



# Ohio Legislative Service Commission

## Bill Analysis

Hannah K. Wann

### H.B. 205

129th General Assembly  
(As Introduced)

**Reps.** Derickson, Sears, J. Adams, Huffman

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## BILL SUMMARY

- Permits the establishment of hybrid community schools that provide both remote, technology-based and classroom-based instruction.
- Permits existing community schools to restructure themselves as hybrid community schools.
- Requires that the allocation of each hybrid community school's student's instructional time between classroom-based and technology-based instruction be determined individually by the student's education team.
- Specifies that a hybrid community school is not an internet or computer-based school (e-school) but still requires hybrid schools to comply with all community school law provisions, including most that apply only to e-schools.
- Specifies that state payments to hybrid community schools are to be structured like payments to "brick and mortar" community schools, not e-schools.

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## CONTENT AND OPERATION

### Hybrid community schools

The bill permits the establishment of "hybrid" community schools that provide students with a combination of both technology-based instruction, including internet- and classroom-based instruction, and traditional classroom-based instruction. Students enrolled in a hybrid school must receive some percentage of their instruction as traditional classroom-based instruction at a designated site that the school's governing authority must maintain for that purpose. The percentage of each student's instructional time that must be classroom-based is to be determined by the student's

education team prior to the beginning of the school year. The student's education team may include, but is not limited to, the chief administrative officer of the school, the student, the student's parent or guardian, and any teacher requested by the chief administrative officer, student, or parent or guardian. The student must spend instructional time that is not received as classroom-based instruction at home on lessons provided via a technology-based instructional method.<sup>1</sup>

The designated site for classroom-based instruction must be located either in a "challenged" school district, where start-up community schools are permitted to open, or in a district adjacent to a challenged school district. If the site is located in an adjacent school district, the challenged school district nonetheless is considered the district in which the school is located for purposes of the community school law, including admission policies of the school.<sup>2</sup> A challenged school district is a district that is in Lucas County (the territory of the original community school pilot project), is in academic watch or emergency, or is a Big Eight school district (Akron, Canton, Cincinnati, Cleveland, Columbus, Dayton, Toledo, and Youngstown).<sup>3</sup>

### **New and restructured schools; contract provisions**

Hybrid schools are not subject to the existing moratorium on internet- and computer-based community schools (e-schools). The bill permits both the establishment of new schools as hybrid schools and the restructuring of existing schools as hybrid schools. Whether new or restructured, each hybrid school's contract with its sponsor must describe the hybrid nature of the school's instructional program and prescribe an academic accountability plan. In order for an existing school to restructure, its sponsor must approve and its governing authority must amend the contract with its sponsor prior to July 1 of the school year in which it is to be restructured.<sup>4</sup>

### **Funding**

The bill provides for a hybrid school to be funded in the same manner as a "brick and mortar" community school, rather than an e-school. Under current law, e-schools receive only per pupil base-cost funding, plus special education weighted funding for serving students with disabilities. Brick and mortar schools, on the other hand, receive additional subsidies such as career-technical education weighted funding, poverty-

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<sup>1</sup> R.C. 3314.019(A)(1) and (2) and (B).

<sup>2</sup> R.C. 3314.019(C).

<sup>3</sup> R.C. 3314.02, not in the bill.

<sup>4</sup> R.C. 3314.019(A).

based assistance, and parity aid. As part of their funding reports, hybrid schools must report to the Department of Education the number of hours each week that each student is required to attend the designated site for classroom instruction.<sup>5</sup>

### **Hybrid schools are not e-schools**

The bill contains statements that, for purposes of the community school laws, (1) hybrid schools are not e-schools, but (2) hybrid schools must comply with all requirements of the community school laws, including those that apply only to e-schools, except as otherwise provided in the bill. The bill exempts hybrid schools from two e-school requirements: the e-school moratorium and the limitations on e-schools' state payments. Therefore, it would appear that all other e-school requirements, including the requirement to provide each student with a computer to use at home, would apply to e-schools.<sup>6</sup>

### **Transportation to designated site**

Under the bill, students attending a hybrid community school are entitled to transportation, provided by their resident school districts, to and from the school's designated site for classroom-based instruction. This entitlement is subject to the parameters of current law with respect to minimum and maximum distances from the location. Moreover, a hybrid school, like other community schools under current law, may assume the transportation responsibility.<sup>7</sup>

### **Background**

Current law requires school districts to provide transportation to community school students in grades K to 8 who reside in the district and who live more than two miles from the school they attend. Districts may, but are not required to, transport high school students to and from their community schools. A district, however, is not required to transport students of any age to and from a community school if the direct travel time by school bus, from the district school the student would otherwise attend to the community school, is more than 30 minutes. When transportation by the district is impractical, the district may offer payment to a student's parent instead of providing the transportation.<sup>8</sup>

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<sup>5</sup> R.C. 3314.019(D) and 3314.08, latter section not in the bill.

<sup>6</sup> R.C. 3314.019(F).

<sup>7</sup> R.C. 3314.019(E).

<sup>8</sup> R.C. 3327.01, not in the bill.

Nevertheless, under a separate statute, a school district is released from the transportation responsibility if (1) the district enters into an agreement with the community school designating the school as responsible for providing or arranging transportation for the school's students or (2) the community school notifies the district that the school is unilaterally accepting responsibility for providing or arranging student transportation. In either case, the community school must provide or arrange transportation for each student who would be transported under the district's transportation policy. The school is eligible for a state payment for providing the transportation.<sup>9</sup>

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## HISTORY

ACTION	DATE
Introduced	04-20-11

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<sup>9</sup> R.C. 3314.091, not in the bill.

