

As Introduced

133rd General Assembly

Regular Session

2019-2020

H. B. No. 123

Representatives Holmes, G., Manning, G.

A BILL

To amend sections 3313.536, 3313.60, 3314.03, 1
3319.073, 3326.11, and 3328.24 and to enact 2
sections 3301.221, 3301.23, 3313.669, 3313.6610, 3
3313.6611, and 3313.6612 of the Revised Code 4
with regard to school security and youth suicide 5
awareness education and training. 6

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

Section 1. That sections 3313.536, 3313.60, 3314.03, 7
3319.073, 3326.11, and 3328.24 be amended and sections 3301.221, 8
3301.23, 3313.669, 3313.6610, 3313.6611, and 3313.6612 of the 9
Revised Code be enacted to read as follows: 10

Sec. 3301.221. (A) As used in this section and in sections 11
3313.60 and 3313.669 of the Revised Code, "evidence-based" means 12
a program or practice that does either of the following: 13

(1) Demonstrates a rationale based on high-quality 14
research findings or positive evaluation that such a program or 15
practice is likely to improve relevant outcomes and includes 16
ongoing efforts to examine the effects of the program or 17
practice; 18

(2) Have a statistically significant effect on relevant 19

| | |
|---|----|
| <u>outcomes based on:</u> | 20 |
| <u>(a) Strong evidence from not less than one well-designed</u> | 21 |
| <u>and well-implemented experimental study;</u> | 22 |
| <u>(b) Moderate evidence from not less than one well-designed</u> | 23 |
| <u>and well-implemented quasi-experimental study; or</u> | 24 |
| <u>(c) Promising evidence from not less than one well-</u> | 25 |
| <u>designed and well-implemented correlation study with statistical</u> | 26 |
| <u>controls for selection bias.</u> | 27 |
| <u>(B) Not later than two years after the effective date of</u> | 28 |
| <u>this section, the department of education shall develop a model</u> | 29 |
| <u>policy and a list of approved training programs to serve as a</u> | 30 |
| <u>guide for school threat assessment teams prescribed in section</u> | 31 |
| <u>3313.669 of the Revised Code. The list of approved programs</u> | 32 |
| <u>shall include options that are free or of no cost to schools.</u> | 33 |
| <u>The model policy shall do at least the following:</u> | 34 |
| <u>(1) Identify the types of threatening behavior that may</u> | 35 |
| <u>represent a physical threat to a school community;</u> | 36 |
| <u>(2) Identify individuals to whom threatening behavior</u> | 37 |
| <u>should be reported and steps to be taken by those individuals;</u> | 38 |
| <u>(3) Establish threat assessment guidelines including</u> | 39 |
| <u>identification, evaluation of seriousness of threat or danger,</u> | 40 |
| <u>intervention to reduce potential violence, and follow-up to</u> | 41 |
| <u>assess intervention results;</u> | 42 |
| <u>(4) Establish guidelines for coordinating with local law</u> | 43 |
| <u>enforcement agencies and reports collected through the hotline</u> | 44 |
| <u>operated by the department, as described in section 3301.23 of</u> | 45 |
| <u>the Revised Code;</u> | 46 |
| <u>(5) Establish guidelines for disciplinary actions in cases</u> | 47 |

when a credible threat has been identified so that such 48
disciplinary actions do not discriminate against students in a 49
protected class based on membership in that class, or are not 50
applied disproportionately to students in any protected class. 51

(C) The department shall adopt a model curriculum and 52
materials and develop a list of approved training programs, to 53
be posted on its web site, for instruction in suicide awareness 54
and prevention and violence prevention as prescribed under 55
division (A) (5) (h) of section 3313.60 and division (D) of 56
section 3319.073 of the Revised Code. The list of approved 57
training programs shall include options that are free or of no 58
cost to schools. The model curriculum and approved training 59
materials and programs shall be peer-reviewed and evidence-based 60
and include the following: 61

(1) How to instruct school personnel to identify the signs 62
and symptoms of depression, suicide, and self-harm in students; 63

(2) How to instruct students to identify the signs and 64
symptoms of depression, suicide, and self-harm in their peers; 65

(3) How to identify appropriate mental health services 66
within schools and within larger communities, and when and how 67
to refer youth and their families to those services; 68

(4) How to teach students about mental health and 69
depression, warning signs of suicide, and the importance of and 70
processes for seeking help on behalf of self and peers and 71
reporting of these behaviors. 72

(D) The department shall adopt a model curriculum and 73
materials and develop a list of approved training programs, to 74
be posted on its web site, for instruction in social inclusion 75
as prescribed by division (A) (5) (i) of section 3313.60 of the 76

Revised Code. The list of approved training programs shall 77
include options that are free or of no cost to schools. The 78
model curriculum and approved training programs shall be peer- 79
reviewed and evidence-based and include the following: 80

(1) What social isolation is and how to identify it in 81
others; 82

(2) The importance of social inclusion and establishing 83
connections with peers; 84

(3) When and how to seek help for peers who may be 85
socially isolated; 86

(4) How to utilize strategies for more social inclusion in 87
classrooms and the school community. 88

Sec. 3301.23. (A) The department of education, in 89
collaboration with other state agencies, shall develop a 90
statewide anonymous reporting program that enables any person to 91
anonymously report any dangerous, violent, or unlawful activity 92
that occurs or may occur on school property or relates to a 93
school community. The program shall do all of the following: 94

(1) Provide technical support twenty-four hours per day, 95
seven days per week; 96

(2) Promptly forward reported information to the 97
appropriate school threat assessment teams, as described under 98
section 3313.669 of the Revised Code, law enforcement agencies, 99
and other necessary personnel, as determined by the 100
superintendent of public instruction; 101

(3) Coordinate with the appropriate entities listed in 102
school comprehensive emergency management plans, as prescribed 103
in division (B) of section 3313.536 of the Revised Code; 104

(4) Promote awareness and education in all public schools 105
and school communities about the program and reporting methods; 106

(5) Coordinate with existing student and school training 107
programs on how to identify, assess, and respond to threatening 108
behaviors before they escalate to violence, the procedures for 109
making a report, and collaborating to prevent dangerous, 110
violent, or unlawful activity; 111

(6) Comply with section 3319.321 of the Revised Code and 112
the "Family Educational Rights and Privacy Act of 1974," 20 113
U.S.C. 1232g. 114

(B) The department may enter into a contract with a 115
qualified organization to assist in meeting the requirements of 116
this section. 117

(C) Each school district and public school shall 118
participate in the program in accordance with section 3313.6610 119
of the Revised Code. 120

(D) The department shall identify and compile a database 121
of individuals responsible for the implementation, coordination, 122
and delivery of the program for each school. The database shall 123
at least include the following: 124

(1) A point of contact within each law enforcement agency 125
that has jurisdiction over each school; 126

(2) A primary point of contact within each school who is 127
responsible for managing the school threat assessment team 128
described in section 3313.669 of the Revised Code. 129

Sec. 3313.536. (A) As used in this section: 130

(1) "Administrator" means the superintendent, principal, 131
chief administrative officer, or other person having supervisory 132

authority of any of the following: 133

(a) A city, exempted village, local, or joint vocational 134
school district; 135

(b) A community school established under Chapter 3314. of 136
the Revised Code, as required through reference in division (A) 137
(11) (d) of section 3314.03 of the Revised Code; 138

(c) A STEM school established under Chapter 3326. of the 139
Revised Code, as required through reference in section 3326.11 140
of the Revised Code; 141

(d) A college-preparatory boarding school established 142
under Chapter 3328. of the Revised Code; 143

(e) A district or school operating a career-technical 144
education program approved by the department of education under 145
section 3317.161 of the Revised Code; 146

(f) A chartered nonpublic school; 147

(g) An educational service center; 148

(h) A preschool program or school-age child care program 149
licensed by the department of education; 150

(i) Any other facility that primarily provides educational 151
services to children subject to regulation by the department of 152
education. 153

(2) "Emergency management test" means a regularly 154
scheduled drill, exercise, or activity designed to assess and 155
evaluate an emergency management plan under this section. 156

(3) "Building" means any school, school building, 157
facility, program, or center. 158

(B) (1) Each administrator shall develop and adopt a 159

comprehensive emergency management plan, in accordance with 160
rules adopted by the state board of education pursuant to 161
division (F) of this section, and a school threat assessment 162
plan for each building under the administrator's control. The 163
administrator shall examine the environmental conditions and 164
operations of each building to determine potential hazards to 165
student and staff safety and shall propose operating changes to 166
promote the prevention of potentially dangerous problems and 167
circumstances. In developing the plan for each building, the 168
administrator shall involve community law enforcement and safety 169
officials, parents of students who are assigned to the building, 170
and teachers and nonteaching employees who are assigned to the 171
building. The administrator shall incorporate remediation 172
strategies into the plan for any building where documented 173
safety problems have occurred. 174

(2) Each administrator shall also incorporate into the 175
emergency management plan and the school threat assessment plan 176
adopted under division (B) (1) of this section all of the 177
following: 178

(a) A protocol for addressing serious threats to the 179
safety of property, students, employees, or administrators; 180

(b) A protocol for responding to any emergency events that 181
occur and compromise the safety of property, students, 182
employees, or administrators. This protocol shall include, but 183
not be limited to, all of the following: 184

(i) A floor plan that is unique to each floor of the 185
building; 186

(ii) A site plan that includes all building property and 187
surrounding property; 188

(iii) An emergency contact information sheet. 189

(3) Each protocol described in divisions (B) (2) (a) and (b) 190
of this section shall include procedures determined to be 191
appropriate by the administrator for responding to threats and 192
emergency events, respectively, including such things as 193
notification of appropriate law enforcement personnel, calling 194
upon specified emergency response personnel for assistance, and 195
informing parents of affected students. 196

Prior to the opening day of each school year, the 197
administrator shall inform each student or child enrolled in the 198
school and the student's or child's parent of the parental 199
notification procedures included in the protocol. 200

(4) Each administrator shall keep a copy of the emergency 201
management plan and the school threat assessment plan adopted 202
pursuant to this section in a secure place. 203

(C) (1) The administrator shall submit to the department of 204
education, in accordance with rules adopted by the state board 205
of education pursuant to division (F) of this section, an 206
electronic copy of the emergency management plan prescribed by 207
division (B) of this section not less than once every three 208
years and a school threat assessment plan prescribed by division 209
(B) of this section not less than once every two years, whenever 210
a major modification to the building requires changes in the 211
procedures outlined in the plan, and whenever information on the 212
emergency contact information sheet changes. 213

(2) The administrator also shall file a copy of the ~~plan~~ 214
plans with each law enforcement agency that has jurisdiction 215
over the school building and, upon request, to any of the 216
following: 217

(a) The fire department that serves the political 218
subdivision in which the building is located; 219

(b) The emergency medical service organization that serves 220
the political subdivision in which the building is located; 221

(c) The county emergency management agency for the county 222
in which the building is located. 223

(3) Upon receipt of an emergency management plan and the 224
school threat assessment plan, the department of education shall 225
submit the information in accordance with rules adopted by the 226
state board of education pursuant to division (F) of this 227
section, to both of the following: 228

(a) The attorney general, who shall post that information 229
on the Ohio law enforcement gateway or its successor; 230

(b) The director of public safety, who shall post the 231
information on the contact and information management system. 232

(4) Any department or entity to which copies of an 233
emergency management plan are filed under this section shall 234
keep the copies in a secure place. 235

(D) (1) Not later than the first day of July of each year, 236
each administrator shall review the emergency management plan 237
and the school threat assessment plan and certify to the 238
department of education that the ~~plan is~~ plans are current and 239
accurate. 240

(2) Anytime that an administrator updates the emergency 241
management plan pursuant to division (C) (1) of this section, the 242
administrator shall file copies, not later than the tenth day 243
after the revision is adopted and in accordance with rules 244
adopted by the state board pursuant to division (F) of this 245

section, to the department of education and to any entity with 246
which the administrator filed a copy under division (C) (2) of 247
this section. 248

(E) Each administrator shall do both of the following: 249

(1) Prepare and conduct at least one annual emergency 250
management test, as defined in division (A) (2) of this section, 251
in accordance with rules adopted by the state board pursuant to 252
division (F) of this section; 253

(2) Grant access to each building under the control of the 254
administrator to law enforcement personnel and to entities 255
described in division (C) (2) of this section, to enable the 256
personnel and entities to hold training sessions for responding 257
to threats and emergency events affecting the building, provided 258
that the access occurs outside of student instructional hours 259
and the administrator, or the administrator's designee, is 260
present in the building during the training sessions. 261

(F) The state board of education, in accordance with 262
Chapter 119. of the Revised Code, shall adopt rules regarding 263
emergency management plans and school threat assessment plans 264
under this section, including the content of the plans and 265
procedures for filing the plans. The rules shall specify that 266
plans and information required under division (B) of this 267
section be submitted on standardized forms developed by the 268
department of education for such purpose. The rules shall also 269
specify the requirements and procedures for emergency management 270
tests conducted pursuant to division (E) (1) of this section. 271
Failure to comply with the rules may result in discipline 272
pursuant to section 3319.31 of the Revised Code or any other 273
action against the administrator as prescribed by rule. 274

(G) Division (B) of section 3319.31 of the Revised Code 275
applies to any administrator who is subject to the requirements 276
of this section and is not exempt under division (H) of this 277
section and who is an applicant for a license or holds a license 278
from the state board pursuant to section 3319.22 of the Revised 279
Code. 280

(H) The superintendent of public instruction may exempt 281
any administrator from the requirements of this section, if the 282
superintendent determines that the requirements do not otherwise 283
apply to a building or buildings under the control of that 284
administrator. 285

(I) Copies of the emergency management plan, threat 286
assessment plan, and other information required under division 287
(B) of this section are security records and are not public 288
records pursuant to section 149.433 of the Revised Code. In 289
addition, the information posted to the contact and information 290
management system, pursuant to division (C) (3) (b) of this 291
section, is exempt from public disclosure or release in 292
accordance with sections 149.43, 149.433, and 5502.03 of the 293
Revised Code. 294

Notwithstanding section 149.433 of the Revised Code, a 295
floor plan filed with the attorney general pursuant to this 296
section is not a public record to the extent it is a record kept 297
by the attorney general. 298

Sec. 3313.60. Notwithstanding division (D) of section 299
3311.52 of the Revised Code, divisions (A) to (E) of this 300
section do not apply to any cooperative education school 301
district established pursuant to divisions (A) to (C) of section 302
3311.52 of the Revised Code. 303

(A) The board of education of each city, exempted village, 304
and local school district and the board of each cooperative 305
education school district established, pursuant to section 306
3311.521 of the Revised Code, shall prescribe a curriculum for 307
all schools under its control. Except as provided in division 308
(E) of this section, in any such curriculum there shall be 309
included the study of the following subjects: 310

(1) The language arts, including reading, writing, 311
spelling, oral and written English, and literature; 312

(2) Geography, the history of the United States and of 313
Ohio, and national, state, and local government in the United 314
States, including a balanced presentation of the relevant 315
contributions to society of men and women of African, Mexican, 316
Puerto Rican, and American Indian descent as well as other 317
ethnic and racial groups in Ohio and the United States; 318

(3) Mathematics; 319

(4) Natural science, including instruction in the 320
conservation of natural resources; 321

(5) Health education, which shall include instruction in: 322

(a) The nutritive value of foods, including natural and 323
organically produced foods, the relation of nutrition to health, 324
and the use and effects of food additives; 325

(b) The harmful effects of and legal restrictions against 326
the use of drugs of abuse, alcoholic beverages, and tobacco; 327

(c) Venereal disease education, except that upon written 328
request of the student's parent or guardian, a student shall be 329
excused from taking instruction in venereal disease education; 330

(d) In grades kindergarten through six, instruction in 331

personal safety and assault prevention, except that upon written
request of the student's parent or guardian, a student shall be
excused from taking instruction in personal safety and assault
prevention;

(e) In grades seven through twelve, age-appropriate
instruction in dating violence prevention education, which shall
include instruction in recognizing dating violence warning signs
and characteristics of healthy relationships.

In order to assist school districts in developing a dating
violence prevention education curriculum, the department of
education shall provide on its web site links to free curricula
addressing dating violence prevention.

If the parent or legal guardian of a student less than
eighteen years of age submits to the principal of the student's
school a written request to examine the dating violence
prevention instruction materials used at that school, the
principal, within a reasonable period of time after the request
is made, shall allow the parent or guardian to examine those
materials at that school.

(f) Prescription opioid abuse prevention, with an emphasis
on the prescription drug epidemic and the connection between
prescription opioid abuse and addiction to other drugs, such as
heroin;

(g) The process of making an anatomical gift under Chapter
2108. of the Revised Code, with an emphasis on the life-saving
and life-enhancing effects of organ and tissue donation;

(h) Beginning with the first day of the next school year
that begins at least two years after the effective date of this
amendment, in grades six through twelve, at least one hour per

school year of evidence-based suicide awareness and prevention 361
and at least one hour per year of safety training and violence 362
prevention; 363

(i) Beginning with the first day of the next school year 364
that begins at least two years after the effective date of this 365
amendment, in grades six through twelve, at least one hour per 366
school year of evidence-based social inclusion instruction. 367

For the instruction required under divisions (A) (5) (h) and 368
(i) of this section, the board may use the model policies and 369
training approved by the department of education under section 370
3301.221 of the Revised Code. 371

(6) Physical education; 372

(7) The fine arts, including music; 373

(8) First aid, including a training program in 374
cardiopulmonary resuscitation, which shall comply with section 375
3313.6021 of the Revised Code when offered in any of grades nine 376
through twelve, safety, and fire prevention. However, upon 377
written request of the student's parent or guardian, a student 378
shall be excused from taking instruction in cardiopulmonary 379
resuscitation. 380

(B) Except as provided in division (E) of this section, 381
every school or school district shall include in the 382
requirements for promotion from the eighth grade to the ninth 383
grade one year's course of study of American history. A board 384
may waive this requirement for academically accelerated students 385
who, in accordance with procedures adopted by the board, are 386
able to demonstrate mastery of essential concepts and skills of 387
the eighth grade American history course of study. 388

(C) As specified in divisions (B) (6) and (C) (6) of section 389

3313.603 of the Revised Code, except as provided in division (E) 390
of this section, every high school shall include in the 391
requirements for graduation from any curriculum one-half unit 392
each of American history and government. 393

(D) Except as provided in division (E) of this section, 394
basic instruction or demonstrated mastery in geography, United 395
States history, the government of the United States, the 396
government of the state of Ohio, local government in Ohio, the 397
Declaration of Independence, the United States Constitution, and 398
the Constitution of the state of Ohio shall be required before 399
pupils may participate in courses involving the study of social 400
problems, economics, foreign affairs, United Nations, world 401
government, socialism, and communism. 402

(E) For each cooperative education school district 403
established pursuant to section 3311.521 of the Revised Code and 404
each city, exempted village, and local school district that has 405
territory within such a cooperative district, the curriculum 406
adopted pursuant to divisions (A) to (D) of this section shall 407
only include the study of the subjects that apply to the grades 408
operated by each such school district. The curriculums for such 409
schools, when combined, shall provide to each student of these 410
districts all of the subjects required under divisions (A) to 411
(D) of this section. 412

(F) The board of education of any cooperative education 413
school district established pursuant to divisions (A) to (C) of 414
section 3311.52 of the Revised Code shall prescribe a curriculum 415
for the subject areas and grade levels offered in any school 416
under its control. 417

(G) Upon the request of any parent or legal guardian of a 418
student, the board of education of any school district shall 419

permit the parent or guardian to promptly examine, with respect 420
to the parent's or guardian's own child: 421

(1) Any survey or questionnaire, prior to its 422
administration to the child; 423

(2) Any textbook, workbook, software, video, or other 424
instructional materials being used by the district in connection 425
with the instruction of the child; 426

(3) Any completed and graded test taken or survey or 427
questionnaire filled out by the child; 428

(4) Copies of the statewide academic standards and each 429
model curriculum developed pursuant to section 3301.079 of the 430
Revised Code, which copies shall be available at all times 431
during school hours in each district school building. 432

Sec. 3313.669. (A) (1) Beginning not later than two years 433
after the effective date of this section, the board of education 434
of each local, city, exempted village, and joint vocational 435
school district shall create a certified threat assessment team 436
for each school building in the district serving grades six 437
through twelve. Upon appointment and once every three years 438
thereafter, each team member shall complete an approved 439
evidence-based threat assessment training program. 440

(2) Each district shall annually submit proof of 441
completion and certification of each team and its members to the 442
department of education. Each team shall be multidisciplinary, 443
when possible, and may include school administrators, mental 444
health professionals, school resource officers, and other 445
necessary personnel. 446

(B) An approved threat assessment training must be a peer- 447
reviewed, evidence-based program that provides instruction in 448

the following:

(1) Identifying behaviors, signs, and threats that may
lead to a violent act;

(2) Determining the seriousness of a threat;

(3) Developing intervention plans that protect the
potential victims and address the underlying problem or conflict
that initiated the behavior and assessments of plan results.

Sec. 3313.6610. (A) Beginning not later than two years
after the effective date of this section, each local, city,
exempted village, and joint vocational school district shall
participate in the anonymous reporting program developed under
section 3301.23 of the Revised Code.

(B) Each district shall submit a report to the department
of education at the end of the first full school year of the
district's participation in the program, and at the end of each
school year thereafter, disaggregated by school. The report
shall include the following:

(1) The number of anonymous reports and the method by
which they were received;

(2) The number and type of disciplinary actions taken in
the previous twelve months as a result of anonymous reports;

(3) The number and type of mental wellness referrals;

(4) The race and gender of the students subject to the
disciplinary actions and mental wellness referrals;

(5) The number of intentionally false tips received, if
any;

(6) Any other information the department deems necessary.

Sec. 3313.6611. (A) No adult, as defined in section 476
2151.011 of the Revised Code, shall recklessly make or cause 477
another adult to make a false report against a student through 478
the anonymous reporting program developed under section 3301.23 479
of the Revised Code. 480

(B) Whoever violates division (A) of this section is 481
guilty of making false alarms against a minor, a misdemeanor of 482
the third degree. 483

(C) If an anonymous report filed through the program is 484
determined to be false, information about the student who is the 485
subject of the false report shall be immediately removed from 486
the student's record, including those records held by the 487
school, school district, and any law enforcement agency. 488

Sec. 3313.6612. The board of education of a local, city, 489
exempted village, and joint vocational school district shall 490
create a student-led violence prevention club for each school 491
building in the district serving grades six through twelve. Each 492
club shall do the following: 493

(A) Be open to all members of the student body; 494

(B) Have at least one identified adult advisor; 495

(C) Implement and sustain suicide and violence prevention 496
and social inclusion training and awareness activities in a 497
manner that is in agreement with section 3301.221 of the Revised 498
Code; 499

(D) Foster opportunities for student leadership 500
development. 501

Sec. 3314.03. A copy of every contract entered into under 502
this section shall be filed with the superintendent of public 503

instruction. The department of education shall make available on 504
its web site a copy of every approved, executed contract filed 505
with the superintendent under this section. 506

(A) Each contract entered into between a sponsor and the 507
governing authority of a community school shall specify the 508
following: 509

(1) That the school shall be established as either of the 510
following: 511

(a) A nonprofit corporation established under Chapter 512
1702. of the Revised Code, if established prior to April 8, 513
2003; 514

(b) A public benefit corporation established under Chapter 515
1702. of the Revised Code, if established after April 8, 2003. 516

(2) The education program of the school, including the 517
school's mission, the characteristics of the students the school 518
is expected to attract, the ages and grades of students, and the 519
focus of the curriculum; 520

(3) The academic goals to be achieved and the method of 521
measurement that will be used to determine progress toward those 522
goals, which shall include the statewide achievement 523
assessments; 524

(4) Performance standards, including but not limited to 525
all applicable report card measures set forth in section 3302.03 526
or 3314.017 of the Revised Code, by which the success of the 527
school will be evaluated by the sponsor; 528

(5) The admission standards of section 3314.06 of the 529
Revised Code and, if applicable, section 3314.061 of the Revised 530
Code; 531

| | |
|---|--|
| (6) (a) Dismissal procedures; | 532 |
| (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. | 533 534 535 536 537 538 |
| (7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves; | 539 540 |
| (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. | 541 542 543 544 545 546 |
| (9) An addendum to the contract outlining the facilities to be used that contains at least the following information: | 547 548 |
| (a) A detailed description of each facility used for instructional purposes; | 549 550 |
| (b) The annual costs associated with leasing each facility that are paid by or on behalf of the school; | 551 552 |
| (c) The annual mortgage principal and interest payments that are paid by the school; | 553 554 |
| (d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any. | 555 556 557 |
| (10) Qualifications of teachers, including a requirement that the school's classroom teachers be licensed in accordance | 558 559 |

with sections 3319.22 to 3319.31 of the Revised Code, except 560
that a community school may engage noncertificated persons to 561
teach up to twelve hours per week pursuant to section 3319.301 562
of the Revised Code. 563

(11) That the school will comply with the following 564
requirements: 565

(a) The school will provide learning opportunities to a 566
minimum of twenty-five students for a minimum of nine hundred 567
twenty hours per school year. 568

(b) The governing authority will purchase liability 569
insurance, or otherwise provide for the potential liability of 570
the school. 571

(c) The school will be nonsectarian in its programs, 572
admission policies, employment practices, and all other 573
operations, and will not be operated by a sectarian school or 574
religious institution. 575

(d) The school will comply with sections 9.90, 9.91, 576
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 577
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3313.472, 578
3313.50, 3313.536, 3313.539, 3313.5310, 3313.608, 3313.609, 579
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.643, 580
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 581
3313.667, 3313.668, 3313.669, 3313.6610, 3313.6611, 3313.6612, 582
3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 583
3313.716, 3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 584
3313.814, 3313.816, 3313.817, 3313.86, 3313.89, 3313.96, 585
3319.073, 3319.074, 3319.321, 3319.39, 3319.391, 3319.41, 586
3319.46, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 587
3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 4113.52, and 588

5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code as if it were a school district and will comply with section 3301.0714 of the Revised Code in the manner specified in section 3314.17 of the Revised Code.

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

(f) The school will comply with sections 3313.61, 3313.611, and 3313.614 of the Revised Code, except that for students who enter ninth grade for the first time before July 1, 2010, the requirement in sections 3313.61 and 3313.611 of the Revised Code that a person must successfully complete the curriculum in any high school prior to receiving a high school diploma may be met by completing the curriculum adopted by the governing authority of the community school rather than the curriculum specified in Title XXXIII of the Revised Code or any rules of the state board of education. Beginning with students who enter ninth grade for the first time on or after July 1, 2010, the requirement in sections 3313.61 and 3313.611 of the Revised Code that a person must successfully complete the curriculum of a high school prior to receiving a high school diploma shall be met by completing the requirements prescribed in division (C) of section 3313.603 of the Revised Code, unless the person qualifies under division (D) or (F) of that section. Each school shall comply with the plan for awarding high school credit based on demonstration of subject area competency, and beginning with the 2017-2018 school year, with the updated plan that permits students enrolled in seventh and eighth grade to meet curriculum requirements based on subject area competency adopted by the state board of education under divisions (J) (1) and (2) of section 3313.603 of the Revised Code. Beginning with

the 2018-2019 school year, the school shall comply with the 620
framework for granting units of high school credit to students 621
who demonstrate subject area competency through work-based 622
learning experiences, internships, or cooperative education 623
developed by the department under division (J) (3) of section 624
3313.603 of the Revised Code. 625

(g) The school governing authority will submit within four 626
months after the end of each school year a report of its 627
activities and progress in meeting the goals and standards of 628
divisions (A) (3) and (4) of this section and its financial 629
status to the sponsor and the parents of all students enrolled 630
in the school. 631

(h) The school, unless it is an internet- or computer- 632
based community school, will comply with section 3313.801 of the 633
Revised Code as if it were a school district. 634

(i) If the school is the recipient of moneys from a grant 635
awarded under the federal race to the top program, Division (A), 636
Title XIV, Sections 14005 and 14006 of the "American Recovery 637
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 638
the school will pay teachers based upon performance in 639
accordance with section 3317.141 and will comply with section 640
3319.111 of the Revised Code as if it were a school district. 641

(j) If the school operates a preschool program that is 642
licensed by the department of education under sections 3301.52 643
to 3301.59 of the Revised Code, the school shall comply with 644
sections 3301.50 to 3301.59 of the Revised Code and the minimum 645
standards for preschool programs prescribed in rules adopted by 646
the state board under section 3301.53 of the Revised Code. 647

(k) The school will comply with sections 3313.6021 and 648

3313.6023 of the Revised Code as if it were a school district 649
unless it is either of the following: 650

(i) An internet- or computer-based community school; 651

(ii) A community school in which a majority of the 652
enrolled students are children with disabilities as described in 653
division (A) (4) (b) of section 3314.35 of the Revised Code. 654

(12) Arrangements for providing health and other benefits 655
to employees; 656

(13) The length of the contract, which shall begin at the 657
beginning of an academic year. No contract shall exceed five 658
years unless such contract has been renewed pursuant to division 659
(E) of this section. 660

(14) The governing authority of the school, which shall be 661
responsible for carrying out the provisions of the contract; 662

(15) A financial plan detailing an estimated school budget 663
for each year of the period of the contract and specifying the 664
total estimated per pupil expenditure amount for each such year. 665

(16) Requirements and procedures regarding the disposition 666
of employees of the school in the event the contract is 667
terminated or not renewed pursuant to section 3314.07 of the 668
Revised Code; 669

(17) Whether the school is to be created by converting all 670
or part of an existing public school or educational service 671
center building or is to be a new start-up school, and if it is 672
a converted public school or service center building, 673
specification of any duties or responsibilities of an employer 674
that the board of education or service center governing board 675
that operated the school or building before conversion is 676

delegating to the governing authority of the community school 677
with respect to all or any specified group of employees provided 678
the delegation is not prohibited by a collective bargaining 679
agreement applicable to such employees; 680

(18) Provisions establishing procedures for resolving 681
disputes or differences of opinion between the sponsor and the 682
governing authority of the community school; 683

(19) A provision requiring the governing authority to 684
adopt a policy regarding the admission of students who reside 685
outside the district in which the school is located. That policy 686
shall comply with the admissions procedures specified in 687
sections 3314.06 and 3314.061 of the Revised Code and, at the 688
sole discretion of the authority, shall do one of the following: 689

(a) Prohibit the enrollment of students who reside outside 690
the district in which the school is located; 691

(b) Permit the enrollment of students who reside in 692
districts adjacent to the district in which the school is 693
located; 694

(c) Permit the enrollment of students who reside in any 695
other district in the state. 696

(20) A provision recognizing the authority of the 697
department of education to take over the sponsorship of the 698
school in accordance with the provisions of division (C) of 699
section 3314.015 of the Revised Code; 700

(21) A provision recognizing the sponsor's authority to 701
assume the operation of a school under the conditions specified 702
in division (B) of section 3314.073 of the Revised Code; 703

(22) A provision recognizing both of the following: 704

(a) The authority of public health and safety officials to 705
inspect the facilities of the school and to order the facilities 706
closed if those officials find that the facilities are not in 707
compliance with health and safety laws and regulations; 708

(b) The authority of the department of education as the 709
community school oversight body to suspend the operation of the 710
school under section 3314.072 of the Revised Code if the 711
department has evidence of conditions or violations of law at 712
the school that pose an imminent danger to the health and safety 713
of the school's students and employees and the sponsor refuses 714
to take such action. 715

(23) A description of the learning opportunities that will 716
be offered to students including both classroom-based and non- 717
classroom-based learning opportunities that is in compliance 718
with criteria for student participation established by the 719
department under division (H) (2) of section 3314.08 of the 720
Revised Code; 721

(24) The school will comply with sections 3302.04 and 722
3302.041 of the Revised Code, except that any action required to 723
be taken by a school district pursuant to those sections shall 724
be taken by the sponsor of the school. However, the sponsor 725
shall not be required to take any action described in division 726
(F) of section 3302.04 of the Revised Code. 727

(25) Beginning in the 2006-2007 school year, the school 728
will open for operation not later than the thirtieth day of 729
September each school year, unless the mission of the school as 730
specified under division (A) (2) of this section is solely to 731
serve dropouts. In its initial year of operation, if the school 732
fails to open by the thirtieth day of September, or within one 733
year after the adoption of the contract pursuant to division (D) 734

of section 3314.02 of the Revised Code if the mission of the 735
school is solely to serve dropouts, the contract shall be void. 736

(26) Whether the school's governing authority is planning 737
to seek designation for the school as a STEM school equivalent 738
under section 3326.032 of the Revised Code; 739

(27) That the school's attendance and participation 740
policies will be available for public inspection; 741

(28) That the school's attendance and participation 742
records shall be made available to the department of education, 743
auditor of state, and school's sponsor to the extent permitted 744
under and in accordance with the "Family Educational Rights and 745
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, 746
and any regulations promulgated under that act, and section 747
3319.321 of the Revised Code; 748

(29) If a school operates using the blended learning 749
model, as defined in section 3301.079 of the Revised Code, all 750
of the following information: 751

(a) An indication of what blended learning model or models 752
will be used; 753

(b) A description of how student instructional needs will 754
be determined and documented; 755

(c) The method to be used for determining competency, 756
granting credit, and promoting students to a higher grade level; 757

(d) The school's attendance requirements, including how 758
the school will document participation in learning 759
opportunities; 760

(e) A statement describing how student progress will be 761
monitored; 762

(f) A statement describing how private student data will 763
be protected; 764

(g) A description of the professional development 765
activities that will be offered to teachers. 766

(30) A provision requiring that all moneys the school's 767
operator loans to the school, including facilities loans or cash 768
flow assistance, must be accounted for, documented, and bear 769
interest at a fair market rate; 770

(31) A provision requiring that, if the governing 771
authority contracts with an attorney, accountant, or entity 772
specializing in audits, the attorney, accountant, or entity 773
shall be independent from the operator with which the school has 774
contracted. 775

(32) A provision requiring the governing authority to 776
adopt an enrollment and attendance policy that requires a 777
student's parent to notify the community school in which the 778
student is enrolled when there is a change in the location of 779
the parent's or student's primary residence. 780

(33) A provision requiring the governing authority to 781
adopt a student residence and address verification policy for 782
students enrolling in or attending the school. 783

(B) The community school shall also submit to the sponsor 784
a comprehensive plan for the school. The plan shall specify the 785
following: 786

(1) The process by which the governing authority of the 787
school will be selected in the future; 788

(2) The management and administration of the school; 789

(3) If the community school is a currently existing public 790

school or educational service center building, alternative 791
arrangements for current public school students who choose not 792
to attend the converted school and for teachers who choose not 793
to teach in the school or building after conversion; 794

(4) The instructional program and educational philosophy 795
of the school; 796

(5) Internal financial controls. 797

When submitting the plan under this division, the school 798
shall also submit copies of all policies and procedures 799
regarding internal financial controls adopted by the governing 800
authority of the school. 801

(C) A contract entered into under section 3314.02 of the 802
Revised Code between a sponsor and the governing authority of a 803
community school may provide for the community school governing 804
authority to make payments to the sponsor, which is hereby 805
authorized to receive such payments as set forth in the contract 806
between the governing authority and the sponsor. The total 807
amount of such payments for monitoring, oversight, and technical 808
assistance of the school shall not exceed three per cent of the 809
total amount of payments for operating expenses that the school 810
receives from the state. 811

(D) The contract shall specify the duties of the sponsor 812
which shall be in accordance with the written agreement entered 813
into with the department of education under division (B) of 814
section 3314.015 of the Revised Code and shall include the 815
following: 816

(1) Monitor the community school's compliance with all 817
laws applicable to the school and with the terms of the 818
contract; 819

(2) Monitor and evaluate the academic and fiscal 820
performance and the organization and operation of the community 821
school on at least an annual basis; 822

(3) Report on an annual basis the results of the 823
evaluation conducted under division (D)(2) of this section to 824
the department of education and to the parents of students 825
enrolled in the community school; 826

(4) Provide technical assistance to the community school 827
in complying with laws applicable to the school and terms of the 828
contract; 829

(5) Take steps to intervene in the school's operation to 830
correct problems in the school's overall performance, declare 831
the school to be on probationary status pursuant to section 832
3314.073 of the Revised Code, suspend the operation of the 833
school pursuant to section 3314.072 of the Revised Code, or 834
terminate the contract of the school pursuant to section 3314.07 835
of the Revised Code as determined necessary by the sponsor; 836

(6) Have in place a plan of action to be undertaken in the 837
event the community school experiences financial difficulties or 838
closes prior to the end of a school year. 839

(E) Upon the expiration of a contract entered into under 840
this section, the sponsor of a community school may, with the 841
approval of the governing authority of the school, renew that 842
contract for a period of time determined by the sponsor, but not 843
ending earlier than the end of any school year, if the sponsor 844
finds that the school's compliance with applicable laws and 845
terms of the contract and the school's progress in meeting the 846
academic goals prescribed in the contract have been 847
satisfactory. Any contract that is renewed under this division 848

remains subject to the provisions of sections 3314.07, 3314.072, 849
and 3314.073 of the Revised Code. 850

(F) If a community school fails to open for operation 851
within one year after the contract entered into under this 852
section is adopted pursuant to division (D) of section 3314.02 853
of the Revised Code or permanently closes prior to the 854
expiration of the contract, the contract shall be void and the 855
school shall not enter into a contract with any other sponsor. A 856
school shall not be considered permanently closed because the 857
operations of the school have been suspended pursuant to section 858
3314.072 of the Revised Code. 859

Sec. 3319.073. (A) The board of education of each city and 860
exempted village school district and the governing board of each 861
educational service center shall adopt or adapt the curriculum 862
developed by the department of education for, or shall develop 863
in consultation with public or private agencies or persons 864
involved in child abuse prevention or intervention programs, a 865
program of in-service training in the prevention of child abuse, 866
violence, and substance abuse and the promotion of positive 867
youth development. Each person employed by any school district 868
or service center to work in a school as a nurse, teacher, 869
counselor, school psychologist, or administrator shall complete 870
at least four hours of the in-service training within two years 871
of commencing employment with the district or center, and every 872
five years thereafter. A person who is employed by any school 873
district or service center to work in an elementary school as a 874
nurse, teacher, counselor, school psychologist, or administrator 875
on March 30, 2007, shall complete at least four hours of the in- 876
service training not later than March 30, 2009, and every five 877
years thereafter. A person who is employed by any school 878
district or service center to work in a middle or high school as 879

a nurse, teacher, counselor, school psychologist, or 880
administrator on October 16, 2009, shall complete at least four 881
hours of the in-service training not later than October 16, 882
2011, and every five years thereafter. 883

(B) Each board shall incorporate training in school safety 884
and violence prevention, including human trafficking content, 885
into the in-service training required by division (A) of this 886
section. For this purpose, the board shall adopt or adapt the 887
curriculum developed by the department or shall develop its own 888
curriculum in consultation with public or private agencies or 889
persons involved in school safety and violence prevention 890
programs. 891

(C) Each board shall incorporate training on the board's 892
harassment, intimidation, or bullying policy adopted under 893
section 3313.666 of the Revised Code into the in-service 894
training required by division (A) of this section. Each board 895
also shall incorporate training in the prevention of dating 896
violence into the in-service training required by that division 897
for middle and high school employees. The board shall develop 898
its own curricula for these purposes. 899

(D) Each board shall incorporate training in youth suicide 900
awareness and prevention into the in-service training required 901
by division (A) of this section for each person employed by a 902
school district or service center to work in a school as a 903
nurse, teacher, counselor, school psychologist, or 904
administrator, and any other personnel that the board determines 905
appropriate. The board shall require each such person to undergo 906
training in youth suicide awareness and prevention programs once 907
every two years. For this purpose, the board shall adopt or 908
adapt the curriculum developed by the department under division 909

(C) of section 3301.221 of the Revised Code or shall develop its 910
own curriculum in consultation with public or private agencies 911
or persons involved in youth suicide awareness and prevention 912
programs. 913

The training completed under this division shall count 914
toward the satisfaction of requirements for professional 915
development required by the school district or service center 916
board, and the training may be accomplished through self-review 917
of suitable suicide prevention materials approved by the board. 918

Sec. 3326.11. Each science, technology, engineering, and 919
mathematics school established under this chapter and its 920
governing body shall comply with sections 9.90, 9.91, 109.65, 921
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 922
3301.0714, 3301.0715, 3301.0729, 3301.948, 3313.14, 3313.15, 923
3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 924
3313.481, 3313.482, 3313.50, 3313.536, 3313.539, 3313.5310, 925
3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 926
3313.6021, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 927
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 928
3313.667, 3313.668, 3313.669, 3313.6610, 3313.6611, 3313.6612, 929
3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 930
3313.716, 3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 931
3313.801, 3313.814, 3313.816, 3313.817, 3313.86, 3313.89, 932
3313.96, 3319.073, 3319.21, 3319.32, 3319.321, 3319.35, 3319.39, 933
3319.391, 3319.41, 3319.45, 3319.46, 3321.01, 3321.041, 3321.05, 934
3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 935
3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 102., 117., 936
1347., 2744., 3307., 3309., 3365., 3742., 4112., 4123., 4141., 937
and 4167. of the Revised Code as if it were a school district. 938

Sec. 3328.24. A college-preparatory boarding school 939

established under this chapter and its board of trustees shall 940
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 941
3301.0714, 3301.0729, 3301.948, 3313.536, 3313.6013, 3313.6021, 942
3313.6411, 3313.669, 3313.6610, 3313.6611, 3313.6612, 3313.7112, 943
3313.721, 3313.89, 3319.073, 3319.39, 3319.391, and 3319.46 and 944
Chapter 3365. of the Revised Code as if the school were a school 945
district and the school's board of trustees were a district 946
board of education. 947

Section 2. That existing sections 3313.536, 3313.60, 948
3314.03, 3319.073, 3326.11, and 3328.24 of the Revised Code are 949
hereby repealed. 950

Section 3. To offset any costs associated with the 951
implementation of the provisions of law amended or enacted by 952
this act, the Department of Education is encouraged to apply for 953
any federal or other funding available for the purposes of 954
increasing school safety. 955

Section 4. Section 3328.24 of the Revised Code is 956
presented in this act as a composite of the section as amended 957
by both Am. Sub. H.B. 410 and Sub. S.B. 3 of the 131st General 958
Assembly. The General Assembly, applying the principle stated in 959
division (B) of section 1.52 of the Revised Code that amendments 960
are to be harmonized if reasonably capable of simultaneous 961
operation, finds that the composite is the resulting version of 962
the section in effect prior to the effective date of the section 963
as presented in this act. 964