

**As Introduced**

**127th General Assembly  
Regular Session  
2007-2008**

**H. B. No. 552**

**Representative Luckie**

**Cosponsors: Representatives Yates, Foley, Williams, B., Okey, Yuko, Brady,  
Szollosi, Koziura, Skindell, Strahorn**

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**A B I L L**

To amend section 3314.016 of the Revised Code to 1  
revise the exception to the cap on new start-up 2  
community schools by prohibiting contracts with 3  
operators that manage other Ohio community schools 4  
that have report card ratings of academic watch or 5  
academic emergency. 6

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

**Section 1.** That section 3314.016 of the Revised Code be 7  
amended to read as follows: 8

**Sec. 3314.016.** (A) After June 30, 2007, a new start-up school 9  
may be established under this chapter only if the school's 10  
governing authority enters into a contract with an operator that 11  
manages other schools in the United States that perform at a level 12  
higher than academic watch. The governing authority of the 13  
community school may sign a contract with an operator only if the 14  
operator has fewer contracts with the governing authorities of new 15  
start-up schools established under this chapter after June 30, 16  
2007, than the number of schools managed by the operator in the 17  
United States that perform at a level higher than academic watch, 18

as determined by the department of education. However, the 19  
governing authority shall not contract with an operator that 20  
currently manages any community schools in Ohio for which the 21  
department issues annual report cards under section 3314.012 of 22  
the Revised Code, if the latest report card issued to one or more 23  
of those schools designates a performance rating under section 24  
3302.03 of the Revised Code of academic watch or academic 25  
emergency. 26

(B) Notwithstanding division (A) of this section, the 27  
governing authority of a start-up school sponsored by an entity 28  
described in divisions (C)(1)(b) to (f) of section 3314.02 of the 29  
Revised Code may establish one additional school serving the same 30  
grade levels and providing the same educational program as the 31  
current start-up school and may open that additional school in the 32  
2007-2008 school year, if both of the following conditions are 33  
met: 34

(1) The governing authority entered into another contract 35  
with the same sponsor or a different sponsor described in 36  
divisions (C)(1)(b) to (f) of section 3314.02 of the Revised Code 37  
and filed a copy of that contract with the superintendent of 38  
public instruction prior to March 15, 2006. 39

(2) The governing authority's current school satisfies all of 40  
the following conditions: 41

(a) The school currently is rated as excellent or effective 42  
pursuant to section 3302.03 of the Revised Code. 43

(b) The school made adequate yearly progress, as defined in 44  
section 3302.01 of the Revised Code, for the previous school year. 45

(c) The school has been in operation for at least four school 46  
years. 47

(d) The school is not managed by an operator. 48

**Section 2.** That existing section 3314.016 of the Revised Code 49  
is hereby repealed. 50