As Passed by the House

130th General Assembly Regular Session 2013-2014

Am. H. B. No. 362

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Representatives Scherer, Derickson

Cosponsors: Representatives Anielski, Blessing, Butler, Roegner, Young, Bishoff, Baker, Beck, Buchy, Burkley, Conditt, Green, Grossman, Hackett, Hall, Maag, Romanchuk, Stebelton, Terhar, Wachtmann Speaker Batchelder

A BILL

| To amend sections 3301.162, 3314.03, 3326.02, | 1 |
|----------------------------------------------------|---|
| 3326.03, 3326.04, and 3326.09 and to enact section | 2 |
| 3326.032 of the Revised Code to authorize the STEM | 3 |
| Committee to grant a designation of STEM school | 4 |
| equivalent to a community school or chartered | 5 |
| nonpublic school and to make other revisions to | б |
| the law regarding STEM schools. | 7 |

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

| Section 1. That sections 3301.162, 3314.03, 3326.02, 3326.03, | 8 |
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| 3326.04, and 3326.09 be amended and section 3326.032 of the | 9 |
| Revised Code be enacted to read as follows: | 10 |

sec. 3301.162. (A) If the governing authority of a chartered 11
nonpublic school intends to close the school, the governing 12
authority shall notify all of the following of that intent prior 13
to closing the school: 14

(1) The department of education;

(2) The school district that receives auxiliary services 16

following:

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| (3) The accrediting association that most recently accredited | 19 |
| the school for purposes of chartering the school in accordance | 20 |
| with the rules of the state board of education, if applicable <u>;</u> | 21 |
| (4) If the school has been designated as a STEM school | 22 |
| equivalent under section 3326.032 of the Revised Code, the STEM | 23 |
| committee established under section 3326.02 of the Revised Code. | 24 |
| The notice shall include the school year and, if possible, | 25 |
| the actual date the school will close. | 26 |
| (B) The chief administrator of each chartered nonpublic | 27 |
| school that closes shall deposit the school's records with either: | 28 |
| (1) The accrediting association that most recently accredited | 29 |
| the school for purposes of chartering the school in accordance | 30 |
| with the rules of the state board, if applicable; | 31 |
| (2) The school district that received auxiliary services | 32 |
| funding under division (E) of section 3317.024 of the Revised Code | 33 |
| on behalf of the students enrolled in the school. | 34 |
| The school district that receives the records may charge for | 35 |
| and receive a one-time reimbursement from auxiliary services | 36 |
| funding under division (E) of section 3317.024 of the Revised Code | 37 |
| for costs the district incurred to store the records. | 38 |
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| Sec. 3314.03. A copy of every contract entered into under | 39 |
| this section shall be filed with the superintendent of public | 40 |
| instruction. The department of education shall make available on | 41 |
| its web site a copy of every approved, executed contract filed | 42 |
| with the superintendent under this section. | 43 |
| (A) Each contract entered into between a sponsor and the | 44 |
| governing authority of a community school shall specify the | 45 |
| | 10 |

funding under division (E) of section 3317.024 of the Revised Code

on behalf of the students enrolled in the school;

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| (1) That the school shall be established as either of the | 47 |
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| following: | 48 |
| (a) A nonprofit corporation established under Chapter 1702. | 49 |
| of the Revised Code, if established prior to April 8, 2003; | 50 |
| (b) A public benefit corporation established under Chapter | 51 |
| 1702. of the Revised Code, if established after April 8, 2003. | 52 |
| (2) The education program of the school, including the | 53 |
| school's mission, the characteristics of the students the school | 54 |
| is expected to attract, the ages and grades of students, and the | 55 |
| focus of the curriculum; | 56 |
| (3) The academic goals to be achieved and the method of | 57 |
| measurement that will be used to determine progress toward those | 58 |
| goals, which shall include the statewide achievement assessments; | 59 |
| (4) Performance standards by which the success of the school | 60 |
| will be evaluated by the sponsor; | 61 |
| (5) The admission standards of section 3314.06 of the Revised | 62 |
| Code and, if applicable, section 3314.061 of the Revised Code; | 63 |
| (6)(a) Dismissal procedures; | 64 |
| (b) A requirement that the governing authority adopt an | 65 |
| attendance policy that includes a procedure for automatically | 66 |
| withdrawing a student from the school if the student without a | 67 |
| legitimate excuse fails to participate in one hundred five | 68 |
| consecutive hours of the learning opportunities offered to the | 69 |
| student. | 70 |
| (7) The ways by which the school will achieve racial and | 71 |
| ethnic balance reflective of the community it serves; | 72 |
| (8) Requirements for financial audits by the auditor of | 73 |
| state. The contract shall require financial records of the school | 74 |
| to be maintained in the same manner as are financial records of | 75 |
| school districts, pursuant to rules of the auditor of state. | 76 |

| Audits shall be conducted in accordance with section 117.10 of the | 77 |
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| Revised Code. | 78 |
| (9) The facilities to be used and their locations; | 79 |
| (10) Qualifications of teachers, including a requirement that | 80 |
| the school's classroom teachers be licensed in accordance with | 81 |
| sections 3319.22 to 3319.31 of the Revised Code, except that a | 82 |
| community school may engage noncertificated persons to teach up to | 83 |
| twelve hours per week pursuant to section 3319.301 of the Revised | 84 |
| Code. | 85 |
| (11) That the school will comply with the following | 86 |
| requirements: | 87 |
| (a) The school will provide learning opportunities to a | 88 |
| minimum of twenty-five students for a minimum of nine hundred | 89 |
| twenty hours per school year. | 90 |
| (b) The governing authority will purchase liability | 91 |
| insurance, or otherwise provide for the potential liability of the | 92 |
| school. | 93 |
| (c) The school will be nonsectarian in its programs, | 94 |
| admission policies, employment practices, and all other | 95 |
| operations, and will not be operated by a sectarian school or | 96 |
| religious institution. | 97 |
| (d) The school will comply with sections 9.90, 9.91, 109.65, | 98 |
| 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, | 99 |
| 3301.0712, 3301.0715, 3313.472, 3313.50, 3313.536, 3313.539, | 100 |
| 3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015, | 101 |
| 3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, | 102 |
| 3313.666, 3313.667, 3313.67, 3313.671, 3313.672, 3313.673, | 103 |
| 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.80, 3313.814, | 104 |
| 3313.816, 3313.817, 3313.86, 3313.96, 3319.073, 3319.321, 3319.39, | 105 |
| 3319.391, 3319.41, 3321.01, 3321.041, 3321.13, 3321.14, 3321.17, | 106 |
| 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 4113.52, and | 107 |

5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 108 4123., 4141., and 4167. of the Revised Code as if it were a school 109 district and will comply with section 3301.0714 of the Revised 110 Code in the manner specified in section 3314.17 of the Revised 111 Code. 112

(e) The school shall comply with Chapter 102. and section2921.42 of the Revised Code.114

(f) The school will comply with sections 3313.61, 3313.611, 115 and 3313.614 of the Revised Code, except that for students who 116 enter ninth grade for the first time before July 1, 2010, the 117 requirement in sections 3313.61 and 3313.611 of the Revised Code 118 that a person must successfully complete the curriculum in any 119 high school prior to receiving a high school diploma may be met by 120 completing the curriculum adopted by the governing authority of 121 the community school rather than the curriculum specified in Title 122 XXXIII of the Revised Code or any rules of the state board of 123 education. Beginning with students who enter ninth grade for the 124 first time on or after July 1, 2010, the requirement in sections 125 3313.61 and 3313.611 of the Revised Code that a person must 126 successfully complete the curriculum of a high school prior to 127 receiving a high school diploma shall be met by completing the 128 Ohio core curriculum prescribed in division (C) of section 129 3313.603 of the Revised Code, unless the person qualifies under 130 division (D) or (F) of that section. Each school shall comply with 131 the plan for awarding high school credit based on demonstration of 132 subject area competency, adopted by the state board of education 133 under division (J) of section 3313.603 of the Revised Code. 134

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

(h) The school, unless it is an internet- or computer-based
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community school, will comply with section 3313.801 of the Revised
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Code as if it were a school district.
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(i) If the school is the recipient of moneys from a grant
awarded under the federal race to the top program, Division (A),
Title XIV, Sections 14005 and 14006 of the "American Recovery and
Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, the
school will pay teachers based upon performance in accordance with
section 3317.141 and will comply with section 3319.111 of the
Revised Code as if it were a school district.

(12) Arrangements for providing health and other benefits to 151
employees; 152

(13) The length of the contract, which shall begin at the 153 beginning of an academic year. No contract shall exceed five years 154 unless such contract has been renewed pursuant to division (E) of 155 this section. 156

(14) The governing authority of the school, which shall beresponsible for carrying out the provisions of the contract;158

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

(16) Requirements and procedures regarding the disposition of
employees of the school in the event the contract is terminated or
not renewed pursuant to section 3314.07 of the Revised Code;
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(17) Whether the school is to be created by converting all or 165 part of an existing public school or educational service center 166 building or is to be a new start-up school, and if it is a 167 converted public school or service center building, specification 168 of any duties or responsibilities of an employer that the board of 169

education or service center governing board that operated the 170 school or building before conversion is delegating to the 171 governing authority of the community school with respect to all or 172 any specified group of employees provided the delegation is not 173 prohibited by a collective bargaining agreement applicable to such 174 employees; 175 (18) Provisions establishing procedures for resolving 176 disputes or differences of opinion between the sponsor and the 177 governing authority of the community school; 178 (19) A provision requiring the governing authority to adopt a 179 policy regarding the admission of students who reside outside the 180 district in which the school is located. That policy shall comply 181 with the admissions procedures specified in sections 3314.06 and 182 3314.061 of the Revised Code and, at the sole discretion of the 183 authority, shall do one of the following: 184 (a) Prohibit the enrollment of students who reside outside 185 the district in which the school is located; 186 (b) Permit the enrollment of students who reside in districts 187 adjacent to the district in which the school is located; 188 (c) Permit the enrollment of students who reside in any other 189 district in the state. 190 (20) A provision recognizing the authority of the department 191 of education to take over the sponsorship of the school in 192 accordance with the provisions of division (C) of section 3314.015 193 of the Revised Code; 194 (21) A provision recognizing the sponsor's authority to 195 assume the operation of a school under the conditions specified in 196 division (B) of section 3314.073 of the Revised Code; 197 (22) A provision recognizing both of the following: 198

(a) The authority of public health and safety officials to 199

inspect the facilities of the school and to order the facilities 200 closed if those officials find that the facilities are not in 201 compliance with health and safety laws and regulations; 202

(b) The authority of the department of education as the 203 community school oversight body to suspend the operation of the 204 school under section 3314.072 of the Revised Code if the 205 department has evidence of conditions or violations of law at the 206 school that pose an imminent danger to the health and safety of 207 the school's students and employees and the sponsor refuses to 208 take such action. 209

(23) A description of the learning opportunities that will be 210 offered to students including both classroom-based and 211 non-classroom-based learning opportunities that is in compliance 212 with criteria for student participation established by the 213 department under division (H)(2) of section 3314.08 of the Revised 214 Code; 215

(24) The school will comply with sections 3302.04 and 216 3302.041 of the Revised Code, except that any action required to 217 be taken by a school district pursuant to those sections shall be 218 taken by the sponsor of the school. However, the sponsor shall not 219 be required to take any action described in division (F) of 220 section 3302.04 of the Revised Code. 221

(25) Beginning in the 2006-2007 school year, the school will 222 open for operation not later than the thirtieth day of September 223 each school year, unless the mission of the school as specified 224 under division (A)(2) of this section is solely to serve dropouts. 225 In its initial year of operation, if the school fails to open by 226 the thirtieth day of September, or within one year after the 227 adoption of the contract pursuant to division (D) of section 228 3314.02 of the Revised Code if the mission of the school is solely 229 to serve dropouts, the contract shall be void. 230

| (26) Whether the school's governing authority is planning to | 231 |
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| seek designation for the school as a STEM school equivalent under | 232 |
| section 3326.032 of the Revised Code. | 233 |
| (B) The community school shall also submit to the sponsor a | 234 |
| comprehensive plan for the school. The plan shall specify the | 235 |
| following: | 236 |
| (1) The process by which the governing authority of the | 237 |
| school will be selected in the future; | 238 |
| (2) The management and administration of the school; | 239 |
| (3) If the community school is a currently existing public | 240 |
| school or educational service center building, alternative | 241 |
| arrangements for current public school students who choose not to | 242 |
| attend the converted school and for teachers who choose not to | 243 |
| teach in the school or building after conversion; | 244 |
| (4) The instructional program and educational philosophy of | 245 |
| the school; | 246 |
| (5) Internal financial controls. | 247 |
| (C) A contract entered into under section 3314.02 of the | 248 |
| Revised Code between a sponsor and the governing authority of a | 249 |
| community school may provide for the community school governing | 250 |
| authority to make payments to the sponsor, which is hereby | 251 |
| authorized to receive such payments as set forth in the contract | 252 |
| between the governing authority and the sponsor. The total amount | 253 |
| of such payments for oversight and monitoring of the school shall | 254 |
| not exceed three per cent of the total amount of payments for | 255 |
| operating expenses that the school receives from the state. | 256 |
| (D) The contract shall specify the duties of the sponsor | 257 |
| which shall be in accordance with the written agreement entered | 258 |

into with the department of education under division (B) of 259 section 3314.015 of the Revised Code and shall include the 260

(1) Monitor the community school's compliance with all laws 262applicable to the school and with the terms of the contract; 263

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

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

(4) Provide technical assistance to the community school in
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 complying with laws applicable to the school and terms of the
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 contract;
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(5) Take steps to intervene in the school's operation to 274 correct problems in the school's overall performance, declare the 275 school to be on probationary status pursuant to section 3314.073 276 of the Revised Code, suspend the operation of the school pursuant 277 to section 3314.072 of the Revised Code, or terminate the contract 278 of the school pursuant to section 3314.07 of the Revised Code as 279 determined necessary by the sponsor; 280

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

(E) Upon the expiration of a contract entered into under this 284 section, the sponsor of a community school may, with the approval 285 of the governing authority of the school, renew that contract for 286 a period of time determined by the sponsor, but not ending earlier 287 than the end of any school year, if the sponsor finds that the 288 school's compliance with applicable laws and terms of the contract 289 and the school's progress in meeting the academic goals prescribed 290 in the contract have been satisfactory. Any contract that is 291

(F) If a community school fails to open for operation within 294 one year after the contract entered into under this section is 295 adopted pursuant to division (D) of section 3314.02 of the Revised 296 Code or permanently closes prior to the expiration of the 297 contract, the contract shall be void and the school shall not 298 enter into a contract with any other sponsor. A school shall not 299 be considered permanently closed because the operations of the 300 school have been suspended pursuant to section 3314.072 of the 301 Revised Code. 302 Sec. 3326.02. There is hereby established a the STEM 303 committee of the department of education consisting of the 304 following members: 305 (A) The superintendent of public instruction; 306 (B) The chancellor of the Ohio board of regents; 307 (C) The director of development; 308 (D) Four members of the public, two of whom shall be 309 appointed by the governor, one of whom shall be appointed by the 310 speaker of the house of representatives, and one of whom shall be 311 appointed by the president of the senate. Members of the public 312 shall be appointed based on their expertise in business or in STEM 313 fields. The initial members of the committee shall be appointed 314 under division (D) of this section not later than forty-five days 315 after June 30, 2007. 316 All members of the committee appointed under division (D) of 317 this section shall serve at the pleasure of their appointing 318 authority. 319

renewed under this division remains subject to the provisions of

sections 3314.07, 3314.072, and 3314.073 of the Revised Code.

Members of the committee shall receive no compensation for320their services. The department of education shall provide321

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administrative support for the committee.

Sec. 3326.03. (A) The STEM committee shall authorize the 323 establishment of and award grants to science, technology, 324 engineering, and mathematics schools based on proposals submitted 325 to the committee. 326

The committee shall determine the criteria for proposals, 327 establish procedures for the submission of proposals, accept and 328 evaluate proposals, and choose which proposals to approve to 329 become a STEM school. In approving proposals for STEM schools, the 330 committee shall consider locating the schools in diverse 331 geographic regions of the state so that all students have access 332 to a STEM school. 333

The committee shall seek technical assistance from the Ohio334STEM learning network, or its successor, throughout the process of335accepting and evaluating proposals and choosing which proposals to336approve. In approving proposals for STEM schools, the committee337shall consider the recommendations of the Ohio STEM learning338network, or its successor.339

The committee may authorize the establishment of a group of 340 multiple STEM schools to operate from multiple facilities located 341 in one or more school districts under the direction of a single 342 governing body in the manner prescribed by section 3326.031 of the 343 Revised Code. The committee shall consider the merits of each of 344 the proposed STEM schools within a group and shall authorize each 345 school separately. Anytime after authorizing a group of STEM 346 schools to be under the direction of a single governing body, upon 347 a proposal from the governing body, the committee may authorize 348 one or more additional schools to operate as part of that group. 349

The STEM committee may approve one or more STEM schools to 350 serve only students identified as gifted under Chapter 3324. of 351 the Revised Code. 352

| (B) Proposals may be submitted only by a partnership of | 353 |
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| public and private entities consisting of at least all of the | 354 |
| following: | 355 |
| (1) A city, exempted village, local, or joint vocational | 356 |
| school district or an educational service center; | 357 |
| (2) Higher education entities; | 358 |
| (3) Business organizations. | 359 |
| A community school established under Chapter 3314. of the | 360 |
| Revised Code, a chartered nonpublic school, or both may be part of | 361 |
| the partnership. | 362 |
| (C) Each proposal shall include at least the following: | 363 |
| (1) Assurances that the STEM school or group of STEM schools | 364 |
| will be under the oversight of a governing body and a description | 365 |
| of the members of that governing body and how they will be | 366 |
| selected; | 367 |
| (2) Assurances that each STEM school will operate in | 368 |
| compliance with this chapter and the provisions of the proposal as | 369 |
| accepted by the committee; | 370 |
| (3) Evidence that each school will offer a rigorous, diverse, | 371 |
| integrated, and project-based curriculum to students in any of | 372 |
| grades six through twelve, with the goal to prepare those students | 373 |
| for college, the workforce, and citizenship, and that does all of | 374 |
| the following: | 375 |
| (a) Emphasizes the role of science, technology, engineering, | 376 |
| and mathematics in promoting innovation and economic progress; | 377 |
| (b) Incorporates scientific inquiry and technological design; | 378 |
| (c) Includes the arts and humanities; | 379 |
| (d) Emphasizes personalized learning and teamwork skills. | 380 |
| (4) Evidence that each school will attract school leaders who | 381 |
| | |

<u>school equivalent.</u>

| support the curriculum principles of division (C)(3) of this | 382 |
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| section; | 383 |
| (5) A description of how each school's curriculum will be | 384 |
| developed and approved in accordance with section 3326.09 of the | 385 |
| Revised Code; | 386 |
| (6) Evidence that each school will utilize an established | 387 |
| capacity to capture and share knowledge for best practices and | 388 |
| innovative professional development with the Ohio STEM learning | 389 |
| network, or its successor; | 390 |
| (7) Evidence that each school will operate in collaboration | 391 |
| with a partnership that includes institutions of higher education | 392 |
| and businesses; | 393 |
| (8) Assurances that each school has received commitments of | 394 |
| sustained and verifiable fiscal and in-kind support from regional | 395 |
| education and business entities; | 396 |
| (9) A description of how each school's assets will be | 397 |
| distributed if the school closes for any reason. | 398 |
| Sec. 3326.032. (A) The STEM committee may grant a designation | 399 |
| of STEM school equivalent to a community school established under | 400 |
| Chapter 3314. of the Revised Code or to a chartered nonpublic | 401 |
| school. In order to be eligible for this designation, a community | 402 |
| school or chartered nonpublic school shall submit a proposal that | 403 |
| satisfies the requirements of this section. | 404 |
| | 405 |
| The committee shall determine the criteria for proposals, | 406 |
| establish procedures for the submission of proposals, accept and | 407 |
| evaluate proposals, and choose which proposals warrant a community | 408 |
| school or chartered nonpublic school to be designated as a STEM | 409 |

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(B) A proposal for designation as a STEM school equivalent 411

shall include at least the following: 412 (1) Assurances that the community school or chartered 413 nonpublic school submitting the proposal has a working partnership 414 with both public and private entities, including higher education 415 entities and business organizations; 416 (2) Assurances that the school submitting the proposal will 417 operate in compliance with this section and the provisions of the 418 proposal as accepted by the committee; 419 (3) Evidence that the school submitting the proposal will 420 offer a rigorous, diverse, integrated, and project-based 421 curriculum to students in any of grades six through twelve, with 422 the goal to prepare those students for college, the workforce, and 423 citizenship, and that does all of the following: 424 (a) Emphasizes the role of science, technology, engineering, 425 and mathematics in promoting innovation and economic progress; 426 (b) Incorporates scientific inquiry and technological design; 427 (c) Includes the arts and humanities; 428 (d) Emphasizes personalized learning and teamwork skills. 429 (4) Evidence that the school submitting the proposal will 430 attract school leaders who support the curriculum principles of 431 division (B)(3) of this section; 432 (5) A description of how each school's curriculum will be 433 developed and approved in accordance with section 3326.09 of the 434 Revised Code; 435 (6) Evidence that the school submitting the proposal will 436 utilize an established capacity to capture and share knowledge for 437 best practices and innovative professional development; 438 (7) Assurances that the school submitting the proposal has 439 received commitments of sustained and verifiable fiscal and 440

in-kind support from regional education and business entities.

| is designated as a STEM school equivalent under this section shall | 443 |
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| not be subject to the requirements of Chapter 3326. of the Revised | 444 |
| <u>Code, except that the school shall be subject to the requirements</u> | 445 |
| of this section and to the curriculum requirements of section | 446 |
| 3326.09 of the Revised Code. | 447 |
| Nothing in this section, however, shall relieve a community | 448 |
| school of the applicable requirements of Chapter 3314. of the | 449 |
| Revised Code. Nor shall anything in this section relieve a | 450 |
| chartered nonpublic school of any provisions of law outside of | 451 |
| this chapter that are applicable to chartered nonpublic schools. | 452 |
| (2) A community school or chartered nonpublic school that is | 453 |
| designated as a STEM school equivalent under this section shall | 454 |
| not be eligible for operating funding under sections 3326.31 to | 455 |
| <u>3326.37, 3326.39 to 3326.40, and 3326.51 of the Revised Code.</u> | 456 |
| | |

(3) A community school or chartered nonpublic school that is457designated as a STEM school equivalent under this section may458apply for any of the grants and additional funds described in459section 3326.38 of the Revised Code for which the school is460eligible.461

(D) If a community school or chartered nonpublic school that462is designated as a STEM school equivalent under this section463intends to close or intends to no longer be designated as a STEM464school equivalent, it shall notify the STEM committee of that465fact.466

sec. 3326.04. (A) The STEM committee shall award grants to 467
support the operation of STEM programs of excellence to serve 468
students in any of grades kindergarten through eight through a 469
request for proposals. 470

(B) Proposals may be submitted by any of the following: 471

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(1) The board of education of a city, exempted village, or 472 local school district; 473 (2) The governing authority of a community school established 474 under Chapter 3314. of the Revised Code: 475 (3) The governing authority of a chartered nonpublic school. 476

(C) Each proposal shall demonstrate to the satisfaction of 477 the STEM committee that the program meets at least the following 478 standards: 479

(1) Unless the program is designed to serve only students 480 identified as gifted under Chapter 3324. of the Revised Code, the 481 program will serve all students enrolled in the district or school 482 in the grades for which the program is designed. 483

(2) The program will offer a rigorous and diverse curriculum 484 that is based on scientific inquiry and technological design, that 485 emphasizes personalized learning and teamwork skills, and that 486 will expose students to advanced scientific concepts within and 487 outside the classroom. 488

(3) Unless the program is designed to serve only students 489 identified as gifted under Chapter 3324. of the Revised Code, the 490 program will not limit participation of students on the basis of 491 intellectual ability, measures of achievement, or aptitude. 492

(4) The program will utilize an established capacity to 493 capture and share knowledge for best practices and innovative 494 professional development. 495

(5) The program will operate in collaboration with a 496 partnership that includes institutions of higher education and 497 businesses. 498

(6) The program will include teacher professional development 499 strategies that are augmented by community and business partners. 500

(D) The STEM committee shall give priority to proposals for 501

new or expanding innovative programs.

sec. 3326.09. Subject to approval by its governing body or 503 governing authority, the curriculum of each science, technology, 504 engineering, and mathematics school and of each community school 505 or chartered nonpublic school that is designated as a STEM school 506 equivalent under section 3326.032 of the Revised Code shall be 507 developed by a team that consists of at least the school's chief 508 administrative officer, a teacher, a representative of the higher 509 education institution that is a collaborating partner in the STEM 510 school or school designated as a STEM school equivalent, described 511 in the proposal for establishment of the school as required by 512 division (C)(7) of section 3326.03 of the Revised Code, and a 513 member of the public with expertise in the application of science, 514 technology, engineering, or mathematics. 515

 Section 2. That existing sections 3301.162, 3314.03, 3326.02,
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 3326.03, 3326.04, and 3326.09 of the Revised Code are hereby
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 repealed.
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