

**As Introduced**

**135th General Assembly  
Regular Session  
2023-2024**

**H. B. No. 63**

**Representative Humphrey**

**Cosponsors: Representatives McNally, Weinstein, Miller, A., Upchurch, Forhan,  
Brewer, Isaacsohn, Skindell**

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**A BILL**

To amend sections 3314.03, 3326.11, and 3328.24 and 1  
to enact section 3313.6030 of the Revised Code 2  
to require public and chartered nonpublic 3  
schools to provide conflict resolution 4  
instruction to students in grades kindergarten 5  
through twelve. 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 section 3313.6030 of the Revised Code be enacted to 8  
read as follows: 9

**Sec. 3313.6030.** (A) Beginning with the first full school 10  
year that begins after the effective date of this section, each 11  
city, exempted village, and local school district and chartered 12  
nonpublic school shall provide classroom instruction on conflict 13  
resolution to students in grades kindergarten through twelve. 14  
The instruction shall be integrated into an appropriate course 15  
of study as determined by each school. 16

(B) The conflict resolution instruction provided under 17

<u>this section shall be age-appropriate and provide information,</u>	18
<u>including the following topics:</u>	19
<u>(1) Skills of conflict resolution, including methods of</u>	20
<u>diffusing conflict situations and resolving differences</u>	21
<u>amicably;</u>	22
<u>(2) The mediation process;</u>	23
<u>(3) Respect for and awareness of different cultures,</u>	24
<u>beliefs, religions, races, gender identities, and sexual</u>	25
<u>orientations, including empathy and compassion for others;</u>	26
<u>(4) Effective communication;</u>	27
<u>(5) Establishing and maintaining positive social</u>	28
<u>relationships;</u>	29
<u>(6) Effectively managing emotions;</u>	30
<u>(7) Making responsible decisions;</u>	31
<u>(8) The correlation between conflict and violence,</u>	32
<u>including gun violence.</u>	33
<u>(C) In developing and implementing the conflict resolution</u>	34
<u>instruction required under this section, districts and schools</u>	35
<u>may use available public-private partnerships, materials,</u>	36
<u>existing curricula or programs, or other resources.</u>	37
<u>(D) Not later than six months after the effective date of</u>	38
<u>this section, the department of education shall compile a list</u>	39
<u>of appropriate curricula and materials that districts and</u>	40
<u>schools may use to comply with the conflict resolution</u>	41
<u>instruction required under this section. The department shall</u>	42
<u>publish the list on its web site.</u>	43
<u>(E) Beginning with the first full school year that begins</u>	44

after the effective date of this section, the department shall 45  
make available to all districts and schools in-service training 46  
programs based on the conflict resolution instruction required 47  
under this section. The department shall periodically review and 48  
modify the in-service training programs to provide the most 49  
current information. 50

(F) Beginning with the first day of July of the first full 51  
school year that begins after the effective date of this section 52  
and every three years thereafter, each district and school shall 53  
provide, as part of the school's in-service training, programs 54  
based on the conflict resolution instruction requirements 55  
established under this section for all teachers whose teaching 56  
responsibilities include courses of study in which the mandated 57  
conflict resolution instruction is integrated. A school may use 58  
the in-service training programs developed by the department 59  
under this section or alternative programs that are consistent 60  
with the provisions of this section. 61

Training completed under this division shall qualify as a 62  
professional development activity for the renewal of educator 63  
licenses, in addition to activities approved by local 64  
professional development committees under division (F) of 65  
section 3319.22 of the Revised Code. 66

**Sec. 3314.03.** A copy of every contract entered into under 67  
this section shall be filed with the superintendent of public 68  
instruction. The department of education shall make available on 69  
its web site a copy of every approved, executed contract filed 70  
with the superintendent under this section. 71

(A) Each contract entered into between a sponsor and the 72  
governing authority of a community school shall specify the 73  
following: 74

(1) That the school shall be established as either of the	75
following:	76
(a) A nonprofit corporation established under Chapter	77
1702. of the Revised Code, if established prior to April 8,	78
2003;	79
(b) A public benefit corporation established under Chapter	80
1702. of the Revised Code, if established after April 8, 2003.	81
(2) The education program of the school, including the	82
school's mission, the characteristics of the students the school	83
is expected to attract, the ages and grades of students, and the	84
focus of the curriculum;	85
(3) The academic goals to be achieved and the method of	86
measurement that will be used to determine progress toward those	87
goals, which shall include the statewide achievement	88
assessments;	89
(4) Performance standards, including but not limited to	90
all applicable report card measures set forth in section 3302.03	91
or 3314.017 of the Revised Code, by which the success of the	92
school will be evaluated by the sponsor;	93
(5) The admission standards of section 3314.06 of the	94
Revised Code and, if applicable, section 3314.061 of the Revised	95
Code;	96
(6) (a) Dismissal procedures;	97
(b) A requirement that the governing authority adopt an	98
attendance policy that includes a procedure for automatically	99
withdrawing a student from the school if the student without a	100
legitimate excuse fails to participate in seventy-two	101
consecutive hours of the learning opportunities offered to the	102

student.	103
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	104 105
(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.	106 107 108 109 110 111
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	112 113
(a) A detailed description of each facility used for instructional purposes;	114 115
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	116 117
(c) The annual mortgage principal and interest payments that are paid by the school;	118 119
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	120 121 122
(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 or forty hours per week pursuant to section 3319.301 of the Revised Code.	123 124 125 126 127 128
(11) That the school will comply with the following requirements:	129 130

(a) The school will provide learning opportunities to a 131  
minimum of twenty-five students for a minimum of nine hundred 132  
twenty hours per school year. 133

(b) The governing authority will purchase liability 134  
insurance, or otherwise provide for the potential liability of 135  
the school. 136

(c) The school will be nonsectarian in its programs, 137  
admission policies, employment practices, and all other 138  
operations, and will not be operated by a sectarian school or 139  
religious institution. 140

(d) The school will comply with sections 9.90, 9.91, 141  
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 142  
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 143  
3313.472, 3313.50, 3313.539, 3313.5310, 3313.608, 3313.609, 144  
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 145  
3313.6024, 3313.6025, 3313.6026, 3313.6030, 3313.643, 3313.648, 146  
3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 147  
3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 148  
3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 149  
3313.7112, 3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 150  
3313.818, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 151  
3319.078, 3319.238, 3319.318, 3319.321, 3319.39, 3319.391, 152  
3319.393, 3319.41, 3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 153  
3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 154  
3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 155  
5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 156  
4123., 4141., and 4167. of the Revised Code as if it were a 157  
school district and will comply with section 3301.0714 of the 158  
Revised Code in the manner specified in section 3314.17 of the 159  
Revised Code. 160

(e) The school shall comply with Chapter 102. and section 161  
2921.42 of the Revised Code. 162

(f) The school will comply with sections 3313.61, 163  
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 164  
Revised Code, except that for students who enter ninth grade for 165  
the first time before July 1, 2010, the requirement in sections 166  
3313.61 and 3313.611 of the Revised Code that a person must 167  
successfully complete the curriculum in any high school prior to 168  
receiving a high school diploma may be met by completing the 169  
curriculum adopted by the governing authority of the community 170  
school rather than the curriculum specified in Title XXXVIII of 171  
the Revised Code or any rules of the state board of education. 172  
Beginning with students who enter ninth grade for the first time 173  
on or after July 1, 2010, the requirement in sections 3313.61 174  
and 3313.611 of the Revised Code that a person must successfully 175  
complete the curriculum of a high school prior to receiving a 176  
high school diploma shall be met by completing the requirements 177  
prescribed in section 3313.6027 and division (C) of section 178  
3313.603 of the Revised Code, unless the person qualifies under 179  
division (D) or (F) of that section. Each school shall comply 180  
with the plan for awarding high school credit based on 181  
demonstration of subject area competency, and beginning with the 182  
2017-2018 school year, with the updated plan that permits 183  
students enrolled in seventh and eighth grade to meet curriculum 184  
requirements based on subject area competency adopted by the 185  
state board of education under divisions (J) (1) and (2) of 186  
section 3313.603 of the Revised Code. Beginning with the 2018- 187  
2019 school year, the school shall comply with the framework for 188  
granting units of high school credit to students who demonstrate 189  
subject area competency through work-based learning experiences, 190  
internships, or cooperative education developed by the 191

department under division (J) (3) of section 3313.603 of the Revised Code. 192  
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(g) The school governing authority will submit within four months after the end of each school year a report of its activities and progress in meeting the goals and standards of divisions (A) (3) and (4) of this section and its financial status to the sponsor and the parents of all students enrolled in the school. 194  
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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. 200  
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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. 203  
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(j) If the school operates a preschool program that is licensed by the department of education under sections 3301.52 to 3301.59 of the Revised Code, the school shall comply with sections 3301.50 to 3301.59 of the Revised Code and the minimum standards for preschool programs prescribed in rules adopted by the state board under section 3301.53 of the Revised Code. 210  
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(k) The school will comply with sections 3313.6021 and 3313.6023 of the Revised Code as if it were a school district unless it is either of the following: 216  
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(i) An internet- or computer-based community school; 219

(ii) A community school in which a majority of the 220



enrolled students are children with disabilities as described in	221
division (A) (4) (b) of section 3314.35 of the Revised Code.	222
(1) The school will comply with section 3321.191 of the	223
Revised Code, unless it is an internet- or computer-based	224
community school that is subject to section 3314.261 of the	225
Revised Code.	226
(12) Arrangements for providing health and other benefits	227
to employees;	228
(13) The length of the contract, which shall begin at the	229
beginning of an academic year. No contract shall exceed five	230
years unless such contract has been renewed pursuant to division	231
(E) of this section.	232
(14) The governing authority of the school, which shall be	233
responsible for carrying out the provisions of the contract;	234
(15) A financial plan detailing an estimated school budget	235
for each year of the period of the contract and specifying the	236
total estimated per pupil expenditure amount for each such year.	237
(16) Requirements and procedures regarding the disposition	238
of employees of the school in the event the contract is	239
terminated or not renewed pursuant to section 3314.07 of the	240
Revised Code;	241
(17) Whether the school is to be created by converting all	242
or part of an existing public school or educational service	243
center building or is to be a new start-up school, and if it is	244
a converted public school or service center building,	245
specification of any duties or responsibilities of an employer	246
that the board of education or service center governing board	247
that operated the school or building before conversion is	248
delegating to the governing authority of the community school	249

with respect to all or any specified group of employees provided 250  
the delegation is not prohibited by a collective bargaining 251  
agreement applicable to such employees; 252

(18) Provisions establishing procedures for resolving 253  
disputes or differences of opinion between the sponsor and the 254  
governing authority of the community school; 255

(19) A provision requiring the governing authority to 256  
adopt a policy regarding the admission of students who reside 257  
outside the district in which the school is located. That policy 258  
shall comply with the admissions procedures specified in 259  
sections 3314.06 and 3314.061 of the Revised Code and, at the 260  
sole discretion of the authority, shall do one of the following: 261

(a) Prohibit the enrollment of students who reside outside 262  
the district in which the school is located; 263

(b) Permit the enrollment of students who reside in 264  
districts adjacent to the district in which the school is 265  
located; 266

(c) Permit the enrollment of students who reside in any 267  
other district in the state. 268

(20) A provision recognizing the authority of the 269  
department of education to take over the sponsorship of the 270  
school in accordance with the provisions of division (C) of 271  
section 3314.015 of the Revised Code; 272

(21) A provision recognizing the sponsor's authority to 273  
assume the operation of a school under the conditions specified 274  
in division (B) of section 3314.073 of the Revised Code; 275

(22) A provision recognizing both of the following: 276

(a) The authority of public health and safety officials to 277

inspect the facilities of the school and to order the facilities 278  
closed if those officials find that the facilities are not in 279  
compliance with health and safety laws and regulations; 280

(b) The authority of the department of education as the 281  
community school oversight body to suspend the operation of the 282  
school under section 3314.072 of the Revised Code if the 283  
department has evidence of conditions or violations of law at 284  
the school that pose an imminent danger to the health and safety 285  
of the school's students and employees and the sponsor refuses 286  
to take such action. 287

(23) A description of the learning opportunities that will 288  
be offered to students including both classroom-based and non- 289  
classroom-based learning opportunities that is in compliance 290  
with criteria for student participation established by the 291  
department under division (H) (2) of section 3314.08 of the 292  
Revised Code; 293

(24) The school will comply with sections 3302.04 and 294  
3302.041 of the Revised Code, except that any action required to 295  
be taken by a school district pursuant to those sections shall 296  
be taken by the sponsor of the school. However, the sponsor 297  
shall not be required to take any action described in division 298  
(F) of section 3302.04 of the Revised Code. 299

(25) Beginning in the 2006-2007 school year, the school 300  
will open for operation not later than the thirtieth day of 301  
September each school year, unless the mission of the school as 302  
specified under division (A) (2) of this section is solely to 303  
serve dropouts. In its initial year of operation, if the school 304  
fails to open by the thirtieth day of September, or within one 305  
year after the adoption of the contract pursuant to division (D) 306  
of section 3314.02 of the Revised Code if the mission of the 307

school is solely to serve dropouts, the contract shall be void.	308
(26) Whether the school's governing authority is planning	309
to seek designation for the school as a STEM school equivalent	310
under section 3326.032 of the Revised Code;	311
(27) That the school's attendance and participation	312
policies will be available for public inspection;	313
(28) That the school's attendance and participation	314
records shall be made available to the department of education,	315
auditor of state, and school's sponsor to the extent permitted	316
under and in accordance with the "Family Educational Rights and	317
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended,	318
and any regulations promulgated under that act, and section	319
3319.321 of the Revised Code;	320
(29) If a school operates using the blended learning	321
model, as defined in section 3301.079 of the Revised Code, all	322
of the following information:	323
(a) An indication of what blended learning model or models	324
will be used;	325
(b) A description of how student instructional needs will	326
be determined and documented;	327
(c) The method to be used for determining competency,	328
granting credit, and promoting students to a higher grade level;	329
(d) The school's attendance requirements, including how	330
the school will document participation in learning	331
opportunities;	332
(e) A statement describing how student progress will be	333
monitored;	334

(f) A statement describing how private student data will be protected;	335 336
(g) A description of the professional development activities that will be offered to teachers.	337 338
(30) 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 interest at a fair market rate;	339 340 341 342
(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.	343 344 345 346 347
(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.	348 349 350 351 352
(33) A provision requiring the governing authority to adopt a student residence and address verification policy for students enrolling in or attending the school.	353 354 355
(B) The community school shall also submit to the sponsor a comprehensive plan for the school. The plan shall specify the following:	356 357 358
(1) The process by which the governing authority of the school will be selected in the future;	359 360
(2) The management and administration of the school;	361
(3) If the community school is a currently existing public	362

school or educational service center building, alternative 363  
arrangements for current public school students who choose not 364  
to attend the converted school and for teachers who choose not 365  
to teach in the school or building after conversion; 366

(4) The instructional program and educational philosophy 367  
of the school; 368

(5) Internal financial controls. 369

When submitting the plan under this division, the school 370  
shall also submit copies of all policies and procedures 371  
regarding internal financial controls adopted by the governing 372  
authority of the school. 373

(C) A contract entered into under section 3314.02 of the 374  
Revised Code between a sponsor and the governing authority of a 375  
community school may provide for the community school governing 376  
authority to make payments to the sponsor, which is hereby 377  
authorized to receive such payments as set forth in the contract 378  
between the governing authority and the sponsor. The total 379  
amount of such payments for monitoring, oversight, and technical 380  
assistance of the school shall not exceed three per cent of the 381  
total amount of payments for operating expenses that the school 382  
receives from the state. 383

(D) The contract shall specify the duties of the sponsor 384  
which shall be in accordance with the written agreement entered 385  
into with the department of education under division (B) of 386  
section 3314.015 of the Revised Code and shall include the 387  
following: 388

(1) Monitor the community school's compliance with all 389  
laws applicable to the school and with the terms of the 390  
contract; 391

(2) Monitor and evaluate the academic and fiscal	392
performance and the organization and operation of the community	393
school on at least an annual basis;	394
(3) Report on an annual basis the results of the	395
evaluation conducted under division (D)(2) of this section to	396
the department of education and to the parents of students	397
enrolled in the community school;	398
(4) Provide technical assistance to the community school	399
in complying with laws applicable to the school and terms of the	400
contract;	401
(5) Take steps to intervene in the school's operation to	402
correct problems in the school's overall performance, declare	403
the school to be on probationary status pursuant to section	404
3314.073 of the Revised Code, suspend the operation of the	405
school pursuant to section 3314.072 of the Revised Code, or	406
terminate the contract of the school pursuant to section 3314.07	407
of the Revised Code as determined necessary by the sponsor;	408
(6) Have in place a plan of action to be undertaken in the	409
event the community school experiences financial difficulties or	410
closes prior to the end of a school year.	411
(E) Upon the expiration of a contract entered into under	412
this section, the sponsor of a community school may, with the	413
approval of the governing authority of the school, renew that	414
contract for a period of time determined by the sponsor, but not	415
ending earlier than the end of any school year, if the sponsor	416
finds that the school's compliance with applicable laws and	417
terms of the contract and the school's progress in meeting the	418
academic goals prescribed in the contract have been	419
satisfactory. Any contract that is renewed under this division	420

remains subject to the provisions of sections 3314.07, 3314.072, 421  
and 3314.073 of the Revised Code. 422

(F) If a community school fails to open for operation 423  
within one year after the contract entered into under this 424  
section is adopted pursuant to division (D) of section 3314.02 425  
of the Revised Code or permanently closes prior to the 426  
expiration of the contract, the contract shall be void and the 427  
school shall not enter into a contract with any other sponsor. A 428  
school shall not be considered permanently closed because the 429  
operations of the school have been suspended pursuant to section 430  
3314.072 of the Revised Code. 431

**Sec. 3326.11.** Each science, technology, engineering, and 432  
mathematics school established under this chapter and its 433  
governing body shall comply with sections 9.90, 9.91, 109.65, 434  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 435  
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 436  
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 437  
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.608, 438  
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 439  
3313.6021, 3313.6024, 3313.6025, 3313.6026, 3313.6030, 3313.61, 440  
3313.611, 3313.614, 3313.615, 3313.617, 3313.618, 3313.6114, 441  
3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 442  
3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 443  
3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 444  
3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 3313.801, 445  
3313.814, 3313.816, 3313.817, 3313.818, 3313.86, 3313.89, 446  
3313.96, 3319.073, 3319.077, 3319.078, 3319.21, 3319.238, 447  
3319.318, 3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 448  
3319.393, 3319.41, 3319.45, 3319.46, 3320.01, 3320.02, 3320.03, 449  
3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 3321.17, 450  
3321.18, 3321.19, 3321.191, 3323.251, 3327.10, 4111.17, 4113.52, 451



5502.262, 5502.703, and 5705.391 and Chapters 102., 117., 1347., 452  
2744., 3307., 3309., 3365., 3742., 4112., 4123., 4141., and 453  
4167. of the Revised Code as if it were a school district. 454

**Sec. 3328.24.** A college-preparatory boarding school 455  
established under this chapter and its board of trustees shall 456  
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 457  
3301.0714, 3301.0729, 3301.948, 3302.037, 3313.6013, 3313.6021, 458  
3313.6024, 3313.6025, 3313.6026, 3313.6030, 3313.617, 3313.618, 459  
3313.6114, 3313.6411, 3313.668, 3313.669, 3313.6610, 3313.7112, 460  
3313.721, 3313.89, 3319.073, 3319.077, 3319.078, 3319.318, 461  
3319.39, 3319.391, 3319.393, 3319.46, 3320.01, 3320.02, 3320.03, 462  
3323.251, and 5502.262, and Chapter 3365. of the Revised Code as 463  
if the school were a school district and the school's board of 464  
trustees were a district board of education. 465

**Section 2.** That existing sections 3314.03, 3326.11, and 466  
3328.24 of the Revised Code are hereby repealed. 467

**Section 3.** Section 3328.24 of the Revised Code is 468  
presented in this act as a composite of the section as amended 469  
by both H.B. 82 and H.B. 110 of the 134th General Assembly. The 470  
General Assembly, applying the principle stated in division (B) 471  
of section 1.52 of the Revised Code that amendments are to be 472  
harmonized if reasonably capable of simultaneous operation, 473  
finds that the composite is the resulting version of the section 474  
in effect prior to the effective date of the section as 475  
presented in this act. 476