

As Introduced

**130th General Assembly
Regular Session
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H. B. No. 393

Representatives Baker, Landis

**Cosponsors: Representatives Blessing, Milkovich, Romanchuk, Reece,
Hagan, C., Anielski**

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A BILL

To amend sections 3314.03, 3326.11, and 3328.24 and 1
to enact section 3313.89 of the Revised Code to 2
require public high schools to publish annually a 3
career decision guide in its newsletter or on its 4
web site. 5

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

Section 1. That sections 3314.03, 3326.11, and 3328.24 be 6
amended and section 3313.89 of the Revised Code be enacted to read 7
as follows: 8

Sec. 3313.89. (A) Beginning in the 2014-2015 school year, 9
each public high school shall publish, not later than the first 10
day of April of each year, in its newsletter that it distributes 11
to parents and students a career decision guide. The guide shall 12
not be less than one full page in length. If the school does not 13
issue a newsletter, the school shall post the information on its 14
web site. 15

(B) Each high school shall create the career decision guide 16
in conjunction with local employers and local workforce investment 17
boards. The career decision guide shall include at least all of 18

the following: 19

(1) A discussion of various careers and job profiles, 20
including average salaries in the region, paths to achieving such 21
careers, including related college majors for those careers, 22
strategies for minimizing debt in attaining such careers, and 23
region-specific labor data; 24

(2) Cost comparisons between different educational options; 25

(3) Information on student debt, including an explanation of 26
loan repayment and return on investment. 27

(C) As used in this section, "local workforce investment 28
board" has the same meaning as in section 131.33 of the Revised 29
Code. 30

Sec. 3314.03. A copy of every contract entered into under 31
this section shall be filed with the superintendent of public 32
instruction. The department of education shall make available on 33
its web site a copy of every approved, executed contract filed 34
with the superintendent under this section. 35

(A) Each contract entered into between a sponsor and the 36
governing authority of a community school shall specify the 37
following: 38

(1) That the school shall be established as either of the 39
following: 40

(a) A nonprofit corporation established under Chapter 1702. 41
of the Revised Code, if established prior to April 8, 2003; 42

(b) A public benefit corporation established under Chapter 43
1702. of the Revised Code, if established after April 8, 2003. 44

(2) The education program of the school, including the 45
school's mission, the characteristics of the students the school 46
is expected to attract, the ages and grades of students, and the 47

focus of the curriculum;	48
(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 assessments;	49 50 51
(4) Performance standards by which the success of the school will be evaluated by the sponsor;	52 53
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	54 55
(6)(a) Dismissal procedures;	56
(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.	57 58 59 60 61 62
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	63 64
(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. Audits shall be conducted in accordance with section 117.10 of the Revised Code.	65 66 67 68 69 70
(9) The facilities to be used and their locations;	71
(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.	72 73 74 75 76 77

(11) That the school will comply with the following requirements:	78 79
(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.	80 81 82
(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school.	83 84 85
(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.	86 87 88 89
(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3313.472, 3313.50, 3313.536, 3313.539, 3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.643, 3313.648, 3313.6411, 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, 3313.719, 3313.80, 3313.814, 3313.816, 3313.817, 3313.86, <u>3313.89</u> , 3313.96, 3319.073, 3319.321, 3319.39, 3319.391, 3319.41, 3321.01, 3321.041, 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.	90 91 92 93 94 95 96 97 98 99 100 101 102 103 104
(e) The school shall comply with Chapter 102. and section 2921.42 of the Revised Code.	105 106
(f) The school will comply with sections 3313.61, 3313.611, and 3313.614 of the Revised Code, except that for students who	107 108

enter ninth grade for the first time before July 1, 2010, the 109
requirement in sections 3313.61 and 3313.611 of the Revised Code 110
that a person must successfully complete the curriculum in any 111
high school prior to receiving a high school diploma may be met by 112
completing the curriculum adopted by the governing authority of 113
the community school rather than the curriculum specified in Title 114
XXXVIII of the Revised Code or any rules of the state board of 115
education. Beginning with students who enter ninth grade for the 116
first time on or after July 1, 2010, the requirement in sections 117
3313.61 and 3313.611 of the Revised Code that a person must 118
successfully complete the curriculum of a high school prior to 119
receiving a high school diploma shall be met by completing the 120
Ohio core curriculum prescribed in division (C) of section 121
3313.603 of the Revised Code, unless the person qualifies under 122
division (D) or (F) of that section. Each school shall comply with 123
the plan for awarding high school credit based on demonstration of 124
subject area competency, adopted by the state board of education 125
under division (J) of section 3313.603 of the Revised Code. 126

(g) The school governing authority will submit within four 127
months after the end of each school year a report of its 128
activities and progress in meeting the goals and standards of 129
divisions (A)(3) and (4) of this section and its financial status 130
to the sponsor and the parents of all students enrolled in the 131
school. 132

(h) The school, unless it is an internet- or computer-based 133
community school, will comply with section 3313.801 of the Revised 134
Code as if it were a school district. 135

(i) If the school is the recipient of moneys from a grant 136
awarded under the federal race to the top program, Division (A), 137
Title XIV, Sections 14005 and 14006 of the "American Recovery and 138
Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, the 139
school will pay teachers based upon performance in accordance with 140

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 employees;

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

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

(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;

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

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

(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. 201

(23) A description of the learning opportunities that will be 202
offered to students including both classroom-based and 203
non-classroom-based learning opportunities that is in compliance 204
with criteria for student participation established by the 205
department under division (H)(2) of section 3314.08 of the Revised 206
Code; 207

(24) The school will comply with sections 3302.04 and 208
3302.041 of the Revised Code, except that any action required to 209
be taken by a school district pursuant to those sections shall be 210
taken by the sponsor of the school. However, the sponsor shall not 211
be required to take any action described in division (F) of 212
section 3302.04 of the Revised Code. 213

(25) Beginning in the 2006-2007 school year, the school will 214
open for operation not later than the thirtieth day of September 215
each school year, unless the mission of the school as specified 216
under division (A)(2) of this section is solely to serve dropouts. 217
In its initial year of operation, if the school fails to open by 218
the thirtieth day of September, or within one year after the 219
adoption of the contract pursuant to division (D) of section 220
3314.02 of the Revised Code if the mission of the school is solely 221
to serve dropouts, the contract shall be void. 222

(B) The community school shall also submit to the sponsor a 223
comprehensive plan for the school. The plan shall specify the 224
following: 225

(1) The process by which the governing authority of the 226
school will be selected in the future; 227

(2) The management and administration of the school; 228

(3) If the community school is a currently existing public 229
school or educational service center building, alternative 230
arrangements for current public school students who choose not to 231

attend the converted school and for teachers who choose not to	232
teach in the school or building after conversion;	233
(4) The instructional program and educational philosophy of	234
the school;	235
(5) Internal financial controls.	236
(C) A contract entered into under section 3314.02 of the	237
Revised Code between a sponsor and the governing authority of a	238
community school may provide for the community school governing	239
authority to make payments to the sponsor, which is hereby	240
authorized to receive such payments as set forth in the contract	241
between the governing authority and the sponsor. The total amount	242
of such payments for oversight and monitoring of the school shall	243
not exceed three per cent of the total amount of payments for	244
operating expenses that the school receives from the state.	245
(D) The contract shall specify the duties of the sponsor	246
which shall be in accordance with the written agreement entered	247
into with the department of education under division (B) of	248
section 3314.015 of the Revised Code and shall include the	249
following:	250
(1) Monitor the community school's compliance with all laws	251
applicable to the school and with the terms of the contract;	252
(2) Monitor and evaluate the academic and fiscal performance	253
and the organization and operation of the community school on at	254
least an annual basis;	255
(3) Report on an annual basis the results of the evaluation	256
conducted under division (D)(2) of this section to the department	257
of education and to the parents of students enrolled in the	258
community school;	259
(4) Provide technical assistance to the community school in	260
complying with laws applicable to the school and terms of the	261

contract; 262

(5) Take steps to intervene in the school's operation to 263
correct problems in the school's overall performance, declare the 264
school to be on probationary status pursuant to section 3314.073 265
of the Revised Code, suspend the operation of the school pursuant 266
to section 3314.072 of the Revised Code, or terminate the contract 267
of the school pursuant to section 3314.07 of the Revised Code as 268
determined necessary by the sponsor; 269

(6) Have in place a plan of action to be undertaken in the 270
event the community school experiences financial difficulties or 271
closes prior to the end of a school year. 272

(E) Upon the expiration of a contract entered into under this 273
section, the sponsor of a community school may, with the approval 274
of the governing authority of the school, renew that contract for 275
a period of time determined by the sponsor, but not ending earlier 276
than the end of any school year, if the sponsor finds that the 277
school's compliance with applicable laws and terms of the contract 278
and the school's progress in meeting the academic goals prescribed 279
in the contract have been satisfactory. Any contract that is 280
renewed under this division remains subject to the provisions of 281
sections 3314.07, 3314.072, and 3314.073 of the Revised Code. 282

(F) If a community school fails to open for operation within 283
one year after the contract entered into under this section is 284
adopted pursuant to division (D) of section 3314.02 of the Revised 285
Code or permanently closes prior to the expiration of the 286
contract, the contract shall be void and the school shall not 287
enter into a contract with any other sponsor. A school shall not 288
be considered permanently closed because the operations of the 289
school have been suspended pursuant to section 3314.072 of the 290
Revised Code. 291

Sec. 3326.11. Each science, technology, engineering, and 292

mathematics school established under this chapter and its 293
governing body shall comply with sections 9.90, 9.91, 109.65, 294
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 295
3301.0714, 3301.0715, 3313.14, 3313.15, 3313.16, 3313.18, 296
3313.201, 3313.26, 3313.472, 3313.48, 3313.481, 3313.482, 3313.50, 297
3313.536, 3313.539, 3313.608, 3313.6012, 3313.6013, 3313.6014, 298
3313.6015, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 299
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 300
3313.667, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 301
3313.716, 3313.718, 3313.719, 3313.80, 3313.801, 3313.814, 302
3313.816, 3313.817, 3313.86, 3313.89, 3313.96, 3319.073, 3319.21, 303
3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 304
3321.01, 3321.041, 3321.13, 3321.14, 3321.17, 3321.18, 3321.19, 305
3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 306
102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 307
4123., 4141., and 4167. of the Revised Code as if it were a school 308
district. 309

Sec. 3328.24. A college-preparatory boarding school 310
established under this chapter and its board of trustees shall 311
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 312
3301.0714, 3313.6411, 3313.89, 3319.39, and 3319.391 of the 313
Revised Code as if the school were a school district and the 314
school's board of trustees were a district board of education. 315

Section 2. That existing sections 3314.03, 3326.11, and 316
3328.24 of the Revised Code are hereby repealed. 317