school prior to receiving a 549
high school diploma shall be met by completing the requirements 550
prescribed in division (C) of section 3313.603 of the Revised 551
Code, unless the person qualifies under division (D) or (F) of 552
that section. Each school shall comply with the plan for 553
awarding high school credit based on demonstration of subject 554
area competency, and beginning with the 2017-2018 school year, 555
with the updated plan that permits students enrolled in seventh 556
and eighth grade to meet curriculum requirements based on 557
subject area competency adopted by the state board of education 558
under divisions (J) (1) and (2) of section 3313.603 of the 559
Revised Code. Beginning with the 2018-2019 school year, the 560
school shall comply with the framework for granting units of 561
high school credit to students who demonstrate subject area 562
competency through work-based learning experiences, internships, 563
or cooperative education developed by the department under 564
division (J) (3) of section 3313.603 of the Revised Code. 565

(g) The school governing authority will submit within four 566
months after the end of each school year a report of its 567
activities and progress in meeting the goals and standards of 568
divisions (A) (3) and (4) of this section and its financial 569
status to the sponsor and the parents of all students enrolled 570
in the school. 571

(h) The school, unless it is an internet- or computer- 572
based community school, will comply with section 3313.801 of the 573
Revised Code as if it were a school district. 574

(i) If the school is the recipient of moneys from a grant 575
awarded under the federal race to the top program, Division (A), 576
Title XIV, Sections 14005 and 14006 of the "American Recovery 577
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 578
the school will pay teachers based upon performance in 579
accordance with section 3317.141 and will comply with section 580
3319.111 of the Revised Code as if it were a school district. 581

(j) If the school operates a preschool program that is 582
licensed by the department of education under sections 3301.52 583
to 3301.59 of the Revised Code, the school shall comply with 584
sections 3301.50 to 3301.59 of the Revised Code and the minimum 585
standards for preschool programs prescribed in rules adopted by 586
the state board under section 3301.53 of the Revised Code. 587

(k) The school will comply with sections 3313.6021 and 588
3313.6023 of the Revised Code as if it were a school district 589
unless it is either of the following: 590

(i) An internet- or computer-based community school; 591

(ii) A community school in which a majority of the 592
enrolled students are children with disabilities as described in 593
division (A) (4) (b) of section 3314.35 of the Revised Code. 594

(l) The school will comply with section 3321.191 of the 595
Revised Code, unless it is an internet- or computer-based 596
community school that is subject to section 3314.261 of the 597
Revised Code. 598

(12) Arrangements for providing health and other benefits 599
to employees; 600

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

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

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

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

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

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

(19) A provision requiring the governing authority to adopt a policy regarding the admission of students who reside

outside the district in which the school is located. That policy 630
shall comply with the admissions procedures specified in 631
sections 3314.06 and 3314.061 of the Revised Code and, at the 632
sole discretion of the authority, shall do one of the following: 633

(a) Prohibit the enrollment of students who reside outside 634
the district in which the school is located; 635

(b) Permit the enrollment of students who reside in 636
districts adjacent to the district in which the school is 637
located; 638

(c) Permit the enrollment of students who reside in any 639
other district in the state. 640

(20) A provision recognizing the authority of the 641
department of education to take over the sponsorship of the 642
school in accordance with the provisions of division (C) of 643
section 3314.015 of the Revised Code; 644

(21) A provision recognizing the sponsor's authority to 645
assume the operation of a school under the conditions specified 646
in division (B) of section 3314.073 of the Revised Code; 647

(22) A provision recognizing both of the following: 648

(a) The authority of public health and safety officials to 649
inspect the facilities of the school and to order the facilities 650
closed if those officials find that the facilities are not in 651
compliance with health and safety laws and regulations; 652

(b) The authority of the department of education as the 653
community school oversight body to suspend the operation of the 654
school under section 3314.072 of the Revised Code if the 655
department has evidence of conditions or violations of law at 656
the school that pose an imminent danger to the health and safety 657

of the school's students and employees and the sponsor refuses 658
to take such action. 659

(23) A description of the learning opportunities that will 660
be offered to students including both classroom-based and non- 661
classroom-based learning opportunities that is in compliance 662
with criteria for student participation established by the 663
department under division (H) (2) of section 3314.08 of the 664
Revised Code; 665

(24) The school will comply with sections 3302.04 and 666
3302.041 of the Revised Code, except that any action required to 667
be taken by a school district pursuant to those sections shall 668
be taken by the sponsor of the school. However, the sponsor 669
shall not be required to take any action described in division 670
(F) of section 3302.04 of the Revised Code. 671

(25) Beginning in the 2006-2007 school year, the school 672
will open for operation not later than the thirtieth day of 673
September each school year, unless the mission of the school as 674
specified under division (A) (2) of this section is solely to 675
serve dropouts. In its initial year of operation, if the school 676
fails to open by the thirtieth day of September, or within one 677
year after the adoption of the contract pursuant to division (D) 678
of section 3314.02 of the Revised Code if the mission of the 679
school is solely to serve dropouts, the contract shall be void. 680

(26) Whether the school's governing authority is planning 681
to seek designation for the school as a STEM school equivalent 682
under section 3326.032 of the Revised Code; 683

(27) That the school's attendance and participation 684
policies will be available for public inspection; 685

(28) That the school's attendance and participation 686

records shall be made available to the department of education, 687
auditor of state, and school's sponsor to the extent permitted 688
under and in accordance with the "Family Educational Rights and 689
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, 690
and any regulations promulgated under that act, and section 691
3319.321 of the Revised Code; 692

(29) If a school operates using the blended learning 693
model, as defined in section 3301.079 of the Revised Code, all 694
of the following information: 695

(a) An indication of what blended learning model or models 696
will be used; 697

(b) A description of how student instructional needs will 698
be determined and documented; 699

(c) The method to be used for determining competency, 700
granting credit, and promoting students to a higher grade level; 701

(d) The school's attendance requirements, including how 702
the school will document participation in learning 703
opportunities; 704

(e) A statement describing how student progress will be 705
monitored; 706

(f) A statement describing how private student data will 707
be protected; 708

(g) A description of the professional development 709
activities that will be offered to teachers. 710

(30) A provision requiring that all moneys the school's 711
operator loans to the school, including facilities loans or cash 712
flow assistance, must be accounted for, documented, and bear 713
interest at a fair market rate; 714

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

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

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

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

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

(2) The management and administration of the school;

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

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

(5) Internal financial controls.

When submitting the plan under this division, the school

shall also submit copies of all policies and procedures 743
regarding internal financial controls adopted by the governing 744
authority of the school. 745

(C) A contract entered into under section 3314.02 of the 746
Revised Code between a sponsor and the governing authority of a 747
community school may provide for the community school governing 748
authority to make payments to the sponsor, which is hereby 749
authorized to receive such payments as set forth in the contract 750
between the governing authority and the sponsor. The total 751
amount of such payments for monitoring, oversight, and technical 752
assistance of the school shall not exceed three per cent of the 753
total amount of payments for operating expenses that the school 754
receives from the state. 755

(D) The contract shall specify the duties of the sponsor 756
which shall be in accordance with the written agreement entered 757
into with the department of education under division (B) of 758
section 3314.015 of the Revised Code and shall include the 759
following: 760

(1) Monitor the community school's compliance with all 761
laws applicable to the school and with the terms of the 762
contract; 763

(2) Monitor and evaluate the academic and fiscal 764
performance and the organization and operation of the community 765
school on at least an annual basis; 766

(3) Report on an annual basis the results of the 767
evaluation conducted under division (D) (2) of this section to 768
the department of education and to the parents of students 769
enrolled in the community school; 770

(4) Provide technical assistance to the community school 771

in complying with laws applicable to the school and terms of the 772
contract; 773

(5) Take steps to intervene in the school's operation to 774
correct problems in the school's overall performance, declare 775
the school to be on probationary status pursuant to section 776
3314.073 of the Revised Code, suspend the operation of the 777
school pursuant to section 3314.072 of the Revised Code, or 778
terminate the contract of the school pursuant to section 3314.07 779
of the Revised Code as determined necessary by the sponsor; 780

(6) Have in place a plan of action to be undertaken in the 781
event the community school experiences financial difficulties or 782
closes prior to the end of a school year. 783

(E) Upon the expiration of a contract entered into under 784
this section, the sponsor of a community school may, with the 785
approval of the governing authority of the school, renew that 786
contract for a period of time determined by the sponsor, but not 787
ending earlier than the end of any school year, if the sponsor 788
finds that the school's compliance with applicable laws and 789
terms of the contract and the school's progress in meeting the 790
academic goals prescribed in the contract have been 791
satisfactory. Any contract that is renewed under this division 792
remains subject to the provisions of sections 3314.07, 3314.072, 793
and 3314.073 of the Revised Code. 794

(F) If a community school fails to open for operation 795
within one year after the contract entered into under this 796
section is adopted pursuant to division (D) of section 3314.02 797
of the Revised Code or permanently closes prior to the 798
expiration of the contract, the contract shall be void and the 799
school shall not enter into a contract with any other sponsor. A 800
school shall not be considered permanently closed because the 801

operations of the school have been suspended pursuant to section 802
3314.072 of the Revised Code. 803

Sec. 3319.318. (A) The superintendent of a school 804
district, or the superintendent's designee, shall investigate 805
any report of harassment, intimidation, or bullying by an 806
administrator, employee, faculty member, teacher, consultant, or 807
volunteer of a school district against a student and shall 808
determine the proper course of action pursuant to Chapter 3319. 809
of the Revised Code. 810

(B) As used in this section, "harassment, intimidation, or 811
bullying" means any intentional written, verbal, electronic, or 812
physical act that an administrator, employee, faculty member, 813
teacher, consultant, or volunteer of a school district has 814
exhibited toward a student more than once and the behavior both: 815

(1) Causes mental or physical harm to the student; 816

(2) Is sufficiently severe, persistent, or pervasive that 817
it creates an intimidating, threatening, or abusive educational 818
environment for the student. 819

Sec. 3326.11. Each science, technology, engineering, and 820
mathematics school established under this chapter and its 821
governing body shall comply with sections 9.90, 9.91, 109.65, 822
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 823
3301.0714, 3301.0715, 3301.0729, 3301.948, 3313.14, 3313.15, 824
3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 825
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.608, 826
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 827
3313.6021, 3313.6024, 3313.6025, 3313.61, 3313.611, 3313.614, 828
3313.615, 3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 829
3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 830

3313.668, 3313.669, 3313.6610, 3313.6612, 3313.67, 3313.671, 831
3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 832
3313.719, 3313.7112, 3313.721, 3313.80, 3313.801, 3313.814, 833
3313.816, 3313.817, 3313.818, 3313.86, 3313.89, 3313.96, 834
3319.073, 3319.077, 3319.078, 3319.21, 3319.318, 3319.32, 835
3319.321, 3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 3319.46, 836
3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.05, 3321.13, 837
3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 838
3323.251, 3327.10, 4111.17, 4113.52, 5502.262, and 5705.391 and 839
Chapters 102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 840
4112., 4123., 4141., and 4167. of the Revised Code as if it were 841
a school district. 842

Sec. 3345.19. (A) Each state institution of higher 843
education shall adopt a policy, including rules, regarding 844
harassment, intimidation, or bullying and hazing. The policy 845
shall include penalties for harassment, intimidation, or 846
bullying and hazing, including sanctions, fines, the withholding 847
of a diploma or transcript, probation, suspension, and 848
expulsion. 849

(B) As used in this section: 850

(1) "Harassment, intimidation, or bullying" means any 851
intentional written, verbal, electronic, or physical act that a 852
student has exhibited toward another particular student or an 853
administrator, employee, faculty member, teacher, consultant, or 854
volunteer of the institution more than once and the behavior 855
both: 856

(a) Causes mental or physical harm to the other student or 857
the administrator, employee, faculty member, teacher, 858
consultant, or volunteer; 859

(b) Is sufficiently severe, persistent, or pervasive that 860
it creates an intimidating, threatening, or abusive educational 861
environment for the other student or the administrator, 862
employee, faculty member, teacher, consultant, or volunteer. 863

(2) "Hazing" has the same meaning as in section 2903.31 of 864
the Revised Code. 865

(3) "State institution of higher education" has the same 866
meaning as in section 3345.011 of the Revised Code. 867

Section 2. That existing sections 2903.31, 3301.22, 868
3313.661, 3313.666, 3314.03, and 3326.11 of the Revised Code are 869
hereby repealed. 870

Section 3. This act shall be known as "Collin's Law: The 871
Ohio Anti-Bullying and Hazing Act." 872

Section 4. The General Assembly, applying the principle 873
stated in division (B) of section 1.52 of the Revised Code that 874
amendments are to be harmonized if reasonably capable of 875
simultaneous operation, finds that the following sections, 876
presented in this act as composites of the sections as amended 877
by the acts indicated, are the resulting versions of the 878
sections in effect prior to the effective date of the sections 879
as presented in this act: 880

Section 3314.03 of the Revised Code as amended by H.B. 881
123, H.B. 164, H.B. 166, H.B. 409, H.B. 436, S.B. 68, and S.B. 882
89, all of the 133rd General Assembly. 883

Section 3326.11 of the Revised Code as amended by H.B. 884
123, H.B. 164, H.B. 166, H.B. 436, and S.B. 68, all of the 133rd 885
General Assembly. 886