

As Introduced

**128th General Assembly
Regular Session
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S. B. No. 55

Senator Fedor

Cosponsors: Senators Sawyer, Miller, R.

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A B I L L

To amend sections 3301.0718, 3313.60, 3313.6011, 1
3313.814, 3314.03, and 3326.11 and to enact 2
section 3301.23 of the Revised Code to establish 3
standards for comprehensive sexual health 4
education in public schools, to create the Office 5
of Healthy Schools within the Department of 6
Education, to require the State Board of Education 7
to adopt health education standards closely 8
modeled after the National Health Education 9
Standards (NHES) developed by the Joint Committee 10
on National Health Standards, and to designate 11
section 3313.6011 of the Revised Code as the "Act 12
for Our Children's Future." 13

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

Section 1. That sections 3301.0718, 3313.60, 3313.6011, 14
3313.814, 3314.03, and 3326.11 be amended and section 3301.23 of 15
the Revised Code be enacted to read as follows: 16

Sec. 3301.0718. (A) After completing the required standards 17
specified in section 3301.079 of the Revised Code, the state board 18
of education shall adopt standards and model curricula for 19

instruction in computer literacy for grades three through twelve 20
and in fine arts and foreign language for grades kindergarten 21
through twelve. 22

(B) Not later than December 31, 2007, the state board shall 23
adopt the most recent standards developed by the national 24
association for sport and physical education for physical 25
education in grades kindergarten through twelve or shall adopt its 26
own standards for physical education in those grades. The 27
department of education, through the office of healthy schools 28
created in section 3301.23 of the Revised Code, shall provide the 29
standards, and any revisions of the standards, to all school 30
districts and community schools established under Chapter 3314. of 31
the Revised Code. Any school district or community school may 32
utilize the standards. 33

(C) Subject to division (E) of this section, not later than 34
December 31, 2009, the state board shall develop and adopt 35
standards closely modeled after the national health education 36
standards (NHES) developed by the joint committee on national 37
health standards for health education for grades kindergarten 38
through twelve. The department, through the office of healthy 39
schools, shall provide the standards, and any revisions of the 40
standards, to all school districts, community schools, and STEM 41
schools. Any school district, community school, or STEM school may 42
utilize the standards. 43

(D) The department, through the office of healthy schools, 44
shall employ a full-time physical education coordinator to provide 45
guidance and technical assistance to districts and community 46
schools in implementing the standards adopted under ~~this division~~ 47
divisions (B) and (C) of this section. The superintendent of 48
public instruction shall determine that the person employed as 49
coordinator is qualified for the position, as demonstrated by 50
possessing an adequate combination of education, license, and 51

experience. The department shall hire a coordinator not later than 52
October 31, 2007. 53

~~(C)~~(E) The state board shall not adopt or revise any 54
standards or curriculum in the area of health unless, by 55
concurrent resolution, the standards, curriculum, or revisions are 56
approved by both houses of the general assembly. Before the house 57
of representatives or senate votes on a concurrent resolution 58
approving health standards, curriculum, or revisions, its standing 59
committee having jurisdiction over education legislation shall 60
conduct at least one public hearing on the standards, curriculum, 61
or revisions. 62

~~(D)~~(F) The state board shall not adopt a diagnostic 63
assessment or achievement test for any grade level or subject area 64
other than those specified in section 3301.079 of the Revised 65
Code. 66

Sec. 3301.23. The office of healthy schools is hereby created 67
within the department of education. The office shall coordinate 68
school health services for school districts and assist them in 69
developing connections between good student health and high 70
academic achievement. 71

The office shall administer health and safety-related 72
services and programs in all of the following areas: 73

(A) Healthy school environment for students and staff at 74
school, on school grounds, en route to and from school, and at 75
school-sponsored activities. Services and programs shall address, 76
but are not limited to, the following: 77

(1) Buildings and grounds; 78

(2) School safety; 79

(3) Crisis management; 80

(4) Pupil transportation. 81

<u>(B) Nutrition services, including developing nutrition and health standards for school districts;</u>	82 83
<u>(C) Services of school health care professionals, including assisting school nurses, physicians, dentists, and other school health care professionals;</u>	84 85 86
<u>(D) School counseling, psychological, and social services, including assisting school counselors and school psychologists;</u>	87 88
<u>(E) Family and community services;</u>	89
<u>(F) Staff health promotion services;</u>	90
<u>(G) Physical education and activity, including the duties of the physical education coordinator employed, and dissemination of the physical education standards adopted, under section 3301.0718 of the Revised Code;</u>	91 92 93 94
<u>(H) Health education, including the duties of the physical education coordinator employed, and dissemination of the health education standards adopted, under section 3301.0718 of the Revised Code.</u>	95 96 97 98
Sec. 3313.60. Notwithstanding division (D) of section 3311.52 of the Revised Code, divisions (A) to (E) of this section do not apply to any cooperative education school district established pursuant to divisions (A) to (C) of section 3311.52 of the Revised Code.	99 100 101 102 103
(A) The board of education of each city and exempted village school district, the governing board of each educational service center, and the board of each cooperative education school district established pursuant to section 3311.521 of the Revised Code shall prescribe a curriculum for all schools under their control. Except as provided in division (E) of this section, in any such curriculum there shall be included the study of the following subjects:	104 105 106 107 108 109 110 111

(1) The language arts, including reading, writing, spelling, oral and written English, and literature;	112 113
(2) Geography, the history of the United States and of Ohio, and national, state, and local government in the United States, including a balanced presentation of the relevant contributions to society of men and women of African, Mexican, Puerto Rican, and American Indian descent as well as other ethnic and racial groups in Ohio and the United States;	114 115 116 117 118 119
(3) Mathematics;	120
(4) Natural science, including instruction in the conservation of natural resources;	121 122
(5) Health education, which shall include instruction in:	123
(a) The nutritive value of foods, including natural and organically produced foods, the relation of nutrition to health, the use and effects of food additives;	124 125 126
(b) The harmful effects of and legal restrictions against the use of drugs of abuse, alcoholic beverages, and tobacco;	127 128
(c) Venereal disease <u>Sexually transmitted infection</u> <u>prevention</u> education, except that upon written request of the student's parent or guardian, a student shall be excused from taking instruction in venereal disease education <u>sexually</u> <u>transmitted infection prevention</u> ;	129 130 131 132 133
(d) In grades kindergarten through six, instruction in 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.	134 135 136 137 138
(6) Physical education;	139
(7) The fine arts, including music;	140
(8) First aid, including a training program in	141

cardiopulmonary resuscitation, safety, and fire prevention, except 142
that upon written request of the student's parent or guardian, a 143
student shall be excused from taking instruction in 144
cardiopulmonary resuscitation. 145

(B) Except as provided in division (E) of this section, every 146
school or school district shall include in the requirements for 147
promotion from the eighth grade to the ninth grade one year's 148
course of study of American history. 149

(C) Except as provided in division (E) of this section, every 150
high school shall include in the requirements for graduation from 151
any curriculum one unit of American history and government, 152
including a study of the constitutions of the United States and of 153
Ohio. 154

(D) Except as provided in division (E) of this section, basic 155
instruction in geography, United States history, the government of 156
the United States, the government of the state of Ohio, local 157
government in Ohio, the Declaration of Independence, the United 158
States Constitution, and the Constitution of the state of Ohio 159
shall be required before pupils may participate in courses 160
involving the study of social problems, economics, foreign 161
affairs, United Nations, world government, socialism and 162
communism. 163

(E) For each cooperative education school district 164
established pursuant to section 3311.521 of the Revised Code and 165
each city, exempted village, and local school district that has 166
territory within such a cooperative district, the curriculum 167
adopted pursuant to divisions (A) to (D) of this section shall 168
only include the study of the subjects that apply to the grades 169
operated by each such school district. The curriculums for such 170
schools, when combined, shall provide to each student of these 171
districts all of the subjects required under divisions (A) to (D) 172
of this section. 173

(F) The board of education of any cooperative education 174
school district established pursuant to divisions (A) to (C) of 175
section 3311.52 of the Revised Code shall prescribe a curriculum 176
for the subject areas and grade levels offered in any school under 177
its control. 178

(G) Upon the request of any parent or legal guardian of a 179
student, the board of education of any school district shall 180
permit the parent or guardian to promptly examine, with respect to 181
the parent's or guardian's own child: 182

(1) Any survey or questionnaire, prior to its administration 183
to the child; 184

(2) Any textbook, workbook, software, video, or other 185
instructional materials being used by the district in connection 186
with the instruction of the child; 187

(3) Any completed and graded test taken or survey or 188
questionnaire filled out by the child; 189

(4) Copies of the statewide academic standards and each model 190
curriculum developed pursuant to section 3301.079 of the Revised 191
Code, which copies shall be available at all times during school 192
hours in each district school building. 193

Sec. 3313.6011. (A) As used in this section, ~~"sexual~~ 194
~~activity" has the same meaning as in section 2907.01 of the~~ 195
~~Revised Code.~~ 196

~~(B) Instruction in venereal disease education pursuant to~~ 197
~~division (A)(5)(c) of section 3313.60 of the Revised Code shall~~ 198
~~emphasize that abstinence from sexual activity is the only~~ 199
~~protection that is one hundred per cent effective against unwanted~~ 200
~~pregnancy, sexually transmitted disease, and the sexual~~ 201
~~transmission of a virus that causes acquired immunodeficiency~~ 202
~~syndrome.~~ 203

~~(C) In adopting minimum standards under section 3301.07 of the Revised Code, the state board of education shall require course material and instruction in venereal disease education courses taught pursuant to division (A)(5)(c) of section 3313.60 of the Revised Code to do all of the following:~~

~~(1) Stress that students should abstain from sexual activity until after marriage;~~

~~(2) Teach the potential physical, psychological, emotional, and social side effects of participating in sexual activity outside of marriage;~~

~~(3) Teach that conceiving children out of wedlock is likely to have harmful consequences for the child, the child's parents, and society;~~

~~(4) Stress that sexually transmitted diseases are serious possible hazards of sexual activity;~~

~~(5) Advise students of the laws pertaining to financial responsibility of parents to children born in and out of wedlock;~~

~~(6) Advise students of the circumstances under which it is criminal to have sexual contact with a person under the age of sixteen pursuant to section 2907.04 of the Revised Code.~~

~~(D):~~

(1) "Age-appropriate" means designed to teach concepts, information, and skills based on the social, cognitive, emotional, and experience level of pupils.

(2) "Comprehensive sexual health education" means education regarding human development and sexuality, including education on sexual health, family planning, and sexually transmitted infections.

(3) "Instructors trained in the appropriate courses" means instructors with knowledge of the most recent medically and

scientifically accurate research on human sexuality, pregnancy, 234
and sexually transmitted infections. 235

(4) "Medically and scientifically accurate" means verified or 236
supported by research conducted in compliance with scientific 237
methods and published in peer-reviewed journals, where 238
appropriate, and recognized as accurate and objective by 239
professional organizations and agencies with expertise in the 240
relevant field, such as the United States centers for disease 241
control and prevention and the American college of obstetricians 242
and gynecologists. 243

(B) Any school district or educational service center may 244
offer comprehensive sexual health education. Beginning July 1, 245
2009, each school district and educational service center that 246
elects to offer comprehensive sexual health education shall ensure 247
that the program meets all of the following requirements: 248

(1) Instruction and materials shall be age-appropriate. 249

(2) All factual information shall be medically and 250
scientifically accurate. 251

(3) Instruction and materials shall be appropriate for use 252
with all pupils regardless of gender, race, ethnic and cultural 253
background, religion, disability, or sexual orientation. 254

(4) Instruction and materials shall encourage pupils to 255
communicate with their parents or guardians about human sexuality. 256

(5) If age-appropriate, instruction and materials shall teach 257
that abstinence is the only certain way to prevent unintended 258
pregnancy and sexually transmitted infections, and shall stress 259
the value of abstinence while not ignoring those young people who 260
have been or are sexually active. Therefore, abstinence shall not 261
be taught to the exclusion of other instruction and materials on 262
contraceptive and disease reduction measures. 263

(6) If age-appropriate, instruction and materials shall 264
provide information about the effectiveness and safety, including 265
the health benefits and side effects, of all contraceptive methods 266
in preventing unintended pregnancy and reducing the risk of 267
contracting sexually transmitted infections. 268

(7) Instruction about sexually transmitted infections shall 269
commence in grade seven. That instruction shall include how 270
sexually transmitted infections are and are not transmitted, the 271
effectiveness and methods of reducing the risk of contracting 272
sexually transmitted infections, and identification of local 273
resources for testing and medical care for sexually transmitted 274
infections. 275

(8) If age-appropriate, instruction and materials shall 276
provide pupils with skills for negotiating intimate relationships 277
and making and implementing responsible decisions about sexuality. 278

(9) If age-appropriate, instruction and materials shall 279
include a discussion of the possible emotional, physical, and 280
psychological consequences of pre-adolescent and adolescent sexual 281
activity and the emotional, physical, and psychological 282
consequences of unintended pregnancy. 283

(10) Instruction and materials shall teach pupils to 284
recognize unwanted physical and verbal sexual advances, not to 285
make unwanted physical and verbal sexual advances, and how to 286
effectively reject unwanted sexual advances. The instruction and 287
materials shall cover verbal, physical, and visual sexual 288
harassment, including nonconsensual physical sexual contact and 289
rape by an acquaintance or family member. The course information 290
and materials shall emphasize personal accountability and respect 291
for others and shall encourage youth to resist peer pressure. 292

(11) Comprehensive sexual health education shall not include 293
any instruction or materials that teach or promote religious 294

doctrine. 295

A school district or educational service center may use 296
separate, outside speakers or prepared curricula to teach 297
different content areas or units with the comprehensive sexual 298
health education program, as long as all speakers, curricula, and 299
materials used comply with this section. 300

(C) Each school district and educational service center shall 301
cooperatively plan and provide, through regional planning, joint 302
powers agreements, or contract services, in-service training for 303
all school district personnel who provide comprehensive sexual 304
health education. In doing so, each district and service center 305
shall consult with the department of education. 306

The in-service training shall be conducted periodically to 307
enable district and service center personnel to learn new 308
developments in the scientific understanding of sexual health. The 309
in-service training shall be voluntary for district and service 310
center personnel who have demonstrated expertise or received 311
in-service training from the department or the United States 312
centers for disease control and prevention. 313

A district or service center may contract with outside 314
consultants with expertise in comprehensive sexual health 315
education, including those who have developed multilingual 316
curricula or curricula accessible to persons with disabilities, to 317
deliver the in-service training to district or service center 318
personnel. 319

(D) At the beginning of each school year, or at the time of 320
enrollment in the case of a pupil who enrolls after the beginning 321
of the school year, each school district shall notify the parent 322
or guardian of each pupil about instruction in comprehensive 323
sexual health education and about research on pupil health 324
behaviors and health risks planned for that year. The notice shall 325

advise parents and guardians of all of the following: 326

(1) That written and audio-visual educational materials used 327
in comprehensive sexual health education are available for 328
inspection; 329

(2) Whether comprehensive sexual health education will be 330
taught by school district personnel or by outside consultants; 331

(3) That a parent or guardian may request a copy of this 332
section; 333

(4) That a parent or guardian may request in writing that the 334
child not receive comprehensive sexual health education. 335

A school district or educational service center shall not 336
permit a pupil to attend any class in comprehensive sexual health 337
education if the school has received a written request from the 338
pupil's parent or guardian excusing the pupil from participation. 339
A pupil who is so excused shall not be subject to disciplinary 340
action, academic penalty, or other sanction, and the district or 341
service center shall make an alternative educational activity 342
available for the pupil while comprehensive sexual health 343
education is conducted. 344

Each school district and educational service center shall 345
make written and audio-visual educational materials used in 346
comprehensive sexual health education available for inspection by 347
the parents and guardians of pupils. Each school district shall 348
provide a copy of this section upon request to the parent or 349
guardian of a pupil enrolled in the district. 350

(E) Any model education program for health education the 351
state board of education adopts shall conform to the requirements 352
of this section. 353

~~(E) On and after March 18, 1999, and notwithstanding (F)~~ 354
Notwithstanding section 3302.07 of the Revised Code, the 355

superintendent of public instruction shall not approve, pursuant 356
to that section ~~3302.07 of the Revised Code~~, any waiver of any 357
requirement of this section or of any rule adopted by the state 358
board of education pursuant to this section. 359

Sec. 3313.814. Each board of education shall adopt and 360
enforce standards governing the types of food that may be sold on 361
the premises of its schools, and specifying the time and place 362
each type of food may be sold. In adopting the standards, the 363
board shall consider each food's nutritional value. No food may be 364
sold on any school premises except in accordance with the 365
standards adopted by the board of education. 366

The ~~state board~~ office of healthy schools of the department 367
of education shall formulate and adopt guidelines, which boards of 368
education ~~may~~ shall follow in enforcing and implementing this 369
section. 370

Sec. 3314.03. A copy of every contract entered into under 371
this section shall be filed with the superintendent of public 372
instruction. 373

(A) Each contract entered into between a sponsor and the 374
governing authority of a community school shall specify the 375
following: 376

(1) That the school shall be established as either of the 377
following: 378

(a) A nonprofit corporation established under Chapter 1702. 379
of the Revised Code, if established prior to April 8, 2003; 380

(b) A public benefit corporation established under Chapter 381
1702. of the Revised Code, if established after April 8, 2003; 382

(2) The education program of the school, including the 383
school's mission, the characteristics of the students the school 384

is expected to attract, the ages and grades of students, and the focus of the curriculum;

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

(4) Performance standards by which the success of the school will be evaluated by the sponsor;

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

(6)(a) Dismissal procedures;

(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 one hundred five consecutive hours of the learning opportunities offered to the student.

(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;

(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, and the audits shall be conducted in accordance with section 117.10 of the Revised Code.

(9) The facilities to be used and their locations;

(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 per week pursuant to section 3319.301 of the Revised

Code;	415
(11) That the school will comply with the following requirements:	416 417
(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred twenty hours per school year.	418 419 420
(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school.	421 422 423
(c) The school will be nonsectarian in its programs, admission policies, employment practices, and all other operations, and will not be operated by a sectarian school or religious institution.	424 425 426 427
(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.18, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3313.472, 3313.50, 3313.536, 3313.608, <u>3313.6011</u> , 3313.6012, 3313.6013, 3313.6014, 3313.643, 3313.648, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.80, 3313.96, 3319.073, 3319.321, 3319.39, 3319.391, 3321.01, 3321.13, 3321.14, 3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 4113.52, and 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.	428 429 430 431 432 433 434 435 436 437 438 439 440
(e) The school shall comply with Chapter 102. and section 2921.42 of the Revised Code.	441 442
(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	443 444 445

requirement in sections 3313.61 and 3313.611 of the Revised Code 446
that a person must successfully complete the curriculum in any 447
high school prior to receiving a high school diploma may be met by 448
completing the curriculum adopted by the governing authority of 449
the community school rather than the curriculum specified in Title 450
XXXIII of the Revised Code or any rules of the state board of 451
education. Beginning with students who enter ninth grade for the 452
first time on or after July 1, 2010, the requirement in sections 453
3313.61 and 3313.611 of the Revised Code that a person must 454
successfully complete the curriculum of a high school prior to 455
receiving a high school diploma shall be met by completing the 456
Ohio core curriculum prescribed in division (C) of section 457
3313.603 of the Revised Code, unless the person qualifies under 458
division (D) or (F) of that section. Each school shall comply with 459
the plan for awarding high school credit based on demonstration of 460
subject area competency, adopted by the state board of education 461
under division (J) of section 3313.603 of the Revised Code. 462

(g) The school governing authority will submit within four 463
months after the end of each school year a report of its 464
activities and progress in meeting the goals and standards of 465
divisions (A)(3) and (4) of this section and its financial status 466
to the sponsor and the parents of all students enrolled in the 467
school. 468

(h) The school, unless it is an internet- or computer-based 469
community school, will comply with section 3313.801 of the Revised 470
Code as if it were a school district. 471

(12) Arrangements for providing health and other benefits to 472
employees; 473

(13) The length of the contract, which shall begin at the 474
beginning of an academic year. No contract shall exceed five years 475
unless such contract has been renewed pursuant to division (E) of 476
this section. 477

(14) The governing authority of the school, which shall be 478
responsible for carrying out the provisions of the contract; 479

(15) A financial plan detailing an estimated school budget 480
for each year of the period of the contract and specifying the 481
total estimated per pupil expenditure amount for each such year. 482
The plan shall specify for each year the base formula amount that 483
will be used for purposes of funding calculations under section 484
3314.08 of the Revised Code. This base formula amount for any year 485
shall not exceed the formula amount defined under section 3317.02 486
of the Revised Code. The plan may also specify for any year a 487
percentage figure to be used for reducing the per pupil amount of 488
the subsidy calculated pursuant to section 3317.029 of the Revised 489
Code the school is to receive that year under section 3314.08 of 490
the Revised Code. 491

(16) Requirements and procedures regarding the disposition of 492
employees of the school in the event the contract is terminated or 493
not renewed pursuant to section 3314.07 of the Revised Code; 494

(17) Whether the school is to be created by converting all or 495
part of an existing public school or educational service center 496
building or is to be a new start-up school, and if it is a 497
converted public school or service center building, specification 498
of any duties or responsibilities of an employer that the board of 499
education or service center governing board that operated the 500
school or building before conversion is delegating to the 501
governing authority of the community school with respect to all or 502
any specified group of employees provided the delegation is not 503
prohibited by a collective bargaining agreement applicable to such 504
employees; 505

(18) Provisions establishing procedures for resolving 506
disputes or differences of opinion between the sponsor and the 507
governing authority of the community school; 508

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

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

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

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

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

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

(22) A provision recognizing both of the following:

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

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

take such action; 539

(23) A description of the learning opportunities that will be 540
offered to students including both classroom-based and 541
non-classroom-based learning opportunities that is in compliance 542
with criteria for student participation established by the 543
department under division (L)(2) of section 3314.08 of the Revised 544
Code; 545

(24) The school will comply with sections 3302.04 and 546
3302.041 of the Revised Code, except that any action required to 547
be taken by a school district pursuant to those sections shall be 548
taken by the sponsor of the school. However, the sponsor shall not 549
be required to take any action described in division (F) of 550
section 3302.04 of the Revised Code. 551

(25) Beginning in the 2006-2007 school year, the school will 552
open for operation not later than the thirtieth day of September 553
each school year, unless the mission of the school as specified 554
under division (A)(2) of this section is solely to serve dropouts. 555
In its initial year of operation, if the school fails to open by 556
the thirtieth day of September, or within one year after the 557
adoption of the contract pursuant to division (D) of section 558
3314.02 of the Revised Code if the mission of the school is solely 559
to serve dropouts, the contract shall be void. 560

(B) The community school shall also submit to the sponsor a 561
comprehensive plan for the school. The plan shall specify the 562
following: 563

(1) The process by which the governing authority of the 564
school will be selected in the future; 565

(2) The management and administration of the school; 566

(3) If the community school is a currently existing public 567
school or educational service center building, alternative 568
arrangements for current public school students who choose not to 569

attend the converted school and for teachers who choose not to 570
teach in the school or building after conversion; 571

(4) The instructional program and educational philosophy of 572
the school; 573

(5) Internal financial controls. 574

(C) A contract entered into under section 3314.02 of the 575
Revised Code between a sponsor and the governing authority of a 576
community school may provide for the community school governing 577
authority to make payments to the sponsor, which is hereby 578
authorized to receive such payments as set forth in the contract 579
between the governing authority and the sponsor. The total amount 580
of such payments for oversight and monitoring of the school shall 581
not exceed three per cent of the total amount of payments for 582
operating expenses that the school receives from the state. 583

(D) The contract shall specify the duties of the sponsor 584
which shall be in accordance with the written agreement entered 585
into with the department of education under division (B) of 586
section 3314.015 of the Revised Code and shall include the 587
following: 588

(1) Monitor the community school's compliance with all laws 589
applicable to the school and with the terms of the contract; 590

(2) Monitor and evaluate the academic and fiscal performance 591
and the organization and operation of the community school on at 592
least an annual basis; 593

(3) Report on an annual basis the results of the evaluation 594
conducted under division (D)(2) of this section to the department 595
of education and to the parents of students enrolled in the 596
community school; 597

(4) Provide technical assistance to the community school in 598
complying with laws applicable to the school and terms of the 599

contract; 600

(5) Take steps to intervene in the school's operation to 601
correct problems in the school's overall performance, declare the 602
school to be on probationary status pursuant to section 3314.073 603
of the Revised Code, suspend the operation of the school pursuant 604
to section 3314.072 of the Revised Code, or terminate the contract 605
of the school pursuant to section 3314.07 of the Revised Code as 606
determined necessary by the sponsor; 607

(6) Have in place a plan of action to be undertaken in the 608
event the community school experiences financial difficulties or 609
closes prior to the end of a school year. 610

(E) Upon the expiration of a contract entered into under this 611
section, the sponsor of a community school may, with the approval 612
of the governing authority of the school, renew that contract for 613
a period of time determined by the sponsor, but not ending earlier 614
than the end of any school year, if the sponsor finds that the 615
school's compliance with applicable laws and terms of the contract 616
and the school's progress in meeting the academic goals prescribed 617
in the contract have been satisfactory. Any contract that is 618
renewed under this division remains subject to the provisions of 619
sections 3314.07, 3314.072, and 3314.073 of the Revised Code. 620

(F) If a community school fails to open for operation within 621
one year after the contract entered into under this section is 622
adopted pursuant to division (D) of section 3314.02 of the Revised 623
Code or permanently closes prior to the expiration of the 624
contract, the contract shall be void and the school shall not 625
enter into a contract with any other sponsor. A school shall not 626
be considered permanently closed because the operations of the 627
school have been suspended pursuant to section 3314.072 of the 628
Revised Code. Any contract that becomes void under this division 629
shall not count toward any statewide limit on the number of such 630
contracts prescribed by section 3314.013 of the Revised Code. 631

Sec. 3326.11. Each science, technology, engineering, and 632
mathematics school established under this chapter and its 633
governing body shall comply with sections 9.90, 9.91, 109.65, 634
121.22, 149.43, 2151.357, 2151.421, 2313.18, 2921.42, 2921.43, 635
3301.0712, 3301.0714, 3301.0715, 3313.14, 3313.15, 3313.16, 636
3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 3313.481, 3313.482, 637
3313.50, 3313.536, 3313.608, 3313.6011, 3313.6012, 3313.6013, 638
3313.6014, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 639
3313.648, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 640
3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 641
3313.718, 3313.80, 3313.801, 3313.96, 3319.073, 3319.21, 3319.32, 642
3319.321, 3319.35, 3319.39, 3319.391, 3319.45, 3321.01, 3321.13, 643
3321.14, 3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 644
4113.52, and 5705.391 and Chapters 102., 117., 1347., 2744., 645
3307., 3309., 3365., 3742., 4112., 4123., 4141., and 4167. of the 646
Revised Code as if it were a school district. 647

Section 2. That existing sections 3301.0718, 3313.60, 648
3313.6011, 3313.814, 3314.03, and 3326.11 of the Revised Code are 649
hereby repealed. 650

Section 3. On the effective date of this section, the 651
Superintendent of Public Instruction shall consolidate into the 652
Office of Healthy Schools all functions and personnel of the 653
Office for Safety, Health, and Nutrition and the Pupil 654
Transportation Office, and shall transfer to the Office of Healthy 655
Schools services and programs administered by any other office, 656
division, or center of the Department of Education that are 657
assigned to the Office of Healthy Schools by section 3301.23 of 658
the Revised Code. 659

Section 4. (A) Section 3313.6011 of the Revised Code is to be 660
known as the "Act for Our Children's Future." 661

(B) The purposes of the Act for Our Children's Future are to:	662
(1) Provide pupils with knowledge and skills necessary to	663
protect their sexual and reproductive health from unintended	664
pregnancy and sexually transmitted infections;	665
(2) Encourage pupils to develop responsible decision-making	666
skills as well as healthy attitudes and values about adolescent	667
growth and development, body image, gender roles, sexual	668
orientation, and healthy relationships.	669