

**As Introduced**

**130th General Assembly  
Regular Session  
2013-2014**

**H. B. No. 580**

**Representatives Grossman, Letson**

—

**A B I L L**

To amend sections 3313.60, 3313.603, 3314.03, 1  
3326.11, and 3328.24 and to enact section 2  
3313.6021 of the Revised Code to require 3  
instruction in cardiopulmonary resuscitation and 4  
the use of an automated external defibrillator as 5  
a requirement for high school graduation. 6

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

**Section 1.** That sections 3313.60, 3313.603, 3314.03, 3326.11, 7  
and 3328.24 be amended and section 3313.6021 of the Revised Code 8  
be enacted 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, exempted village, 15  
and local school district and the board of each cooperative 16  
education school district established, pursuant to section 17  
3311.521 of the Revised Code, shall prescribe a curriculum for all 18  
schools under its control. Except as provided in division (E) of 19  
this section, in any such curriculum there shall be included the 20

study of the following subjects:	21
(1) The language arts, including reading, writing, spelling, oral and written English, and literature;	22 23
(2) Geography, the history of the United States and of Ohio, and national, state, and local government in the United States, including a balanced presentation of the relevant contributions to society of men and women of African, Mexican, Puerto Rican, and American Indian descent as well as other ethnic and racial groups in Ohio and the United States;	24 25 26 27 28 29
(3) Mathematics;	30
(4) Natural science, including instruction in the conservation of natural resources;	31 32
(5) Health education, which shall include instruction in:	33
(a) The nutritive value of foods, including natural and organically produced foods, the relation of nutrition to health, and the use and effects of food additives;	34 35 36
(b) The harmful effects of and legal restrictions against the use of drugs of abuse, alcoholic beverages, and tobacco;	37 38
(c) Venereal disease education, except that upon written request of the student's parent or guardian, a student shall be excused from taking instruction in venereal disease education;	39 40 41
(d) In grades kindergarten through six, instruction in personal safety and assault prevention, except that upon written request of the student's parent or guardian, a student shall be excused from taking instruction in personal safety and assault prevention;	42 43 44 45 46
(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.	47 48 49 50

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, which shall comply with section 3313.6021 of the Revised Code when offered in any of grades nine through twelve, safety, and fire prevention, ~~except that. However,~~ 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 grade American history course of study.

(C) As specified in divisions (B)(6) and (C)(6) of section 3313.603 of the Revised Code, except as provided in division (E) of this section, every high school shall include in the requirements for graduation from any curriculum one-half unit each

of American history and government. 82

(D) Except as provided in division (E) of this section, basic 83  
instruction or demonstrated mastery in geography, United States 84  
history, the government of the United States, the government of 85  
the state of Ohio, local government in Ohio, the Declaration of 86  
Independence, the United States Constitution, and the Constitution 87  
of the state of Ohio shall be required before pupils may 88  
participate in courses involving the study of social problems, 89  
economics, foreign affairs, United Nations, world government, 90  
socialism, and communism. 91

(E) For each cooperative education school district 92  
established pursuant to section 3311.521 of the Revised Code and 93  
each city, exempted village, and local school district that has 94  
territory within such a cooperative district, the curriculum 95  
adopted pursuant to divisions (A) to (D) of this section shall 96  
only include the study of the subjects that apply to the grades 97  
operated by each such school district. The curriculums for such 98  
schools, when combined, shall provide to each student of these 99  
districts all of the subjects required under divisions (A) to (D) 100  
of this section. 101

(F) The board of education of any cooperative education 102  
school district established pursuant to divisions (A) to (C) of 103  
section 3311.52 of the Revised Code shall prescribe a curriculum 104  
for the subject areas and grade levels offered in any school under 105  
its control. 106

(G) Upon the request of any parent or legal guardian of a 107  
student, the board of education of any school district shall 108  
permit the parent or guardian to promptly examine, with respect to 109  
the parent's or guardian's own child: 110

(1) Any survey or questionnaire, prior to its administration 111  
to the child; 112

(2) Any textbook, workbook, software, video, or other instructional materials being used by the district in connection with the instruction of the child;	113 114 115
(3) Any completed and graded test taken or survey or questionnaire filled out by the child;	116 117
(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.	118 119 120 121
<b>Sec. 3313.603.</b> (A) As used in this section:	122
(1) "One unit" means a minimum of one hundred twenty hours of course instruction, except that for a laboratory course, "one unit" means a minimum of one hundred fifty hours of course instruction.	123 124 125 126
(2) "One-half unit" means a minimum of sixty hours of course instruction, except that for physical education courses, "one-half unit" means a minimum of one hundred twenty hours of course instruction.	127 128 129 130
(B) Beginning September 15, 2001, except as required in division (C) of this section and division (C) of section 3313.614 of the Revised Code, the requirements for graduation from every high school shall include twenty units earned in grades nine through twelve and shall be distributed as follows:	131 132 133 134 135
(1) English language arts, four units;	136
(2) Health, one-half unit;	137
(3) Mathematics, three units;	138
(4) Physical education, one-half unit;	139
(5) Science, two units until September 15, 2003, and three units thereafter, which at all times shall include both of the	140 141

following:	142
(a) Biological sciences, one unit;	143
(b) Physical sciences, one unit.	144
(6) History and government, one unit, which shall comply with	145
division (M) of this section and shall include both of the	146
following:	147
(a) American history, one-half unit;	148
(b) American government, one-half unit.	149
(7) Social studies, two units.	150
(8) Elective units, seven units until September 15, 2003, and	151
six units thereafter.	152
Each student's electives shall include at least one unit, or	153
two half units, chosen from among the areas of	154
business/technology, fine arts, and/or foreign language.	155
(C) Beginning with students who enter ninth grade for the	156
first time on or after July 1, 2010, except as provided in	157
divisions (D) to (F) of this section, the requirements for	158
graduation from every public and chartered nonpublic high school	159
shall include twenty units that are designed to prepare students	160
for the workforce and college. The units shall be distributed as	161
follows:	162
(1) English language arts, four units;	163
(2) Health, one-half unit, which shall include <del>instruction</del>	164
<u>both of the following:</u>	165
<u>(a) Instruction</u> in nutrition and the benefits of nutritious	166
foods and physical activity for overall health;	167
<u>(b) Beginning with students who enter the ninth grade for the</u>	168
<u>first time on or after July 1, 2015, training in cardiopulmonary</u>	169
<u>resuscitation and the use of an automated external defibrillator</u>	170

as prescribed by section 3313.6021 of the Revised Code. However, 171  
if a student is excused from instruction in cardiopulmonary 172  
resuscitation under section 3313.60 of the Revised Code, the 173  
student shall not be required to have such training. 174

(3) Mathematics, four units, which shall include one unit of 175  
algebra II or the equivalent of algebra II; 176

(4) Physical education, one-half unit; 177

(5) Science, three units with inquiry-based laboratory 178  
experience that engages students in asking valid scientific 179  
questions and gathering and analyzing information, which shall 180  
include the following, or their equivalent: 181

(a) Physical sciences, one unit; 182

(b) Life sciences, one unit; 183

(c) Advanced study in one or more of the following sciences, 184  
one unit: 185

(i) Chemistry, physics, or other physical science; 186

(ii) Advanced biology or other life science; 187

(iii) Astronomy, physical geology, or other earth or space 188  
science. 189

(6) History and government, one unit, which shall comply with 190  
division (M) of this section and shall include both of the 191  
following: 192

(a) American history, one-half unit; 193

(b) American government, one-half unit. 194

(7) Social studies, two units. 195

Each school shall integrate the study of economics and 196  
financial literacy, as expressed in the social studies academic 197  
content standards adopted by the state board of education under 198  
division (A)(1) of section 3301.079 of the Revised Code and the 199

academic content standards for financial literacy and 200  
entrepreneurship adopted under division (A)(2) of that section, 201  
into one or more existing social studies credits required under 202  
division (C)(7) of this section, or into the content of another 203  
class, so that every high school student receives instruction in 204  
those concepts. In developing the curriculum required by this 205  
paragraph, schools shall use available public-private partnerships 206  
and resources and materials that exist in business, industry, and 207  
through the centers for economics education at institutions of 208  
higher education in the state. 209

(8) Five units consisting of one or any combination of 210  
foreign language, fine arts, business, career-technical education, 211  
family and consumer sciences, technology, agricultural education, 212  
a junior reserve officer training corps (JROTC) program approved 213  
by the congress of the United States under title 10 of the United 214  
States Code, or English language arts, mathematics, science, or 215  
social studies courses not otherwise required under division (C) 216  
of this section. 217

Ohioans must be prepared to apply increased knowledge and 218  
skills in the workplace and to adapt their knowledge and skills 219  
quickly to meet the rapidly changing conditions of the 220  
twenty-first century. National studies indicate that all high 221  
school graduates need the same academic foundation, regardless of 222  
the opportunities they pursue after graduation. The goal of Ohio's 223  
system of elementary and secondary education is to prepare all 224  
students for and seamlessly connect all students to success in 225  
life beyond high school graduation, regardless of whether the next 226  
step is entering the workforce, beginning an apprenticeship, 227  
engaging in post-secondary training, serving in the military, or 228  
pursuing a college degree. 229

The Ohio core curriculum is the standard expectation for all 230  
students entering ninth grade for the first time at a public or 231



chartered nonpublic high school on or after July 1, 2010. A 232  
student may satisfy this expectation through a variety of methods, 233  
including, but not limited to, integrated, applied, 234  
career-technical, and traditional coursework. 235

Whereas teacher quality is essential for student success in 236  
completing the Ohio core curriculum, the general assembly shall 237  
appropriate funds for strategic initiatives designed to strengthen 238  
schools' capacities to hire and retain highly qualified teachers 239  
in the subject areas required by the curriculum. Such initiatives 240  
are expected to require an investment of \$120,000,000 over five 241  
years. 242

Stronger coordination between high schools and institutions 243  
of higher education is necessary to prepare students for more 244  
challenging academic endeavors and to lessen the need for academic 245  
remediation in college, thereby reducing the costs of higher 246  
education for Ohio's students, families, and the state. The state 247  
board and the chancellor of the Ohio board of regents shall 248  
develop policies to ensure that only in rare instances will 249  
students who complete the Ohio core curriculum require academic 250  
remediation after high school. 251

School districts, community schools, and chartered nonpublic 252  
schools shall integrate technology into learning experiences 253  
across the curriculum in order to maximize efficiency, enhance 254  
learning, and prepare students for success in the 255  
technology-driven twenty-first century. Districts and schools 256  
shall use distance and web-based course delivery as a method of 257  
providing or augmenting all instruction required under this 258  
division, including laboratory experience in science. Districts 259  
and schools shall utilize technology access and electronic 260  
learning opportunities provided by the broadcast educational media 261  
commission, chancellor, the Ohio learning network, education 262  
technology centers, public television stations, and other public 263

and private providers. 264

(D) Except as provided in division (E) of this section, a 265  
student who enters ninth grade on or after July 1, 2010, and 266  
before July 1, 2014, may qualify for graduation from a public or 267  
chartered nonpublic high school even though the student has not 268  
completed the Ohio core curriculum prescribed in division (C) of 269  
this section if all of the following conditions are satisfied: 270

(1) After the student has attended high school for two years, 271  
as determined by the school, the student and the student's parent, 272  
guardian, or custodian sign and file with the school a written 273  
statement asserting the parent's, guardian's, or custodian's 274  
consent to the student's graduating without completing the Ohio 275  
core curriculum and acknowledging that one consequence of not 276  
completing the Ohio core curriculum is ineligibility to enroll in 277  
most state universities in Ohio without further coursework. 278

(2) The student and parent, guardian, or custodian fulfill 279  
any procedural requirements the school stipulates to ensure the 280  
student's and parent's, guardian's, or custodian's informed 281  
consent and to facilitate orderly filing of statements under 282  
division (D)(1) of this section. 283

(3) The student and the student's parent, guardian, or 284  
custodian and a representative of the student's high school 285  
jointly develop an individual career plan for the student that 286  
specifies the student matriculating to a two-year degree program, 287  
acquiring a business and industry credential, or entering an 288  
apprenticeship. 289

(4) The student's high school provides counseling and support 290  
for the student related to the plan developed under division 291  
(D)(3) of this section during the remainder of the student's high 292  
school experience. 293

(5) The student successfully completes, at a minimum, the 294

curriculum prescribed in division (B) of this section. 295

The department of education, in collaboration with the 296  
chancellor, shall analyze student performance data to determine if 297  
there are mitigating factors that warrant extending the exception 298  
permitted by division (D) of this section to high school classes 299  
beyond those entering ninth grade before July 1, 2014. The 300  
department shall submit its findings and any recommendations not 301  
later than August 1, 2014, to the speaker and minority leader of 302  
the house of representatives, the president and minority leader of 303  
the senate, the chairpersons and ranking minority members of the 304  
standing committees of the house of representatives and the senate 305  
that consider education legislation, the state board of education, 306  
and the superintendent of public instruction. 307

(E) Each school district and chartered nonpublic school 308  
retains the authority to require an even more rigorous minimum 309  
curriculum for high school graduation than specified in division 310  
(B) or (C) of this section. A school district board of education, 311  
through the adoption of a resolution, or the governing authority 312  
of a chartered nonpublic school may stipulate any of the 313  
following: 314

(1) A minimum high school curriculum that requires more than 315  
twenty units of academic credit to graduate; 316

(2) An exception to the district's or school's minimum high 317  
school curriculum that is comparable to the exception provided in 318  
division (D) of this section but with additional requirements, 319  
which may include a requirement that the student successfully 320  
complete more than the minimum curriculum prescribed in division 321  
(B) of this section; 322

(3) That no exception comparable to that provided in division 323  
(D) of this section is available. 324

(F) A student enrolled in a dropout prevention and recovery 325

program, which program has received a waiver from the department, 326  
may qualify for graduation from high school by successfully 327  
completing a competency-based instructional program administered 328  
by the dropout prevention and recovery program in lieu of 329  
completing the Ohio core curriculum prescribed in division (C) of 330  
this section. The department shall grant a waiver to a dropout 331  
prevention and recovery program, within sixty days after the 332  
program applies for the waiver, if the program meets all of the 333  
following conditions: 334

(1) The program serves only students not younger than sixteen 335  
years of age and not older than twenty-one years of age. 336

(2) The program enrolls students who, at the time of their 337  
initial enrollment, either, or both, are at least one grade level 338  
behind their cohort age groups or experience crises that 339  
significantly interfere with their academic progress such that 340  
they are prevented from continuing their traditional programs. 341

(3) The program requires students to attain at least the 342  
applicable score designated for each of the assessments prescribed 343  
under division (B)(1) of section 3301.0710 of the Revised Code or, 344  
to the extent prescribed by rule of the state board under division 345  
(D)(6) of section 3301.0712 of the Revised Code, division (B)(2) 346  
of that section. 347

(4) The program develops an individual career plan for the 348  
student that specifies the student's matriculating to a two-year 349  
degree program, acquiring a business and industry credential, or 350  
entering an apprenticeship. 351

(5) The program provides counseling and support for the 352  
student related to the plan developed under division (F)(4) of 353  
this section during the remainder of the student's high school 354  
experience. 355

(6) The program requires the student and the student's 356

parent, guardian, or custodian to sign and file, in accordance 357  
with procedural requirements stipulated by the program, a written 358  
statement asserting the parent's, guardian's, or custodian's 359  
consent to the student's graduating without completing the Ohio 360  
core curriculum and acknowledging that one consequence of not 361  
completing the Ohio core curriculum is ineligibility to enroll in 362  
most state universities in Ohio without further coursework. 363

(7) Prior to receiving the waiver, the program has submitted 364  
to the department an instructional plan that demonstrates how the 365  
academic content standards adopted by the state board under 366  
section 3301.079 of the Revised Code will be taught and assessed. 367

If the department does not act either to grant the waiver or 368  
to reject the program application for the waiver within sixty days 369  
as required under this section, the waiver shall be considered to 370  
be granted. 371

(G) Every high school may permit students below the ninth 372  
grade to take advanced work. If a high school so permits, it shall 373  
award high school credit for successful completion of the advanced 374  
work and shall count such advanced work toward the graduation 375  
requirements of division (B) or (C) of this section if the 376  
advanced work was both: 377

(1) Taught by a person who possesses a license or certificate 378  
issued under section 3301.071, 3319.22, or 3319.222 of the Revised 379  
Code that is valid for teaching high school; 380

(2) Designated by the board of education of the city, local, 381  
or exempted village school district, the board of the cooperative 382  
education school district, or the governing authority of the 383  
chartered nonpublic school as meeting the high school curriculum 384  
requirements. 385

Each high school shall record on the student's high school 386  
transcript all high school credit awarded under division (G) of 387

this section. In addition, if the student completed a seventh- or 388  
eighth-grade fine arts course described in division (K) of this 389  
section and the course qualified for high school credit under that 390  
division, the high school shall record that course on the 391  
student's high school transcript. 392

(H) The department shall make its individual academic career 393  
plan available through its Ohio career information system web site 394  
for districts and schools to use as a tool for communicating with 395  
and providing guidance to students and families in selecting high 396  
school courses. 397

(I) Units earned in English language arts, mathematics, 398  
science, and social studies that are delivered through integrated 399  
academic and career-technical instruction are eligible to meet the 400  
graduation requirements of division (B) or (C) of this section. 401

(J) The state board, in consultation with the chancellor, 402  
shall adopt a statewide plan implementing methods for students to 403  
earn units of high school credit based on a demonstration of 404  
subject area competency, instead of or in combination with 405  
completing hours of classroom instruction. The state board shall 406  
adopt the plan not later than March 31, 2009, and commence phasing 407  
in the plan during the 2009-2010 school year. The plan shall 408  
include a standard method for recording demonstrated proficiency 409  
on high school transcripts. Each school district and community 410  
school shall comply with the state board's plan adopted under this 411  
division and award units of high school credit in accordance with 412  
the plan. The state board may adopt existing methods for earning 413  
high school credit based on a demonstration of subject area 414  
competency as necessary prior to the 2009-2010 school year. 415

(K) This division does not apply to students who qualify for 416  
graduation from high school under division (D) or (F) of this 417  
section, or to students pursuing a career-technical instructional 418  
track as determined by the school district board of education or 419

the chartered nonpublic school's governing authority. 420  
Nevertheless, the general assembly encourages such students to 421  
consider enrolling in a fine arts course as an elective. 422

Beginning with students who enter ninth grade for the first 423  
time on or after July 1, 2010, each student enrolled in a public 424  
or chartered nonpublic high school shall complete two semesters or 425  
the equivalent of fine arts to graduate from high school. The 426  
coursework may be completed in any of grades seven to twelve. Each 427  
student who completes a fine arts course in grade seven or eight 428  
may elect to count that course toward the five units of electives 429  
required for graduation under division (C)(8) of this section, if 430  
the course satisfied the requirements of division (G) of this 431  
section. In that case, the high school shall award the student 432  
high school credit for the course and count the course toward the 433  
five units required under division (C)(8) of this section. If the 434  
course in grade seven or eight did not satisfy the requirements of 435  
division (G) of this section, the high school shall not award the 436  
student high school credit for the course but shall count the 437  
course toward the two semesters or the equivalent of fine arts 438  
required by this division. 439

(L) Notwithstanding anything to the contrary in this section, 440  
the board of education of each school district and the governing 441  
authority of each chartered nonpublic school may adopt a policy to 442  
excuse from the high school physical education requirement each 443  
student who, during high school, has participated in 444  
interscholastic athletics, marching band, or cheerleading for at 445  
least two full seasons or in the junior reserve officer training 446  
corps for at least two full school years. If the board or 447  
authority adopts such a policy, the board or authority shall not 448  
require the student to complete any physical education course as a 449  
condition to graduate. However, the student shall be required to 450  
complete one-half unit, consisting of at least sixty hours of 451

instruction, in another course of study. In the case of a student 452  
who has participated in the junior reserve officer training corps 453  
for at least two full school years, credit received for that 454  
participation may be used to satisfy the requirement to complete 455  
one-half unit in another course of study. 456

(M) It is important that high school students learn and 457  
understand United States history and the governments of both the 458  
United States and the state of Ohio. Therefore, beginning with 459  
students who enter ninth grade for the first time on or after July 460  
1, 2012, the study of American history and American government 461  
required by divisions (B)(6) and (C)(6) of this section shall 462  
include the study of all of the following documents: 463

(1) The Declaration of Independence; 464

(2) The Northwest Ordinance; 465

(3) The Constitution of the United States with emphasis on 466  
the Bill of Rights; 467

(4) The Ohio Constitution. 468

The study of each of the documents prescribed in divisions 469  
(M)(1) to (4) of this section shall include study of that document 470  
in its original context. 471

The study of American history and government required by 472  
divisions (B)(6) and (C)(6) of this section shall include the 473  
historical evidence of the role of documents such as the 474  
Federalist Papers and the Anti-Federalist Papers to firmly 475  
establish the historical background leading to the establishment 476  
of the provisions of the Constitution and Bill of Rights. 477

**Sec. 3313.6021.** (A) As used in this section, "psychomotor 478  
skills" means the use of hands-on practice to support cognitive 479  
learning. 480

(B) Beginning with students who enter ninth grade for the 481



first time on or after July 1, 2015, except as provided in 482  
division (F) of this section, each school district and chartered 483  
nonpublic school which offers grades nine to twelve shall provide 484  
instruction in cardiopulmonary resuscitation and the use of an 485  
automated external defibrillator and shall require successful 486  
completion of such instruction as a condition for issuance of a 487  
high school diploma. 488

Instruction shall include the psychomotor skills necessary to 489  
perform cardiopulmonary resuscitation and use an automated 490  
external defibrillator and shall be either of the following: 491

(1) An instructional program developed by the American heart 492  
association or the American red cross that includes instruction in 493  
cardiopulmonary resuscitation and the use of an automated external 494  
defibrillator; 495

(2) An instructional program that is nationally recognized 496  
and based on the most current national, evidence-based emergency 497  
cardiovascular care guidelines for cardiopulmonary resuscitation 498  
and the use of an automated external defibrillator. 499

(C) No student shall receive certification in cardiopulmonary 500  
resuscitation and the use of an automated external defibrillator 501  
unless the student is trained by an authorized or certified 502  
instructor. 503

(D) Nothing in this section requires a licensed educator to 504  
be certified to provide training in the manner prescribed by this 505  
section to facilitate, provide, or oversee instruction in 506  
cardiopulmonary resuscitation and the use of an automated external 507  
defibrillator that does not result in certification of students. 508

(E) The department of education shall establish a procedure 509  
for monitoring compliance with this section by school districts 510  
and schools. 511

The department may withhold a percentage of the total amount 512

of state funds due to the district or school for the current 513  
fiscal year, as the department determines, for failure to comply 514  
with this section. 515

(F) If a student is excused from taking instruction in 516  
cardiopulmonary resuscitation under division (A)(8) of section 517  
3313.60 of the Revised Code, the student shall not be required to 518  
receive instruction as prescribed by this section. 519

**Sec. 3314.03.** A copy of every contract entered into under 520  
this section shall be filed with the superintendent of public 521  
instruction. The department of education shall make available on 522  
its web site a copy of every approved, executed contract filed 523  
with the superintendent under this section. 524

(A) Each contract entered into between a sponsor and the 525  
governing authority of a community school shall specify the 526  
following: 527

(1) That the school shall be established as either of the 528  
following: 529

(a) A nonprofit corporation established under Chapter 1702. 530  
of the Revised Code, if established prior to April 8, 2003; 531

(b) A public benefit corporation established under Chapter 532  
1702. of the Revised Code, if established after April 8, 2003. 533

(2) The education program of the school, including the 534  
school's mission, the characteristics of the students the school 535  
is expected to attract, the ages and grades of students, and the 536  
focus of the curriculum; 537

(3) The academic goals to be achieved and the method of 538  
measurement that will be used to determine progress toward those 539  
goals, which shall include the statewide achievement assessments; 540

(4) Performance standards by which the success of the school 541  
will be evaluated by the sponsor; 542

(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	543 544
(6)(a) Dismissal procedures;	545
(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.	546 547 548 549 550 551
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	552 553
(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.	554 555 556 557 558 559
(9) The facilities to be used and their locations;	560
(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.	561 562 563 564 565 566
(11) That the school will comply with the following requirements:	567 568
(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.	569 570 571
(b) The governing authority will purchase liability	572

insurance, or otherwise provide for the potential liability of the school. 573  
574

(c) The school will be nonsectarian in its programs, 575  
admission policies, employment practices, and all other 576  
operations, and will not be operated by a sectarian school or 577  
religious institution. 578

(d) The school will comply with sections 9.90, 9.91, 109.65, 579  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 580  
3301.0712, 3301.0715, 3313.472, 3313.50, 3313.536, 3313.539, 581  
3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 582  
3313.6021, 3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 583  
3313.662, 3313.666, 3313.667, 3313.67, 3313.671, 3313.672, 584  
3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.80, 585  
3313.814, 3313.816, 3313.817, 3313.86, 3313.96, 3319.073, 586  
3319.321, 3319.39, 3319.391, 3319.41, 3321.01, 3321.041, 3321.13, 587  
3321.14, 3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 588  
4113.52, and 5705.391 and Chapters 117., 1347., 2744., 3365., 589  
3742., 4112., 4123., 4141., and 4167. of the Revised Code as if it 590  
were a school district and will comply with section 3301.0714 of 591  
the Revised Code in the manner specified in section 3314.17 of the 592  
Revised Code. 593

(e) The school shall comply with Chapter 102. and section 594  
2921.42 of the Revised Code. 595

(f) The school will comply with sections 3313.61, 3313.611, 596  
and 3313.614 of the Revised Code, except that for students who 597  
enter ninth grade for the first time before July 1, 2010, the 598  
requirement in sections 3313.61 and 3313.611 of the Revised Code 599  
that a person must successfully complete the curriculum in any 600  
high school prior to receiving a high school diploma may be met by 601  
completing the curriculum adopted by the governing authority of 602  
the community school rather than the curriculum specified in Title 603  
XXXIII of the Revised Code or any rules of the state board of 604

education. Beginning with students who enter ninth grade for the 605  
first time on or after July 1, 2010, the requirement in sections 606  
3313.61 and 3313.611 of the Revised Code that a person must 607  
successfully complete the curriculum of a high school prior to 608  
receiving a high school diploma shall be met by completing the 609  
Ohio core curriculum prescribed in division (C) of section 610  
3313.603 of the Revised Code, unless the person qualifies under 611  
division (D) or (F) of that section. Each school shall comply with 612  
the plan for awarding high school credit based on demonstration of 613  
subject area competency, adopted by the state board of education 614  
under division (J) of section 3313.603 of the Revised Code. 615

(g) The school governing authority will submit within four 616  
months after the end of each school year a report of its 617  
activities and progress in meeting the goals and standards of 618  
divisions (A)(3) and (4) of this section and its financial status 619  
to the sponsor and the parents of all students enrolled in the 620  
school. 621

(h) The school, unless it is an internet- or computer-based 622  
community school, will comply with section 3313.801 of the Revised 623  
Code as if it were a school district. 624

(i) If the school is the recipient of moneys from a grant 625  
awarded under the federal race to the top program, Division (A), 626  
Title XIV, Sections 14005 and 14006 of the "American Recovery and 627  
Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, the 628  
school will pay teachers based upon performance in accordance with 629  
section 3317.141 and will comply with section 3319.111 of the 630  
Revised Code as if it were a school district. 631

(12) Arrangements for providing health and other benefits to 632  
employees; 633

(13) The length of the contract, which shall begin at the 634  
beginning of an academic year. No contract shall exceed five years 635

unless such contract has been renewed pursuant to division (E) of 636  
this section. 637

(14) The governing authority of the school, which shall be 638  
responsible for carrying out the provisions of the contract; 639

(15) A financial plan detailing an estimated school budget 640  
for each year of the period of the contract and specifying the 641  
total estimated per pupil expenditure amount for each such year. 642

(16) Requirements and procedures regarding the disposition of 643  
employees of the school in the event the contract is terminated or 644  
not renewed pursuant to section 3314.07 of the Revised Code; 645

(17) Whether the school is to be created by converting all or 646  
part of an existing public school or educational service center 647  
building or is to be a new start-up school, and if it is a 648  
converted public school or service center building, specification 649  
of any duties or responsibilities of an employer that the board of 650  
education or service center governing board that operated the 651  
school or building before conversion is delegating to the 652  
governing authority of the community school with respect to all or 653  
any specified group of employees provided the delegation is not 654  
prohibited by a collective bargaining agreement applicable to such 655  
employees; 656

(18) Provisions establishing procedures for resolving 657  
disputes or differences of opinion between the sponsor and the 658  
governing authority of the community school; 659

(19) A provision requiring the governing authority to adopt a 660  
policy regarding the admission of students who reside outside the 661  
district in which the school is located. That policy shall comply 662  
with the admissions procedures specified in sections 3314.06 and 663  
3314.061 of the Revised Code and, at the sole discretion of the 664  
authority, shall do one of the following: 665

(a) Prohibit the enrollment of students who reside outside 666

the district in which the school is located; 667

(b) Permit the enrollment of students who reside in districts 668  
adjacent to the district in which the school is located; 669

(c) Permit the enrollment of students who reside in any other 670  
district in the state. 671

(20) A provision recognizing the authority of the department 672  
of education to take over the sponsorship of the school in 673  
accordance with the provisions of division (C) of section 3314.015 674  
of the Revised Code; 675

(21) A provision recognizing the sponsor's authority to 676  
assume the operation of a school under the conditions specified in 677  
division (B) of section 3314.073 of the Revised Code; 678

(22) A provision recognizing both of the following: 679

(a) The authority of public health and safety officials to 680  
inspect the facilities of the school and to order the facilities 681  
closed if those officials find that the facilities are not in 682  
compliance with health and safety laws and regulations; 683

(b) The authority of the department of education as the 684  
community school oversight body to suspend the operation of the 685  
school under section 3314.072 of the Revised Code if the 686  
department has evidence of conditions or violations of law at the 687  
school that pose an imminent danger to the health and safety of 688  
the school's students and employees and the sponsor refuses to 689  
take such action. 690

(23) A description of the learning opportunities that will be 691  
offered to students including both classroom-based and 692  
non-classroom-based learning opportunities that is in compliance 693  
with criteria for student participation established by the 694  
department under division (H)(2) of section 3314.08 of the Revised 695  
Code; 696

(24) The school will comply with sections 3302.04 and 697  
3302.041 of the Revised Code, except that any action required to 698  
be taken by a school district pursuant to those sections shall be 699  
taken by the sponsor of the school. However, the sponsor shall not 700  
be required to take any action described in division (F) of 701  
section 3302.04 of the Revised Code. 702

(25) Beginning in the 2006-2007 school year, the school will 703  
open for operation not later than the thirtieth day of September 704  
each school year, unless the mission of the school as specified 705  
under division (A)(2) of this section is solely to serve dropouts. 706  
In its initial year of operation, if the school fails to open by 707  
the thirtieth day of September, or within one year after the 708  
adoption of the contract pursuant to division (D) of section 709  
3314.02 of the Revised Code if the mission of the school is solely 710  
to serve dropouts, the contract shall be void. 711

(B) The community school shall also submit to the sponsor a 712  
comprehensive plan for the school. The plan shall specify the 713  
following: 714

(1) The process by which the governing authority of the 715  
school will be selected in the future; 716

(2) The management and administration of the school; 717

(3) If the community school is a currently existing public 718  
school or educational service center building, alternative 719  
arrangements for current public school students who choose not to 720  
attend the converted school and for teachers who choose not to 721  
teach in the school or building after conversion; 722

(4) The instructional program and educational philosophy of 723  
the school; 724

(5) Internal financial controls. 725

(C) A contract entered into under section 3314.02 of the 726



Revised Code between a sponsor and the governing authority of a 727  
community school may provide for the community school governing 728  
authority to make payments to the sponsor, which is hereby 729  
authorized to receive such payments as set forth in the contract 730  
between the governing authority and the sponsor. The total amount 731  
of such payments for oversight and monitoring of the school shall 732  
not exceed three per cent of the total amount of payments for 733  
operating expenses that the school receives from the state. 734

(D) The contract shall specify the duties of the sponsor 735  
which shall be in accordance with the written agreement entered 736  
into with the department of education under division (B) of 737  
section 3314.015 of the Revised Code and shall include the 738  
following: 739

(1) Monitor the community school's compliance with all laws 740  
applicable to the school and with the terms of the contract; 741

(2) Monitor and evaluate the academic and fiscal performance 742  
and the organization and operation of the community school on at 743  
least an annual basis; 744

(3) Report on an annual basis the results of the evaluation 745  
conducted under division (D)(2) of this section to the department 746  
of education and to the parents of students enrolled in the 747  
community school; 748

(4) Provide technical assistance to the community school in 749  
complying with laws applicable to the school and terms of the 750  
contract; 751

(5) Take steps to intervene in the school's operation to 752  
correct problems in the school's overall performance, declare the 753  
school to be on probationary status pursuant to section 3314.073 754  
of the Revised Code, suspend the operation of the school pursuant 755  
to section 3314.072 of the Revised Code, or terminate the contract 756  
of the school pursuant to section 3314.07 of the Revised Code as 757

determined necessary by the sponsor; 758

(6) Have in place a plan of action to be undertaken in the 759  
event the community school experiences financial difficulties or 760  
closes prior to the end of a school year. 761

(E) Upon the expiration of a contract entered into under this 762  
section, the sponsor of a community school may, with the approval 763  
of the governing authority of the school, renew that contract for 764  
a period of time determined by the sponsor, but not ending earlier 765  
than the end of any school year, if the sponsor finds that the 766  
school's compliance with applicable laws and terms of the contract 767  
and the school's progress in meeting the academic goals prescribed 768  
in the contract have been satisfactory. Any contract that is 769  
renewed under this division remains subject to the provisions of 770  
sections 3314.07, 3314.072, and 3314.073 of the Revised Code. 771

(F) If a community school fails to open for operation within 772  
one year after the contract entered into under this section is 773  
adopted pursuant to division (D) of section 3314.02 of the Revised 774  
Code or permanently closes prior to the expiration of the 775  
contract, the contract shall be void and the school shall not 776  
enter into a contract with any other sponsor. A school shall not 777  
be considered permanently closed because the operations of the 778  
school have been suspended pursuant to section 3314.072 of the 779  
Revised Code. 780

**Sec. 3326.11.** Each science, technology, engineering, and 781  
mathematics school established under this chapter and its 782  
governing body shall comply with sections 9.90, 9.91, 109.65, 783  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 784  
3301.0714, 3301.0715, 3313.14, 3313.15, 3313.16, 3313.18, 785  
3313.201, 3313.26, 3313.472, 3313.48, 3313.481, 3313.482, 3313.50, 786  
3313.536, 3313.539, 3313.608, 3313.6012, 3313.6013, 3313.6014, 787  
3313.6015, 3313.6021, 3313.61, 3313.611, 3313.614, 3313.615, 788

3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 789  
3313.666, 3313.667, 3313.67, 3313.671, 3313.672, 3313.673, 790  
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.80, 3313.801, 791  
3313.814, 3313.816, 3313.817, 3313.86, 3313.96, 3319.073, 3319.21, 792  
3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 793  
3321.01, 3321.041, 3321.13, 3321.14, 3321.17, 3321.18, 3321.19, 794  
3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 795  
102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 796  
4123., 4141., and 4167. of the Revised Code as if it were a school 797  
district. 798

**Sec. 3328.24.** A college-preparatory boarding school 799  
established under this chapter and its board of trustees shall 800  
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 801  
3301.0714, 3313.6021, 3313.6411, 3319.39, and 3319.391 of the 802  
Revised Code as if the school were a school district and the 803  
school's board of trustees were a district board of education. 804

**Section 2.** That existing sections 3313.60, 3313.603, 3314.03, 805  
3326.11, and 3328.24 of the Revised Code are hereby repealed. 806  
807