

As Introduced

**129th General Assembly
Regular Session
2011-2012**

H. B. No. 519

Representative Patmon

Cosponsor: Representative Barnes

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A B I L L

To amend sections 3314.05, 3326.11, and 3328.24 and 1
to enact section 3313.539 of the Revised Code to 2
require public schools to install metal detectors 3
in all classroom buildings unless they obtain a 4
waiver from the Superintendent of Public 5
Instruction. 6

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

Section 1. That sections 3314.05, 3326.11, and 3328.24 be 7
amended and section 3313.539 of the Revised Code be enacted to 8
read as follows: 9

Sec. 3313.539. (A) Subject to division (C) of this section, 10
the board of education of each school district shall provide for 11
the installation of metal detectors at the entrances to every 12
classroom building in the district in accordance with rules 13
adopted under division (B) of this section. 14

(B) The attorney general, in consultation with the 15
superintendent of public instruction and the executive director of 16
the Ohio school facilities commission, shall adopt rules 17
prescribing standards for the acquisition, installation, and 18
operation of metal detectors for the entrances of public school 19

classroom buildings. 20

(C) A board of education may obtain a waiver of the 21
requirement prescribed by division (A) of this section by 22
submitting to the superintendent of public instruction an 23
affidavit, attested to by the president of the board, stating that 24
the board is unable to comply with the requirement. The 25
superintendent shall grant the waiver upon receipt of the 26
affidavit. 27

Sec. 3314.05. (A) The contract between the community school 28
and the sponsor shall specify the facilities to be used for the 29
community school and the method of acquisition. Except as provided 30
in divisions (B)(3) and (4) of this section, no community school 31
shall be established in more than one school district under the 32
same contract. 33

(B) Division (B) of this section shall not apply to internet- 34
or computer-based community schools. 35

(1) A community school may be located in multiple facilities 36
under the same contract only if the limitations on availability of 37
space prohibit serving all the grade levels specified in the 38
contract in a single facility or division (B)(2), (3), or (4) of 39
this section applies to the school. The school shall not offer the 40
same grade level classrooms in more than one facility. 41

(2) A community school may be located in multiple facilities 42
under the same contract and, notwithstanding division (B)(1) of 43
this section, may assign students in the same grade level to 44
multiple facilities, as long as all of the following apply: 45

(a) The governing authority of the community school filed a 46
copy of its contract with the school's sponsor under section 47
3314.03 of the Revised Code with the superintendent of public 48
instruction on or before May 15, 2008. 49

(b) The school was not open for operation prior to July 1, 2008. 50
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(c) The governing authority has entered into and maintains a contract with an operator of the type described in division (A)(8)(b) of section 3314.02 of the Revised Code. 52
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(d) The contract with that operator qualified the school to be established pursuant to division (A) of former section 3314.016 of the Revised Code. 55
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(e) The school's rating under section 3302.03 of the Revised Code does not fall below "in need of continuous improvement" for two or more consecutive years. 58
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(3) A new start-up community school may be established in two school districts under the same contract if all of the following apply: 61
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(a) At least one of the school districts in which the school is established is a challenged school district; 64
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(b) The school operates not more than one facility in each school district and, in accordance with division (B)(1) of this section, the school does not offer the same grade level classrooms in both facilities; and 66
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(c) Transportation between the two facilities does not require more than thirty minutes of direct travel time as measured by school bus. 70
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In the case of a community school to which division (B)(3) of this section applies, if only one of the school districts in which the school is established is a challenged school district, that district shall be considered the school's primary location and the district in which the school is located for the purposes of division (A)(19) of section 3314.03 and divisions (C) and (H) of section 3314.06 of the Revised Code and for all other purposes of 73
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this chapter. If both of the school districts in which the school is established are challenged school districts, the school's governing authority shall designate one of those districts to be considered the school's primary location and the district in which the school is located for the purposes of those divisions and all other purposes of this chapter and shall notify the department of education of that designation.

(4) A community school may be located in multiple facilities under the same contract and, notwithstanding division (B)(1) of this section, may assign students in the same grade level to multiple facilities, as long as both of the following apply:

(a) The facilities are all located in the same county.

(b) The governing authority has entered into and maintains a contract with an operator.

In the case of a community school to which division (B)(4) of this section applies and that maintains facilities in more than one school district, the school's governing authority shall designate one of those districts to be considered the school's primary location and the district in which the school is located for the purposes of division (A)(19) of section 3314.03 and divisions (C) and (H) of section 3314.06 of the Revised Code and for all other purposes of this chapter and shall notify the department of that designation.

(5) Any facility used for a community school shall meet all health and safety standards established by law for school buildings.

(C) Each community school governing authority and operator shall comply with section 3313.539 of the Revised Code as if it were a school district board of education.

(D) In the case where a community school is proposed to be located in a facility owned by a school district or educational

service center, the facility may not be used for such community 111
school unless the district or service center board owning the 112
facility enters into an agreement for the community school to 113
utilize the facility. Use of the facility may be under any terms 114
and conditions agreed to by the district or service center board 115
and the school. 116

~~(D)~~(E) Two or more separate community schools may be located 117
in the same facility. 118

~~(E)~~(F) In the case of a community school that is located in 119
multiple facilities, beginning July 1, 2012, the department shall 120
assign a unique identification number to the school and to each 121
facility maintained by the school. Each number shall be used for 122
identification purposes only. Nothing in this division shall be 123
construed to require the department to calculate the amount of 124
funds paid under this chapter, or to compute any data required for 125
the report cards issued under section 3314.012 of the Revised 126
Code, for each facility separately. The department shall make all 127
such calculations or computations for the school as a whole. 128

Sec. 3326.11. Each science, technology, engineering, and 129
mathematics school established under this chapter and its 130
governing body shall comply with sections 9.90, 9.91, 109.65, 131
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 132
3301.0714, 3301.0715, 3313.14, 3313.15, 3313.16, 3313.18, 133
3313.201, 3313.26, 3313.472, 3313.48, 3313.481, 3313.482, 3313.50, 134
3313.536, 3313.539, 3313.608, 3313.6012, 3313.6013, 3313.6014, 135
3313.6015, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 136
3313.648, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 137
3313.67, 3313.671, 3313.672, 3313.673, 3313.674, 3313.69, 3313.71, 138
3313.716, 3313.718, 3313.719, 3313.80, 3313.801, 3313.814, 139
3313.816, 3313.817, 3313.86, 3313.88, 3313.96, 3319.073, 3319.21, 140
3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 141

3321.01, 3321.041, 3321.13, 3321.14, 3321.17, 3321.18, 3321.19, 142
3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 143
102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 144
4123., 4141., and 4167. of the Revised Code as if it were a school 145
district. 146

Sec. 3328.24. A college-preparatory boarding school 147
established under this chapter, its operator, and its board of 148
trustees shall comply with sections 3301.0710, 3301.0711, 149
3301.0712, 3301.0714, 3313.539, 3319.39, and 3319.391 of the 150
Revised Code as if the school were a school district and the 151
school's board of trustees were a district board of education. 152

Section 2. That existing sections 3314.05, 3326.11, and 153
3328.24 of the Revised Code are hereby repealed. 154