

As Reported by the Senate Education Committee

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Representatives Baker, Landis

**Cosponsors: Representatives Blessing, Milkovich, Romanchuk, Reece,
Hagan, C., Anielski, Amstutz, Beck, Brown, Buchy, Burkley, Derickson,
Green, Hayes, Hottinger, Huffman, McClain, Perales, Retherford, Sears,
Stebelton, Wachtmann Speaker Batchelder**

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A B I L L

To amend sections 3314.03, 3326.11, and 3328.24 and 1
to enact sections 3301.45, 3313.89, and 6301.15 of 2
the Revised Code to require public high schools to 3
publish annually education and career exploration 4
information, including access to the OhioMeansJobs 5
web site. 6

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

Section 1. That sections 3314.03, 3326.11, and 3328.24 be 7
amended and sections 3301.45, 3313.89, and 6301.15 of the Revised 8
Code be enacted to read as follows: 9

Sec. 3301.45. (A) Not later than the thirtieth day of 10
September of each year, the department of education shall 11
distribute to all public high schools the information provided by 12
the director of job and family services on the online education 13
and career planning tool developed under section 6301.15 of the 14
Revised Code. 15

(B) Annually, the department of education shall survey high 16

school administrators and guidance counselors regarding their use 17
of the online planning tool and provide the results of the survey 18
to the director of job and family services to support future 19
refinements and improvements to the online planning tool. 20

As used in this section, "public high school" means a school 21
that serves students in any of grades nine through twelve and is 22
operated by a school district or a community school established 23
under Chapter 3314. of the Revised Code, a STEM school established 24
under Chapter 3326. of the Revised Code, or a college-preparatory 25
boarding school established under Chapter 3328. of the Revised 26
Code. 27

Sec. 3313.89. Beginning with the 2014-2015 school year, each 28
public high school shall publish or provide, not later than the 29
first day of April of each year, in its newsletter, high school 30
planning guide, regular publication provided to parents and 31
students, or in a prominent location on the school web site, 32
information regarding the online education and career planning 33
tool developed under section 6301.15 of the Revised Code. The 34
information shall include the internet web site address for the 35
planning tool and a link to that web site. The information also 36
shall include a link to the OhioMeansJobs web site. 37

As used in this section, "OhioMeansJobs" has the same meaning 38
as in section 6301.01 of the Revised Code. 39

Sec. 3314.03. A copy of every contract entered into under 40
this section shall be filed with the superintendent of public 41
instruction. The department of education shall make available on 42
its web site a copy of every approved, executed contract filed 43
with the superintendent under this section. 44

(A) Each contract entered into between a sponsor and the 45
governing authority of a community school shall specify the 46

following:	47
(1) That the school shall be established as either of the	48
following:	49
(a) A nonprofit corporation established under Chapter 1702.	50
of the Revised Code, if established prior to April 8, 2003;	51
(b) A public benefit corporation established under Chapter	52
1702. of the Revised Code, if established after April 8, 2003.	53
(2) The education program of the school, including the	54
school's mission, the characteristics of the students the school	55
is expected to attract, the ages and grades of students, and the	56
focus of the curriculum;	57
(3) The academic goals to be achieved and the method of	58
measurement that will be used to determine progress toward those	59
goals, which shall include the statewide achievement assessments;	60
(4) Performance standards by which the success of the school	61
will be evaluated by the sponsor;	62
(5) The admission standards of section 3314.06 of the Revised	63
Code and, if applicable, section 3314.061 of the Revised Code;	64
(6)(a) Dismissal procedures;	65
(b) A requirement that the governing authority adopt an	66
attendance policy that includes a procedure for automatically	67
withdrawing a student from the school if the student without a	68
legitimate excuse fails to participate in one hundred five	69
consecutive hours of the learning opportunities offered to the	70
student.	71
(7) The ways by which the school will achieve racial and	72
ethnic balance reflective of the community it serves;	73
(8) Requirements for financial audits by the auditor of	74
state. The contract shall require financial records of the school	75
to be maintained in the same manner as are financial records of	76

school districts, pursuant to rules of the auditor of state.	77
Audits shall be conducted in accordance with section 117.10 of the	78
Revised Code.	79
(9) The facilities to be used and their locations;	80
(10) Qualifications of teachers, including a requirement that	81
the school's classroom teachers be licensed in accordance with	82
sections 3319.22 to 3319.31 of the Revised Code, except that a	83
community school may engage noncertificated persons to teach up to	84
twelve hours per week pursuant to section 3319.301 of the Revised	85
Code.	86
(11) That the school will comply with the following	87
requirements:	88
(a) The school will provide learning opportunities to a	89
minimum of twenty-five students for a minimum of nine hundred	90
twenty hours per school year.	91
(b) The governing authority will purchase liability	92
insurance, or otherwise provide for the potential liability of the	93
school.	94
(c) The school will be nonsectarian in its programs,	95
admission policies, employment practices, and all other	96
operations, and will not be operated by a sectarian school or	97
religious institution.	98
(d) The school will comply with sections 9.90, 9.91, 109.65,	99
121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711,	100
3301.0712, 3301.0715, 3313.472, 3313.50, 3313.536, 3313.539,	101
3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015,	102
3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 3313.662,	103
3313.666, 3313.667, 3313.67, 3313.671, 3313.672, 3313.673,	104
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.80, 3313.814,	105
3313.816, 3313.817, 3313.86, <u>3313.89</u> , 3313.96, 3319.073, 3319.321,	106
3319.39, 3319.391, 3319.41, 3321.01, 3321.041, 3321.13, 3321.14,	107

3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 4113.52, 108
and 5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 109
4123., 4141., and 4167. of the Revised Code as if it were a school 110
district and will comply with section 3301.0714 of the Revised 111
Code in the manner specified in section 3314.17 of the Revised 112
Code. 113

(e) The school shall comply with Chapter 102. and section 114
2921.42 of the Revised Code. 115

(f) The school will comply with sections 3313.61, 3313.611, 116
and 3313.614 of the Revised Code, except that for students who 117
enter ninth grade for the first time before July 1, 2010, the 118
requirement in sections 3313.61 and 3313.611 of the Revised Code 119
that a person must successfully complete the curriculum in any 120
high school prior to receiving a high school diploma may be met by 121
completing the curriculum adopted by the governing authority of 122
the community school rather than the curriculum specified in Title 123
XXXIII of the Revised Code or any rules of the state board of 124
education. Beginning with students who enter ninth grade for the 125
first time on or after July 1, 2010, the requirement in sections 126
3313.61 and 3313.611 of the Revised Code that a person must 127
successfully complete the curriculum of a high school prior to 128
receiving a high school diploma shall be met by completing the 129
Ohio core curriculum prescribed in division (C) of section 130
3313.603 of the Revised Code, unless the person qualifies under 131
division (D) or (F) of that section. Each school shall comply with 132
the plan for awarding high school credit based on demonstration of 133
subject area competency, adopted by the state board of education 134
under division (J) of section 3313.603 of the Revised Code. 135

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

to the sponsor and the parents of all students enrolled in the school. 140
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(h) The school, unless it is an internet- or computer-based community school, will comply with section 3313.801 of the Revised Code as if it were a school district. 142
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(i) If the school is the recipient of moneys from a grant awarded under the federal race to the top program, Division (A), Title XIV, Sections 14005 and 14006 of the "American Recovery and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, the school will pay teachers based upon performance in accordance with section 3317.141 and will comply with section 3319.111 of the Revised Code as if it were a school district. 145
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(12) Arrangements for providing health and other benefits to employees; 152
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(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. 154
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(14) The governing authority of the school, which shall be responsible for carrying out the provisions of the contract; 158
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(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. 160
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(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; 163
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(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 166
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of any duties or responsibilities of an employer that the board of 170
education or service center governing board that operated the 171
school or building before conversion is delegating to the 172
governing authority of the community school with respect to all or 173
any specified group of employees provided the delegation is not 174
prohibited by a collective bargaining agreement applicable to such 175
employees; 176

(18) Provisions establishing procedures for resolving 177
disputes or differences of opinion between the sponsor and the 178
governing authority of the community school; 179

(19) A provision requiring the governing authority to adopt a 180
policy regarding the admission of students who reside outside the 181
district in which the school is located. That policy shall comply 182
with the admissions procedures specified in sections 3314.06 and 183
3314.061 of the Revised Code and, at the sole discretion of the 184
authority, shall do one of the following: 185

(a) Prohibit the enrollment of students who reside outside 186
the district in which the school is located; 187

(b) Permit the enrollment of students who reside in districts 188
adjacent to the district in which the school is located; 189

(c) Permit the enrollment of students who reside in any other 190
district in the state. 191

(20) A provision recognizing the authority of the department 192
of education to take over the sponsorship of the school in 193
accordance with the provisions of division (C) of section 3314.015 194
of the Revised Code; 195

(21) A provision recognizing the sponsor's authority to 196
assume the operation of a school under the conditions specified in 197
division (B) of section 3314.073 of the Revised Code; 198

(22) A provision recognizing both of the following: 199

(a) The authority of public health and safety officials to 200
inspect the facilities of the school and to order the facilities 201
closed if those officials find that the facilities are not in 202
compliance with health and safety laws and regulations; 203

(b) The authority of the department of education as the 204
community school oversight body to suspend the operation of the 205
school under section 3314.072 of the Revised Code if the 206
department has evidence of conditions or violations of law at the 207
school that pose an imminent danger to the health and safety of 208
the school's students and employees and the sponsor refuses to 209
take such action. 210

(23) A description of the learning opportunities that will be 211
offered to students including both classroom-based and 212
non-classroom-based learning opportunities that is in compliance 213
with criteria for student participation established by the 214
department under division (H)(2) of section 3314.08 of the Revised 215
Code; 216

(24) The school will comply with sections 3302.04 and 217
3302.041 of the Revised Code, except that any action required to 218
be taken by a school district pursuant to those sections shall be 219
taken by the sponsor of the school. However, the sponsor shall not 220
be required to take any action described in division (F) of 221
section 3302.04 of the Revised Code. 222

(25) Beginning in the 2006-2007 school year, the school will 223
open for operation not later than the thirtieth day of September 224
each school year, unless the mission of the school as specified 225
under division (A)(2) of this section is solely to serve dropouts. 226
In its initial year of operation, if the school fails to open by 227
the thirtieth day of September, or within one year after the 228
adoption of the contract pursuant to division (D) of section 229
3314.02 of the Revised Code if the mission of the school is solely 230
to serve dropouts, the contract shall be void. 231

(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.

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

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

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

(2) Monitor and evaluate the academic and fiscal performance	262
and the organization and operation of the community school on at	263
least an annual basis;	264
(3) Report on an annual basis the results of the evaluation	265
conducted under division (D)(2) of this section to the department	266
of education and to the parents of students enrolled in the	267
community school;	268
(4) Provide technical assistance to the community school in	269
complying with laws applicable to the school and terms of the	270
contract;	271
(5) Take steps to intervene in the school's operation to	272
correct problems in the school's overall performance, declare the	273
school to be on probationary status pursuant to section 3314.073	274
of the Revised Code, suspend the operation of the school pursuant	275
to section 3314.072 of the Revised Code, or terminate the contract	276
of the school pursuant to section 3314.07 of the Revised Code as	277
determined necessary by the sponsor;	278
(6) Have in place a plan of action to be undertaken in the	279
event the community school experiences financial difficulties or	280
closes prior to the end of a school year.	281
(E) Upon the expiration of a contract entered into under this	282
section, the sponsor of a community school may, with the approval	283
of the governing authority of the school, renew that contract for	284
a period of time determined by the sponsor, but not ending earlier	285
than the end of any school year, if the sponsor finds that the	286
school's compliance with applicable laws and terms of the contract	287
and the school's progress in meeting the academic goals prescribed	288
in the contract have been satisfactory. Any contract that is	289
renewed under this division remains subject to the provisions of	290
sections 3314.07, 3314.072, and 3314.073 of the Revised Code.	291
(F) If a community school fails to open for operation within	292

one year after the contract entered into under this section is 293
adopted pursuant to division (D) of section 3314.02 of the Revised 294
Code or permanently closes prior to the expiration of the 295
contract, the contract shall be void and the school shall not 296
enter into a contract with any other sponsor. A school shall not 297
be considered permanently closed because the operations of the 298
school have been suspended pursuant to section 3314.072 of the 299
Revised Code. 300

Sec. 3326.11. Each science, technology, engineering, and 301
mathematics school established under this chapter and its 302
governing body shall comply with sections 9.90, 9.91, 109.65, 303
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 304
3301.0714, 3301.0715, 3313.14, 3313.15, 3313.16, 3313.18, 305
3313.201, 3313.26, 3313.472, 3313.48, 3313.481, 3313.482, 3313.50, 306
3313.536, 3313.539, 3313.608, 3313.6012, 3313.6013, 3313.6014, 307
3313.6015, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 308
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 309
3313.667, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 310
3313.716, 3313.718, 3313.719, 3313.80, 3313.801, 3313.814, 311
3313.816, 3313.817, 3313.86, 3313.89, 3313.96, 3319.073, 3319.21, 312
3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 313
3321.01, 3321.041, 3321.13, 3321.14, 3321.17, 3321.18, 3321.19, 314
3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 315
102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 316
4123., 4141., and 4167. of the Revised Code as if it were a school 317
district. 318

Sec. 3328.24. A college-preparatory boarding school 319
established under this chapter and its board of trustees shall 320
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 321
3301.0714, 3313.6411, 3313.89, 3319.39, and 3319.391 of the 322
Revised Code as if the school were a school district and the 323

school's board of trustees were a district board of education. 324

Sec. 6301.15. Not later than September 1, 2014, the director 325
of job and family services, in consultation with the 326
superintendent of public instruction and the director of the 327
governor's office of workforce transformation, shall develop and 328
maintain an online education and career planning tool to assist 329
students in developing education and career plans. The director of 330
job and family services also shall provide information regarding 331
the online planning tool and all appropriate web site links, 332
including a link to the OhioMeansJobs web site, to the department 333
of education not later than that date. The director of job and 334
family services shall periodically update the online education and 335
career planning tool and other information as determined necessary 336
by the director and shall provide the updates to the department of 337
education. 338

The department of education shall post the information 339
received from the director of job and family services under this 340
section in a prominent location on the department's web site. 341

Section 2. That existing sections 3314.03, 3326.11, and 342
3328.24 of the Revised Code are hereby repealed. 343