

As Introduced

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

S. B. No. 232

Senator Skindell

Cosponsors: Senators Sawyer, Cafaro, Smith, Turner

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A B I L L

To amend sections 3313.60, 3313.6011, 3314.03, and 1
3326.11 of the Revised Code to establish statutory 2
standards for comprehensive sexual health 3
education and HIV/AIDS prevention education in 4
public schools and to designate section 3313.6011 5
of the Revised Code as the "Act for Our Children's 6
Future." 7

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

Section 1. That sections 3313.60, 3313.6011, 3314.03, and 8
3326.11 of the Revised Code be amended to read as follows: 9

Sec. 3313.60. Notwithstanding division (D) of section 3311.52 10
of the Revised Code, divisions (A) to (E) of this section do not 11
apply to any cooperative education school district established 12
pursuant to divisions (A) to (C) of section 3311.52 of the Revised 13
Code. 14

(A) The board of education of each city and exempted village 15
school district, the governing board of each educational service 16
center, and the board of each cooperative education school 17
district established pursuant to section 3311.521 of the Revised 18
Code shall prescribe a curriculum for all schools under their 19

control. Except as provided in division (E) of this section, in 20
any such curriculum there shall be included the study of the 21
following subjects: 22

(1) The language arts, including reading, writing, spelling, 23
oral and written English, and literature; 24

(2) Geography, the history of the United States and of Ohio, 25
and national, state, and local government in the United States, 26
including a balanced presentation of the relevant contributions to 27
society of men and women of African, Mexican, Puerto Rican, and 28
American Indian descent as well as other ethnic and racial groups 29
in Ohio and the United States; 30

(3) Mathematics; 31

(4) Natural science, including instruction in the 32
conservation of natural resources; 33

(5) Health education, which shall include instruction in: 34

(a) The nutritive value of foods, including natural and 35
organically produced foods, the relation of nutrition to health, 36
and the use and effects of food additives; 37

(b) The harmful effects of and legal restrictions against the 38
use of drugs of abuse, alcoholic beverages, and tobacco; 39

(c) ~~Venereal disease~~ Sexually transmitted infection 40
prevention education, including HIV/AIDS prevention education in 41
accordance with section 3313.6011 of the Revised Code, except that 42
upon written request of the student's parent or guardian, a 43
student shall be excused from taking instruction in ~~venereal~~ 44
~~disease education~~; sexually transmitted infection prevention. 45
Instruction shall stress abstinence but shall not exclude other 46
instruction and materials on contraceptive methods and infection 47
reduction measures. 48

(d) In grades kindergarten through six, instruction in 49

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.

(6) Physical education;

(7) The fine arts, including music;

(8) First aid, including a training program in cardiopulmonary resuscitation, safety, and fire prevention, except that upon written request of the student's parent or guardian, a student shall be excused from taking instruction in cardiopulmonary resuscitation.

(B) Except as provided in division (E) of this section, every school or school district shall include in the requirements for promotion from the eighth grade to the ninth grade one year's course of study of American history. A board may waive this requirement for academically accelerated students who, in accordance with procedures adopted by the board, are able to

demonstrate mastery of essential concepts and skills of the eighth 81
grade American history course of study. 82

(C) Except as provided in division (E) of this section, every 83
high school shall include in the requirements for graduation from 84
any curriculum one unit of American history and government, 85
including a study of the constitutions of the United States and of 86
Ohio. 87

(D) Except as provided in division (E) of this section, basic 88
instruction in geography, United States history, the government of 89
the United States, the government of the state of Ohio, local 90
government in Ohio, the Declaration of Independence, the United 91
States Constitution, and the Constitution of the state of Ohio 92
shall be required before pupils may participate in courses 93
involving the study of social problems, economics, foreign 94
affairs, United Nations, world government, socialism and 95
communism. 96

(E) For each cooperative education school district 97
established pursuant to section 3311.521 of the Revised Code and 98
each city, exempted village, and local school district that has 99
territory within such a cooperative district, the curriculum 100
adopted pursuant to divisions (A) to (D) of this section shall 101
only include the study of the subjects that apply to the grades 102
operated by each such school district. The curriculums for such 103
schools, when combined, shall provide to each student of these 104
districts all of the subjects required under divisions (A) to (D) 105
of this section. 106

(F) The board of education of any cooperative education 107
school district established pursuant to divisions (A) to (C) of 108
section 3311.52 of the Revised Code shall prescribe a curriculum 109
for the subject areas and grade levels offered in any school under 110
its control. 111

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

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

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

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

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

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

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

~~(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;	142
(2) Teach the potential physical, psychological, emotional, and social side effects of participating in sexual activity outside of marriage;	143
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(2) Teach the potential physical, psychological, emotional, and social side effects of participating in sexual activity outside of marriage;	146
(3) Teach that conceiving children out of wedlock is likely to have harmful consequences for the child, the child's parents, and society;	147
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(3) Teach that conceiving children out of wedlock is likely to have harmful consequences for the child, the child's parents, and society;	149
(4) Stress that sexually transmitted diseases are serious possible hazards of sexual activity;	150
(4) Stress that sexually transmitted diseases are serious possible hazards of sexual activity;	151
(5) Advise students of the laws pertaining to financial responsibility of parents to children born in and out of wedlock;	152
(5) Advise students of the laws pertaining to financial responsibility of parents to children born in and out of wedlock;	153
(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;	154
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(7) Emphasize adoption as an option for unintended pregnancies.	157
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(D):	159
<u>(1) "Age-appropriate" means designed to teach concepts, information, and skills based on the social, cognitive, and emotional level of pupils.</u>	160
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<u>(2) "Comprehensive sexual health education" means education regarding human development and sexuality, including education on sexual health, family planning, and sexually transmitted infections.</u>	163
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<u>(3) "HIV/AIDS prevention education" means instruction on the nature of HIV/AIDS, methods of transmission, strategies to reduce the risk of human immunodeficiency virus (HIV) infection, and social and public health issues related to HIV/AIDS. "HIV/AIDS prevention education" is not comprehensive sexual health</u>	167
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education. 172

(4) "Instructors trained in the appropriate courses" means 173
instructors with knowledge of the most recent medically and 174
scientifically accurate research on human sexuality, pregnancy, 175
and sexually transmitted infections. 176

(5) "Medically and scientifically accurate" means verified or 177
supported by research conducted in compliance with scientific 178
methods and published in peer-reviewed journals, where 179
appropriate, and recognized as accurate and objective by 180
professional organizations and agencies with expertise in the 181
relevant field, such as the United States centers for disease 182
control and prevention and the American college of obstetricians 183
and gynecologists. 184

(B) Any school district or educational service center may 185
offer comprehensive sexual health education. Beginning on the 186
first day of August immediately following the effective date of 187
this amendment, each school district and educational service 188
center that elects to offer comprehensive sexual health education 189
shall ensure that the program meets all of the following 190
requirements: 191

(1) Instruction and materials shall be age-appropriate. 192

(2) All factual information shall be medically and 193
scientifically accurate. 194

(3) Instruction and materials shall be appropriate for use 195
with all pupils regardless of gender, race, ethnic and cultural 196
background, religion, disability, sexual orientation, or gender 197
identity. 198

(4) Instruction and materials shall encourage pupils to 199
communicate with their parents or guardians about human sexuality. 200

(5) Instruction and materials shall teach all of the 201

<u>following:</u>	202
<u>(a) That abstinence from sexual activity is the only certain way to avoid pregnancy, sexually transmitted infections, and other associated health problems;</u>	203 204 205
<u>(b) That bearing children outside of a committed relationship is likely to have consequences for the child, the child's parents, and society;</u>	206 207 208
<u>(c) How, as young people, to effectively reject sexual advances and how alcohol and drug use increases vulnerability to sexual advances;</u>	209 210 211
<u>(d) The importance of attaining self-sufficiency before engaging in sexual activity.</u>	212 213
<u>(6) Instruction and materials shall stress abstinence but shall not exclude other instruction and materials on contraceptive methods and infection reduction measures.</u>	214 215 216
<u>(7) If age-appropriate, instruction and materials shall provide information about the effectiveness and safety, including the health benefits and side effects, of all contraceptive methods in preventing unintended pregnancy and reducing the risk of contracting sexually transmitted infections.</u>	217 218 219 220 221
<u>(8) Instruction about sexually transmitted infections shall commence not later than grade seven. The instruction shall include information on how sexually transmitted infections are and are not transmitted, the effectiveness and methods of reducing the risk of contracting sexually transmitted infections, and identification of local resources for testing and medical care for sexually transmitted infections and HIV.</u>	222 223 224 225 226 227 228
<u>(9) If age-appropriate, instruction and materials shall provide pupils with skills for negotiating intimate relationships and making and implementing responsible decisions about sexuality.</u>	229 230 231

(10) If age-appropriate, instruction and materials shall 232
include a discussion of the possible emotional, physical, and 233
psychological consequences of preadolescent and adolescent sexual 234
activity and the emotional, physical, and psychological 235
consequences of unintended pregnancy. 236

(11) Instruction and materials shall teach pupils to 237
recognize unwanted physical and verbal sexual advances, not to 238
make unwanted physical and verbal sexual advances, and how to 239
effectively reject unwanted sexual advances. The instruction and 240
materials shall cover verbal, physical, and visual sexual 241
harassment, including nonconsensual physical sexual contact and 242
rape by an acquaintance or family member. The course information 243
and materials shall emphasize personal accountability and respect 244
for others and shall encourage youth to resist peer pressure. 245

(12) Comprehensive sexual health education shall not include 246
any instruction or materials that teach or promote religious 247
doctrine. 248

A school district or educational service center may use 249
separate, outside speakers or prepared curricula to teach 250
different content areas or units with the comprehensive sexual 251
health education program, as long as all speakers, curricula, and 252
materials used comply with this section. 253

(C) Each city, local, exempted village, and joint vocational 254
school district shall ensure that each pupil in grades seven 255
through twelve receives HIV/AIDS prevention education from 256
instructors trained in the appropriate courses. Each pupil shall 257
receive this instruction at least once in grades seven through 258
nine, and at least once in grades ten through twelve. HIV/AIDS 259
prevention education, whether taught by school district personnel 260
or outside consultants, shall accurately reflect the latest 261
information and recommendations from the United States surgeon 262
general, the United States centers for disease control and 263

prevention, and the national academy of sciences, and shall 264
include all of the following: 265

(1) Information on the nature of HIV/AIDS and its effects on 266
the human body; 267

(2) Information on the manner in which HIV is and is not 268
transmitted, including information on activities that present the 269
highest risk of HIV infection; 270

(3) Discussion of methods to reduce the risk of HIV 271
infection, which shall emphasize that sexual abstinence, monogamy, 272
and the avoidance of multiple sexual partners, and abstinence from 273
intravenous drug use, are the most effective means for HIV/AIDS 274
prevention, but shall also include statistics based upon the 275
latest medical information citing the success and failure rates of 276
condoms and other contraceptives in preventing sexually 277
transmitted HIV infection, as well as information on other methods 278
that may reduce the risk of HIV transmission from intravenous drug 279
use; 280

(4) Discussion of the public health issues associated with 281
HIV/AIDS; 282

(5) Information on local resources for HIV testing and 283
medical care; 284

(6) Instruction and materials that provide pupils with skills 285
for negotiating intimate relationships and making and implementing 286
responsible decisions about sexuality; 287

(7) Discussion about societal views on HIV/AIDS, including 288
stereotypes and myths regarding persons with HIV/AIDS, which shall 289
emphasize an understanding of the condition and its impact on 290
people's lives; 291

(8) Instruction and materials that teach pupils to recognize 292
unwanted physical and verbal sexual advances, not to make unwanted 293

physical and verbal sexual advances, and how to effectively reject 294
unwanted sexual advances. The instruction and materials shall 295
cover verbal, physical, and visual sexual harassment, including 296
nonconsensual physical sexual contact and rape by an acquaintance 297
or family member. The course information and materials shall 298
emphasize personal accountability and respect for others and shall 299
encourage youth to resist peer pressure. 300

(D) 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 or HIV/AIDS prevention education. In doing so, 305
each district and service center shall consult with the department 306
of education. 307

The in-service training shall be conducted periodically to 308
enable district and service center personnel to learn new 309
developments in the scientific understanding of sexual health and 310
HIV/AIDS. The in-service training shall be voluntary for district 311
and service center personnel who have demonstrated expertise or 312
received in-service training from the department or the United 313
States centers for disease control and prevention. 314

A district or service center may contract with outside 315
consultants with expertise in comprehensive sexual health 316
education and HIV/AIDS prevention education, including those who 317
have developed multilingual curricula or curricula accessible to 318
persons with disabilities, to deliver the in-service training to 319
district or service center personnel. 320

(E) At the beginning of each school year, or at the time of 321
enrollment in the case of a pupil who enrolls after the beginning 322
of the school year, each school district shall notify the parent 323
or guardian of each pupil about instruction in comprehensive 324
sexual health education and HIV/AIDS prevention education and 325

about research on pupil health behaviors and health risks planned 326
for that year. The notice shall advise parents and guardians of 327
all of the following: 328

(1) That written and audio-visual educational materials used 329
in comprehensive sexual health education and HIV/AIDS prevention 330
education are available for inspection; 331

(2) Whether comprehensive sexual health education or HIV/AIDS 332
prevention education will be taught by school district personnel 333
or by outside consultants; 334

(3) That a parent or guardian may request a copy of this 335
section; 336

(4) That a parent or guardian may request in writing that the 337
child not receive comprehensive sexual health education or 338
HIV/AIDS prevention education. 339

A school district or educational service center shall not 340
permit a pupil to attend any class in comprehensive sexual health 341
education or HIV/AIDS prevention education if the school has 342
received a written request from the pupil's parent or guardian 343
excusing the pupil from participation. A pupil who is so excused 344
shall not be subject to disciplinary action, academic penalty, or 345
other sanction, and the district or service center shall make an 346
alternative educational activity available for the pupil while 347
comprehensive sexual health education or HIV/AIDS prevention 348
education is conducted. 349

Each school district and educational service center shall 350
make written and audio-visual educational materials used in 351
comprehensive sexual health education and HIV/AIDS prevention 352
education available for inspection by the parents and guardians of 353
pupils. Each school district shall provide a copy of this section 354
upon request to the parent or guardian of a pupil enrolled in the 355
district. 356

(F) Any model education program for health education the 357
state board of education adopts shall conform to the requirements 358
of this section. 359

~~(E) On and after March 18, 1999, and notwithstanding~~ (G) If a 360
school district or educational service center does not elect to 361
offer comprehensive sexual health education under this section, 362
any sexual education that the school district or educational 363
service center offers, including instruction in sexually 364
transmitted infection prevention pursuant to division (A)(5)(c) of 365
section 3313.60 of the Revised Code, shall stress abstinence but 366
shall not exclude other instruction and materials on contraceptive 367
methods and infection reduction measures. 368

(H) Notwithstanding section 3302.07 of the Revised Code, the 369
superintendent of public instruction shall not approve, pursuant 370
to ~~that section 3302.07 of the Revised Code~~, any waiver of any 371
requirement of this section or of any rule adopted by the state 372
board of education pursuant to this section. 373

Sec. 3314.03. A copy of every contract entered into under 374
this section shall be filed with the superintendent of public 375
instruction. 376

(A) Each contract entered into between a sponsor and the 377
governing authority of a community school shall specify the 378
following: 379

(1) That the school shall be established as either of the 380
following: 381

(a) A nonprofit corporation established under Chapter 1702. 382
of the Revised Code, if established prior to April 8, 2003; 383

(b) A public benefit corporation established under Chapter 384
1702. of the Revised Code, if established after April 8, 2003. 385

(2) The education program of the school, including the 386

school's mission, the characteristics of the students the school 387
is expected to attract, the ages and grades of students, and the 388
focus of the curriculum; 389

(3) The academic goals to be achieved and the method of 390
measurement that will be used to determine progress toward those 391
goals, which shall include the statewide achievement assessments; 392

(4) Performance standards by which the success of the school 393
will be evaluated by the sponsor; 394

(5) The admission standards of section 3314.06 of the Revised 395
Code and, if applicable, section 3314.061 of the Revised Code; 396

(6)(a) Dismissal procedures; 397

(b) A requirement that the governing authority adopt an 398
attendance policy that includes a procedure for automatically 399
withdrawing a student from the school if the student without a 400
legitimate excuse fails to participate in one hundred five 401
consecutive hours of the learning opportunities offered to the 402
student. 403

(7) The ways by which the school will achieve racial and 404
ethnic balance reflective of the community it serves; 405

(8) Requirements for financial audits by the auditor of 406
state. The contract shall require financial records of the school 407
to be maintained in the same manner as are financial records of 408
school districts, pursuant to rules of the auditor of state. 409
Audits shall be conducted in accordance with section 117.10 of the 410
Revised Code. 411

(9) The facilities to be used and their locations; 412

(10) Qualifications of teachers, including the following: 413

(a) A requirement that the school's classroom teachers be 414
licensed in accordance with sections 3319.22 to 3319.31 of the 415
Revised Code, except that a community school may engage 416

noncertificated persons to teach up to twelve hours per week 417
pursuant to section 3319.301 of the Revised Code; 418

(b) A requirement that each classroom teacher initially hired 419
by the school on or after July 1, 2013, and employed to provide 420
instruction in physical education hold a valid license issued 421
pursuant to section 3319.22 of the Revised Code for teaching 422
physical education. 423

(11) That the school will comply with the following 424
requirements: 425

(a) The school will provide learning opportunities to a 426
minimum of twenty-five students for a minimum of nine hundred 427
twenty hours per school year. 428

(b) The governing authority will purchase liability 429
insurance, or otherwise provide for the potential liability of the 430
school. 431

(c) The school will be nonsectarian in its programs, 432
admission policies, employment practices, and all other 433
operations, and will not be operated by a sectarian school or 434
religious institution. 435

(d) The school will comply with sections 9.90, 9.91, 109.65, 436
121.22, 149.43, 2151.357, 2151.421, 2313.18, 3301.0710, 3301.0711, 437
3301.0712, 3301.0715, 3313.472, 3313.50, 3313.536, 3313.608, 438
3313.6011, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.643, 439
3313.648, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 440
3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 441
3313.718, 3313.719, 3313.80, 3313.814, 3313.816, 3313.817, 442
3313.86, 3313.96, 3319.073, 3319.321, 3319.39, 3319.391, 3319.41, 443
3321.01, 3321.041, 3321.13, 3321.14, 3321.17, 3321.18, 3321.19, 444
3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 445
117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. 446
of the Revised Code as if it were a school district and will 447

comply with section 3301.0714 of the Revised Code in the manner 448
specified in section 3314.17 of the Revised Code. 449

(e) The school shall comply with Chapter 102. and section 450
2921.42 of the Revised Code. 451

(f) The school will comply with sections 3313.61, 3313.611, 452
and 3313.614 of the Revised Code, except that for students who 453
enter ninth grade for the first time before July 1, 2010, the 454
requirement in sections 3313.61 and 3313.611 of the Revised Code 455
that a person must successfully complete the curriculum in any 456
high school prior to receiving a high school diploma may be met by 457
completing the curriculum adopted by the governing authority of 458
the community school rather than the curriculum specified in Title 459
XXXIII of the Revised Code or any rules of the state board of 460
education. Beginning with students who enter ninth grade for the 461
first time on or after July 1, 2010, the requirement in sections 462
3313.61 and 3313.611 of the Revised Code that a person must 463
successfully complete the curriculum of a high school prior to 464
receiving a high school diploma shall be met by completing the 465
Ohio core curriculum prescribed in division (C) of section 466
3313.603 of the Revised Code, unless the person qualifies under 467
division (D) or (F) of that section. Each school shall comply with 468
the plan for awarding high school credit based on demonstration of 469
subject area competency, adopted by the state board of education 470
under division (J) of section 3313.603 of the Revised Code. 471

(g) The school governing authority will submit within four 472
months after the end of each school year a report of its 473
activities and progress in meeting the goals and standards of 474
divisions (A)(3) and (4) of this section and its financial status 475
to the sponsor and the parents of all students enrolled in the 476
school. 477

(h) The school, unless it is an internet- or computer-based 478
community school, will comply with sections 3313.674 and ~~section~~ 479

3313.801 of the Revised Code as if it were a school district. 480

(i) If the school is the recipient of moneys from a grant 481
awarded under the federal race to the top program, Division (A), 482
Title XIV, Sections 14005 and 14006 of the "American Recovery and 483
Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, the 484
school will pay teachers based upon performance in accordance with 485
section 3317.141 and will comply with section 3319.111 of the 486
Revised Code as if it were a school district. 487

(12) Arrangements for providing health and other benefits to 488
employees; 489

(13) The length of the contract, which shall begin at the 490
beginning of an academic year. No contract shall exceed five years 491
unless such contract has been renewed pursuant to division (E) of 492
this section. 493

(14) The governing authority of the school, which shall be 494
responsible for carrying out the provisions of the contract; 495

(15) A financial plan detailing an estimated school budget 496
for each year of the period of the contract and specifying the 497
total estimated per pupil expenditure amount for each such year. 498
The plan shall specify for each year the base formula amount that 499
will be used for purposes of funding calculations under section 500
3314.08 of the Revised Code. This base formula amount for any year 501
shall not exceed the formula amount defined under section 3317.02 502
of the Revised Code. The plan may also specify for any year a 503
percentage figure to be used for reducing the per pupil amount of 504
the subsidy calculated pursuant to section 3317.029 of the Revised 505
Code the school is to receive that year under section 3314.08 of 506
the Revised Code. 507

(16) Requirements and procedures regarding the disposition of 508
employees of the school in the event the contract is terminated or 509
not renewed pursuant to section 3314.07 of the Revised Code; 510

(17) Whether the school is to be created by converting all or 511
part of an existing public school or educational service center 512
building or is to be a new start-up school, and if it is a 513
converted public school or service center building, specification 514
of any duties or responsibilities of an employer that the board of 515
education or service center governing board that operated the 516
school or building before conversion is delegating to the 517
governing authority of the community school with respect to all or 518
any specified group of employees provided the delegation is not 519
prohibited by a collective bargaining agreement applicable to such 520
employees; 521

(18) Provisions establishing procedures for resolving 522
disputes or differences of opinion between the sponsor and the 523
governing authority of the community school; 524

(19) A provision requiring the governing authority to adopt a 525
policy regarding the admission of students who reside outside the 526
district in which the school is located. That policy shall comply 527
with the admissions procedures specified in sections 3314.06 and 528
3314.061 of the Revised Code and, at the sole discretion of the 529
authority, shall do one of the following: 530

(a) Prohibit the enrollment of students who reside outside 531
the district in which the school is located; 532

(b) Permit the enrollment of students who reside in districts 533
adjacent to the district in which the school is located; 534

(c) Permit the enrollment of students who reside in any other 535
district in the state. 536

(20) A provision recognizing the authority of the department 537
of education to take over the sponsorship of the school in 538
accordance with the provisions of division (C) of section 3314.015 539
of the Revised Code; 540

(21) A provision recognizing the sponsor's authority to 541

assume the operation of a school under the conditions specified in 542
division (B) of section 3314.073 of the Revised Code; 543

(22) A provision recognizing both of the following: 544

(a) The authority of public health and safety officials to 545
inspect the facilities of the school and to order the facilities 546
closed if those officials find that the facilities are not in 547
compliance with health and safety laws and regulations; 548

(b) The authority of the department of education as the 549
community school oversight body to suspend the operation of the 550
school under section 3314.072 of the Revised Code if the 551
department has evidence of conditions or violations of law at the 552
school that pose an imminent danger to the health and safety of 553
the school's students and employees and the sponsor refuses to 554
take such action. 555

(23) A description of the learning opportunities that will be 556
offered to students including both classroom-based and 557
non-classroom-based learning opportunities that is in compliance 558
with criteria for student participation established by the 559
department under division (L)(2) of section 3314.08 of the Revised 560
Code; 561

(24) The school will comply with sections 3302.04 and 562
3302.041 of the Revised Code, except that any action required to 563
be taken by a school district pursuant to those sections shall be 564
taken by the sponsor of the school. However, the sponsor shall not 565
be required to take any action described in division (F) of 566
section 3302.04 of the Revised Code. 567

(25) Beginning in the 2006-2007 school year, the school will 568
open for operation not later than the thirtieth day of September 569
each school year, unless the mission of the school as specified 570
under division (A)(2) of this section is solely to serve dropouts. 571
In its initial year of operation, if the school fails to open by 572

the thirtieth day of September, or within one year after the 573
adoption of the contract pursuant to division (D) of section 574
3314.02 of the Revised Code if the mission of the school is solely 575
to serve dropouts, the contract shall be void. 576

(B) The community school shall also submit to the sponsor a 577
comprehensive plan for the school. The plan shall specify the 578
following: 579

(1) The process by which the governing authority of the 580
school will be selected in the future; 581

(2) The management and administration of the school; 582

(3) If the community school is a currently existing public 583
school or educational service center building, alternative 584
arrangements for current public school students who choose not to 585
attend the converted school and for teachers who choose not to 586
teach in the school or building after conversion; 587

(4) The instructional program and educational philosophy of 588
the school; 589

(5) Internal financial controls. 590

(C) A contract entered into under section 3314.02 of the 591
Revised Code between a sponsor and the governing authority of a 592
community school may provide for the community school governing 593
authority to make payments to the sponsor, which is hereby 594
authorized to receive such payments as set forth in the contract 595
between the governing authority and the sponsor. The total amount 596
of such payments for oversight and monitoring of the school shall 597
not exceed three per cent of the total amount of payments for 598
operating expenses that the school receives from the state. 599

(D) The contract shall specify the duties of the sponsor 600
which shall be in accordance with the written agreement entered 601
into with the department of education under division (B) of 602

section 3314.015 of the Revised Code and shall include the 603
following: 604

(1) Monitor the community school's compliance with all laws 605
applicable to the school and with the terms of the contract; 606

(2) Monitor and evaluate the academic and fiscal performance 607
and the organization and operation of the community school on at 608
least an annual basis; 609

(3) Report on an annual basis the results of the evaluation 610
conducted under division (D)(2) of this section to the department 611
of education and to the parents of students enrolled in the 612
community school; 613

(4) Provide technical assistance to the community school in 614
complying with laws applicable to the school and terms of the 615
contract; 616

(5) Take steps to intervene in the school's operation to 617
correct problems in the school's overall performance, declare the 618
school to be on probationary status pursuant to section 3314.073 619
of the Revised Code, suspend the operation of the school pursuant 620
to section 3314.072 of the Revised Code, or terminate the contract 621
of the school pursuant to section 3314.07 of the Revised Code as 622
determined necessary by the sponsor; 623

(6) Have in place a plan of action to be undertaken in the 624
event the community school experiences financial difficulties or 625
closes prior to the end of a school year. 626

(E) Upon the expiration of a contract entered into under this 627
section, the sponsor of a community school may, with the approval 628
of the governing authority of the school, renew that contract for 629
a period of time determined by the sponsor, but not ending earlier 630
than the end of any school year, if the sponsor finds that the 631
school's compliance with applicable laws and terms of the contract 632
and the school's progress in meeting the academic goals prescribed 633

in the contract have been satisfactory. Any contract that is 634
renewed under this division remains subject to the provisions of 635
sections 3314.07, 3314.072, and 3314.073 of the Revised Code. 636

(F) If a community school fails to open for operation within 637
one year after the contract entered into under this section is 638
adopted pursuant to division (D) of section 3314.02 of the Revised 639
Code or permanently closes prior to the expiration of the 640
contract, the contract shall be void and the school shall not 641
enter into a contract with any other sponsor. A school shall not 642
be considered permanently closed because the operations of the 643
school have been suspended pursuant to section 3314.072 of the 644
Revised Code. 645

Sec. 3326.11. Each science, technology, engineering, and 646
mathematics school established under this chapter and its 647
governing body shall comply with sections 9.90, 9.91, 109.65, 648
121.22, 149.43, 2151.357, 2151.421, 2313.18, 2921.42, 2921.43, 649
3301.0714, 3301.0715, 3313.14, 3313.15, 3313.16, 3313.18, 650
3313.201, 3313.26, 3313.472, 3313.48, 3313.481, 3313.482, 3313.50, 651
3313.536, 3313.608, 3313.6011, 3313.6012, 3313.6013, 3313.6014, 652
3313.6015, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 653
3313.648, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 654
3313.67, 3313.671, 3313.672, 3313.673, 3313.674, 3313.69, 3313.71, 655
3313.716, 3313.718, 3313.719, 3313.80, 3313.801, 3313.814, 656
3313.816, 3313.817, 3313.86, 3313.88, 3313.96, 3319.073, 3319.21, 657
3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 658
3321.01, 3321.041, 3321.13, 3321.14, 3321.17, 3321.18, 3321.19, 659
3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 660
102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 661
4123., 4141., and 4167. of the Revised Code as if it were a school 662
district. 663

Section 2. That existing sections 3313.60, 3313.6011, 664

3314.03, and 3326.11 of the Revised Code are hereby repealed. 665

Section 3. (A) Section 3313.6011 of the Revised Code is to be 666
known as the "Act for Our Children's Future." 667

(B) The purposes of the Act for Our Children's Future are to: 668

(1) Provide pupils with knowledge and skills necessary to 669
protect their sexual and reproductive health from unintended 670
pregnancy and sexually transmitted infections; 671

(2) Encourage pupils to develop responsible decision-making 672
skills as well as healthy attitudes and values about adolescent 673
growth and development, body image, gender roles, sexual 674
orientation, and healthy relationships. 675

Section 4. The references to section 3313.674 of the Revised 676
Code, in division (A)(11)(h) of section 3314.03 and in section 677
3326.11 of the Revised Code, are presented in this act as law in 678
conformity with the expressed intent of the Governor's veto 679
message for Am. Sub. H.B. 153 of the 129th General Assembly to 680
veto the repeal of the body mass index screening program. 681