



# Community School Legislative History

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Community schools have been operating in Ohio for 20 years. During each session of the General Assembly, legislative changes have been made to the program. Recently, the 131st General Assembly passed House Bill 2, often referred to as the community school reform bill. The purpose of HB 2 is to increase the transparency, accountability and responsibility of community schools, sponsors, management companies and the Ohio Department of Education as they pertain to community school operations, academic performance, fiscal stability and legal compliance.

Highlights of the many provisions of HB 2 include the following:

- Changes were made to two of the three components of the sponsor evaluation: the breadth of compliance monitoring expands to include all laws and rules applicable to sponsors; the academic component is now based upon all applicable measures reported on the state's report card. Overall, the rating labels changed, adding a fourth label of "poor." Beginning with the overall ratings assigned for the 2015-2016 school year, consequences and incentives based on the overall rating take effect.
- The Ohio Department of Education must annually rate all sponsors on each component and assign an overall rating, beginning with the 2015-2016 school year.
- All existing sponsors must be approved by the Department of Education by July 1, 2017.
- Sponsors that are rated "exemplary" for at least two consecutive years are exempt from any territorial restrictions or limits on the number of schools they may sponsor, for as long as they maintain "exemplary" ratings.
- A sponsor rated "ineffective" for three consecutive years or rated "poor" will have its sponsorship authority revoked.
- Sponsors are required to provide monitoring, oversight and technical assistance to each of their schools.
- Operators have additional requirements: if an operator buys furniture, computers, software, equipment or other personal property for use in a community school with state funds paid by the school for services rendered, that property belongs to the school. If the school closes, the operator must distribute that property in the same manner as if the school had bought the property.
- A person is prohibited from simultaneously serving on a community school governing authority and a district board of education.
- A district or educational service center employee is prohibited from serving on the governing authority of a school sponsored by the district or educational service center.

Additional HB 2 provisions, as well as a complete list of community school legislation enacted over the last 20 years, are available [here](#).

2017

**132nd General Assembly 2017-2018****House Bill 49**

- Foundation funding for community schools is calculated in a manner similar to that of traditional school districts but with no state share index or percentage applied. Payments continue to be deducted from each student's resident school district, except for two academic performance bonuses and per pupil facilities funding. The bill also includes the following components:
  - An opportunity grant per pupil amount of \$6,010 in FY18 and \$6,020 in FY19;
  - The per pupil amount of tier I targeted assistance funds from the resident district multiplied by 25 percent;
  - Additional aid for special education and related services based on the student's disability category;
  - Kindergarten through third grade literacy funding provided at \$320 in each fiscal year for each student in grades K-3;
  - For economically disadvantaged students, \$272 multiplied by the resident district's economically disadvantaged index;
  - Additional aid for limited English proficiency based on the student's limited English proficiency category;
  - Additional aid for career-technical education services based on the student's participation in approved career-technical education programs in one of five categories.
- Site-based community schools and STEM schools are funded at \$200 per pupil in each fiscal year for facilities costs. E-schools are funded at \$25 per pupil for facilities costs in each fiscal year.
- Two academic performance bonuses provide additional state aid to schools. The "graduation bonus" provides \$450 in each fiscal year for each student who graduated in the previous year, multiplied by the school's four-year graduation rate. The "third grade reading bonus" provides \$450 in each fiscal year for each student who scores proficient or higher on the third grade reading test, multiplied by the school's third grade reading proficiency percentage.
- E-schools are ineligible for K-3 literacy, economically disadvantaged, limited English proficiency, and targeted assistance funds.
- The community school funding guarantee for severe behavioral handicapped students with emotional disabilities is continued. For community schools that enroll a number of students receiving special education and related services for emotional disabilities equal to at least 50 percent of the total number of students, this funding provides the difference between the aggregate amount calculated and paid for special education weighted costs for the emotionally disabled students and the aggregate amount that would have been calculated for those same students in FY 01.
- Requires the community school sponsor evaluation system to be posted on the Department of Education's website by July 15 each year. Specifies that changes to the system after July 15 cannot take effect until the next school year.
- Extends the deadline for publishing the sponsor evaluation ratings from October 15 to November 15.

2017

- Requires the Department of Education, before publishing the final sponsor ratings, to designate a period of at least 10 business days for sponsors to review the information used to determine their ratings on the Quality Practices and Compliance components. Allows a sponsor that suspects an error to ask the Department to adjust its component rating based on documentation previously submitted as part of the evaluation.
- Requires the annual training on the sponsor evaluation system to be made available to sponsors by July 15 and to include guidance on changes to the system.
- Gives the Department of Education access to information to match student data verification codes (often called student “SSID” numbers) with personally identifiable student data for the purpose of making per-pupil payments to community schools.
- Allows e-schools that serve grades K-12, have at least 2,000 students, and have a sponsor rated “effective” or “exemplary” to divide into two or three separate schools by grade band, with the sponsor’s approval. Requires each school resulting from the division to (1) have the same governing authority, (2) have a separate contract with the sponsor, (3) not primarily serve dropouts, (4) not engage in any future divisions, (5) be included in the sponsor’s rating on the Academic Performance component from the time the schools are divided, and (6) have a separate report card. Applies the report card ratings each school receives for the first two years after the division toward permanent closure of the school and other matters based on report card ratings.
- Clarifies that the prohibition on paying state funds for an e-school student who has not participated in state tests for two consecutive school years applies only if the two years occurred while the student was enrolled in the same school.
- Eliminates the 4th and 6th grade social studies achievement assessments. Requires districts, community schools, and STEM schools to teach and test social studies in at least 4th and 6th grades, using a test selected by the district or school. Prohibits the reporting of the test results to the Department of Education.
- Allows districts, community schools, and STEM schools to administer the selected response and performance task items of the kindergarten readiness assessment (KRA) up to two weeks before the first day of school.
- Requires the Department of Education to develop a framework for districts and community schools to use for granting high school credit to students who demonstrate subject area competency through work-based learning experiences, internships, or cooperative education, beginning with the 2018-2019 school year. Requires districts and schools to review their existing policies on demonstration of subject area competency to identify ways to incorporate work-based learning experiences, internships, and cooperative education into those policies.
- Qualifies students in public and chartered nonpublic high schools for an OhioMeansJobs-readiness seal, to be placed on the student’s diploma and transcript upon completion of certain requirements. Prohibits charging a student a fee for the seal.
- Creates two alternative options for public and chartered nonpublic school students in the Class of 2018 to earn a high school diploma.
- Exempts substitute teachers and certain non-full-time school employees from the requirement to receive training on the use of an automated external defibrillator (AED), unless the person coaches or supervises interscholastic athletics.
- For the 2018-2019 through 2021-2022 school years, requires the Department of Education to collect data on the person(s) at whom a student’s violent behavior that resulted in disciplinary action was directed.

2017

- Specifies that staffing ratios for programs for preschool children with disabilities must require (1) a full-time staff member for every 8 full-day or 16 half-day children eligible for special education enrolled in a center-based program and (2) staff ratios of 1 teacher for every 8 children to be maintained at all times for a program with a center-based teacher, and the presence of a second adult when there are 9 or more disabled or non-disabled children in a class.
- Specifies that if an early childhood education (ECE) provider, on October 1, has remaining state ECE funds after enrolling eligible 4-year-olds, the provider may seek approval from the Department of Education to use those funds to serve children who are at least 3 years old, are not of age for kindergarten, and have family incomes at or below 200% of the federal poverty guidelines.
- Allows for the operation of science, technology, engineering, arts, and math (STEAM) schools, school equivalents, and programs of excellence in the same manner as their STEM counterparts.
- Requires proposals for STEAM schools, STEAM school equivalents, and STEAM programs of excellence to include (1) evidence that the curriculum will integrate arts and design into the study of STEM fields, (2) evidence that arts organizations will be included in the partnership with institutions of higher education and businesses, and (3) assurances that arts organizations have committed fiscal and in-kind support (for STEAM schools and STEAM school equivalents only). Allows STEM schools, STEM school equivalents, and STEM programs of excellence that wish to obtain STEAM status to submit a revised proposal to the STEM Committee for approval.
- Requires the curriculum development team for a STEAM school or STEAM school equivalent to include an expert in the integration of arts and design into the STEM fields.
- Permits STEM programs of excellence to serve any grades K-12 (instead of K-8 as previously allowed).
- Allows STEM schools and STEM school equivalents to offer all-day kindergarten in the same manner as school districts.
- Beginning with the 2018-2019 school year, requires students participating in College Credit Plus to either (1) be "remediation-free" on one of the assessments selected by the college presidents to determine remediation-free status or (2) score within one standard error of measurement below the remediation-free threshold on one of those assessments and either (a) have a cumulative GPA of at least 3.0 or (b) receive a recommendation from a school counselor, principal, or career-technical program advisor. Also requires the student to meet the college's standards for enrollment, as well as the relevant academic program's standards for admission, enrollment, and course placement.
- Requires the college to pay for one assessment to determine a student's eligibility to participate in College Credit Plus.
- Changes the deadline for high schools to provide information about College Credit Plus to students from March 1 to February 1 each year.
- Changes to whom a public school student may appeal a principal's decision, with regard to the student's participation in College Credit Plus, from the State Board of Education to the district superintendent or the school's governing entity.
- Changes to whom disputes between a student and high school over the awarding of high school credit for a College Credit Plus course may be appealed from the State Board of Education to the Department of Education.
- Requires the Chancellor of Higher Education to adopt rules specifying which courses are eligible for state funding under College Credit Plus.



2017



- Requires the Department of Education to pay the college's "standard rate" per credit hour for College Credit Plus courses, if that rate is lower than the default ceiling amount. Makes it permissive for the Chancellor to approve payments below the default floor amount as part of an alternative payment structure.
- Directs the Chancellor to adopt rules specifying the conditions under which underperforming students may continue to participate in College Credit Plus.
- Requires the Department of Education to develop a schedule to reimburse districts and public schools for the cost of industry-recognized credentials or journeyman certifications for economically disadvantaged students.



2016

**131st General Assembly 2015-2016****House Bill 113**

- Requires public high schools (except for eSchools and community schools that primarily serve students with disabilities) to provide students with instruction in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED), beginning in the 2017-2018 school year.
- Requires a student to be excused from the CPR and AED instruction (1) upon the parent's request; or (2) if the student has a disability and is incapable of performing the necessary skills.
- Requires districts and community schools (except for eSchools and community schools that primarily serve students with disabilities) to train all employees in the use of an AED by July 1, 2018, and at least every five years thereafter.
- Prohibits a community school teacher or other licensed educational professional from terminating his or her employment contract after July 10, or before the last day of instruction, without the consent of the school's governing authority or operator. Permits termination of the contract at any other time with five days' notice.
- Allows the State Board of Education to suspend a person's license for up to one year for violating the termination provisions.
- Exempts a community school from the requirement to spend at least 75 percent of its career-technical education funds on programming supplies and equipment and no more than 25 percent of those funds on personnel if the school (1) exclusively provides career-technical workforce development programs in arts and communications that are not equipment-intensive; and (2) has been granted a waiver from the Department of Education.
- Permits districts, community schools and STEM schools to use economically disadvantaged funds to employ principals or assistant principals who completed the Bright New Leaders for Ohio Schools program.
- Makes the following changes regarding high school equivalency tests:
  - Directs the Department of Education to approve at least two nationally recognized high school equivalency tests (instead of just the GED as previously required) for individuals seeking certificates of high school equivalence.
  - Repeals a provision automatically qualifying a person to take a high school equivalency test if the person (1) is or was homeschooled; (2) is excused from attending school due to a physical or mental condition; (3) is moving or has moved out of Ohio; or (4) has an extenuating circumstance that requires withdrawal from school.
  - Removes a requirement that 16- and 17-year-olds submit their high school transcripts as part of their applications to take high school equivalency tests and instead adds a requirement that they be officially withdrawn from school. Repeals a provision permitting the Department to approve the application only if the applicant (1) had been continuously enrolled in a diploma-granting program for at least one semester; (2) had an attendance rate of at least 75 percent during that semester; and (3) showed good cause.
  - Removes a requirement that 16- and 17-year-olds remain enrolled in school and maintain at least a 75 percent attendance rate until passing all sections of the high school equivalency test or turning 18.

2016

**House Bill 200**

- Allows public and nonpublic schools to obtain epinephrine auto-injectors directly from licensed prescribers or by having the prescribers issue prescriptions in the schools' names.
- Extends existing immunity provisions for schools, governing board members, employees and contractors to cover procurement of epinephrine auto-injectors from licensed prescribers.
- House Bill 216
- Permits diabetes care in public and chartered nonpublic schools to be provided in accordance with orders issued by physician assistants, clinical nurse specialists, and certified nurse practitioners (in addition to physicians, as in prior law).
- House Bill 359
- Allows a person to apply to the Secretary of State for the Address Confidentiality Program to have the person's address kept confidential, if the person fears for his or her own safety, or the safety of a household member, due to being a victim of domestic violence, stalking, human trafficking, rape or sexual battery.
- Upon the request of a participant in the program, requires governmental entities, including public schools, to use an address designated by the Secretary of State as the participant's address for mailing purposes.
- Specifies that an address of the participant's residence, school, college, business or place of employment that the participant requests not be disclosed is confidential and is not a public record.

**House Bill 410**

- Eliminates the law's distinction between a "chronic truant" and an "habitual truant" and instead provides that a child who has been adjudicated a habitual truant and violates the court order regarding that adjudication may be further adjudicated a "delinquent child."
- Bases the measure for "habitual truancy" on the number of hours, instead of the number of days, absent.
- Prohibits a district, community school, or STEM school from suspending, expelling, or removing a student from school solely because of a student's unexcused absences.
- Prohibits a district or school from applying any remaining part of an out-of-school suspension to the following school year and instead permits the district or school to require the student to participate in community service or an alternative consequence for the number of hours left on the suspension.
- Permits a district or school to allow a student to complete any classroom assignments missed because of a suspension.
- Requires the school attendance officer to notify a student's parent when the student is absent with or without excuse for 38 or more hours in one school month or 65 hours in a school year.
- Requires a district, community school, or STEM school to establish an absence intervention team for each student who is a habitual truant, unless the district or school has a chronic absenteeism percentage of less than five percent. Directs the absence intervention team to develop an intervention plan for the student to reduce further absences.



2016

- Requires the district or school to (1) make at least three meaningful, good faith attempts to secure participation of the student's parent on the absence intervention team and (2) investigate whether failure to respond to those attempts triggers mandatory reporting to child protective services.
- For students on an absence intervention plan, allows the district or school to request the juvenile court to enroll the student in an alternative to adjudication. Requires a district or school that does so to have a policy on using alternatives to adjudication to ensure fairness for all students.
- Requires districts and schools to report to the Department of Education the occurrence of certain triggering events with respect to a student's absences, including whenever a child has received enough unexcused absences to become a habitual truant.
- Generally requires a complaint to be filed in juvenile court against a student (and against any person who fails to cause the child's attendance at school) on the 61st day after the implementation of an absence intervention plan, provided that the district or school made meaningful attempts to reengage the student and the student refused to participate or failed to make satisfactory progress on the plan.
- Requires districts and schools to amend their policies on addressing and ameliorating student absences to include specified intervention strategies (that were permitted under former law).
- Directs the State Board of Education to develop and provide to public schools a model policy for violent, disruptive, or inappropriate behavior, including excessive absences, that stresses preventative strategies and alternatives to suspension and expulsion.
- Requires a juvenile court, after a complaint that a child is unruly based on habitual truancy, to consider an alternative to adjudication, and provides that the court must consider the complaint only as a last resort.
- Requires the juvenile court to provide notice of any adjudication related to a child's truancy to the child's resident school district and to the school in which the child was enrolled when the complaint was filed.

#### House Bill 438

- Modifies the timelines for the sale or lease of real property or unused facilities by a school district by requiring only one 60-day offer period to all start-up community schools and college-preparatory boarding schools within the district but retaining the priority status afforded to high-performing community schools.
- Requires the Department of Education to post on its website a list of schools that qualify as high-performing community schools.

#### Senate Bill 3

- Makes the following changes to the requirement that no present or former member of a community school governing authority, or immediate relative of a present or former member, be an owner, employee, or consultant of the school's sponsor or operator, unless one year has elapsed since the person was a member of the governing authority:
  - If the community school is not sponsored by a school district or an educational service center (ESC), applies the limitation only to owners, employees, and consultants of that specific school's sponsor or operator (rather than to those of all community school sponsors and operators as under former law).
  - If the school is sponsored by a school district or ESC, specifies that no present or former member, or immediate relative of a present or former member, can be (1) an officer of the district or ESC board that is the school's sponsor, or (2) an employee, supervisor, or consultant of the department, division, or section within the district or ESC that is directly responsible for sponsoring community schools.

2016

- Includes in-laws in the definition of “immediate relatives” only if they are residing in the same household as the member of the governing authority.
- Permits a community school to provide admission preference to children of full-time employees, provided the total number of students receiving the preference is less than five percent of the school’s enrollment.
- Authorizes sheriffs to contract with community schools for police services.
- Changes the school year by which a community school must comply with the State Board of Education plan for awarding high school credit based on demonstration of subject area competency from the 2016-2017 school year to the 2017-2018 school year.
- Limits the cumulative amount of time spent taking state and district- or school-wide assessments to two percent of the school year. Limits the cumulative amount of time used for taking practice or diagnostic assessments to prepare for state and district- or school-wide assessments to one percent of the school year. Allows a district or school to exceed these limits by adoption of a resolution following at least one public hearing on the matter.
- Exempts from the time limits assessments administered to students with disabilities, diagnostic assessments for students who fail to pass the third-grade English language arts assessment, assessments used to identify gifted students, and alternatives to certain end-of-course examinations.
- Eliminates the requirement for districts, community schools, and STEM schools to administer writing and math diagnostic assessments in grades one to three.
- Exempts a public or private high school student from the requirement to take the college and career readiness assessment (ACT or SAT) if the student: (1) has significant cognitive disabilities, (2) has an intellectual disability, (3) is limited English proficient and has been enrolled in U.S. schools for less than two years, or (4) has already attained a “remediation-free” score on the assessment. Specifies that a school cannot prohibit the student from taking the assessment.
- Specifies that, in order to calculate a student’s score on a substitute end-of-course exam, a score of 2 on an Advanced Placement (AP) exam or a score of 2 or 3 on an International Baccalaureate (IB) exam is equivalent to a proficient score.
- Eliminates a requirement that the State Board of Education adopt a measure, to be reported separately from a district’s or school’s report card, for the amount of extracurricular services offered to students.
- Removes the requirement for the Department of Education to approve district and school plans for giving students online lessons and blizzard bags to make up calamity days.
- Prohibits a student who participates in College Credit Plus from being denied the opportunity to participate in interscholastic athletics offered by the student’s school or the district school to which the student would be assigned, solely due to the student’s participation in the college program.
- Expands the grades to which public and chartered nonpublic high schools must provide students with information about the school’s advanced standing programs to include grades six and seven.
- Directs the State Board of Education to establish a state seal of biliteracy, which demonstrates a high level of proficiency in one or more languages in addition to English and may be attached to the transcripts of public and nonpublic high school students.
- Expands the grade levels that STEM schools and STEM school equivalents may offer to any of grades K-12.
- Prohibits the Department of Education from requiring a student who has or will be taking an assessment for an industry-recognized credential or state agency- or board-issued license to take any other technical assessments.

2016

**Senate Bill 252**

- Requires each student in a public or private school, before participating in an athletic activity, to submit to the school a signed form indicating review of sudden cardiac arrest guidelines.
- Requires a student to be evaluated and cleared by a health professional before participation in an athletic activity if (1) the student's biological parent, sibling, or child has experienced sudden cardiac arrest, or (2) the student is known to have exhibited syncope or fainting at any time before or after an athletic activity.
- Requires a coach to remove a student from participation in an athletic activity if the student exhibits syncope or fainting, and prohibits the student from returning to participation until evaluated and cleared by a health professional.
- Prohibits an individual from coaching an athletic activity unless the individual annually completes a sudden cardiac arrest training course approved by the Department of Health.
- Grants qualified immunity to schools, governing board members, employees, and volunteers from damages arising from complying with these requirements. The immunity extends to community school operators and their employees and volunteers.

2015

**131st General Assembly 2015-2016****House Bill 2****Ohio Department of Education approval of sponsors**

- Requires all existing sponsors to be approved by the Ohio Department of Education by July 1, 2017.
  - Exception: Requires a grandfathered sponsor that is rated below “effective” for two or more consecutive years to be approved by the department before renewing its contract with a school or entering into a preliminary agreement with a new school.
- Requires all sponsors (rather than just those approved after June 20, 2005) to have a record of financial responsibility and successful implementation of educational programs and, if the sponsor has schools in another state, to have at least one out-of-state school that performs comparably to an Ohio school in continuous improvement or better.
- Requires the agreement between the department of education and a sponsor to include (1) parameters under which the department can intervene and potentially revoke sponsorship authority if the sponsor is unwilling or unable to fulfill its obligations; (2) any territorial restrictions or limits on the number of schools that may be sponsored; (3) provision for an annual evaluation process; and (4) authority for the department to modify the agreement for poor fiscal management or lack of academic progress.
- Exempts sponsors that are rated “exemplary” for at least two consecutive years from any territorial restrictions or limits on the number of schools they may sponsor, for as long as they maintain an “exemplary” rating.
- Decreases the maximum term of a sponsor’s initial agreement with the department from seven to five years.
- Permits renewal of an agreement for up to 10 years based on the three criteria used for the sponsor evaluation system: (1) the academic performance of the sponsor’s schools; (2) adherence to quality practices; and (3) legal compliance.

**Sponsor evaluations**

- Requires the department to annually rate all sponsors on each component and assign an overall rating, beginning with the 2015-2016 school year.
- Adds a fourth rating of “poor” to the evaluation system and removes the authority for the department to rate a new sponsor as “emerging” for its first two years.
- Permits the department to evaluate a sponsor’s adherence to quality practices once every three years, if the sponsor was most recently rated “exemplary” or “effective.”

2015

- Requires the academic performance component to (1) be derived from report card performance measures; (2) be based on the schools' performance for the school year for which the evaluation is done; and (3) include year-to-year changes in the sponsor's portfolio. If a school has no graded performance measures, the department must use measures specified in the school's contract with the sponsor.
- Retains prior law excluding schools primarily serving students with disabilities from the academic performance component but requires the department to report those schools' academic performance.
- Restricts peer reviewers to employees of sponsors that were rated "exemplary" or "effective" on their most recent ratings.
- Establishes incentives and consequences based on a sponsor's overall rating.
  - A sponsor rated "exemplary" for at least two consecutive years:
    - » May renew its agreement with the department of education, provided it consents to continued evaluation of adherence to quality practices;
    - » May extend the term of its contract with a school beyond the term specified in its agreement with the department;
    - » May skip having a preliminary agreement with a school and need not comply with the statutory deadlines for adoption and signing of a contract with the school;
    - » Is exempt from the provision automatically voiding the contract with a school, if the school does not open by Sept. 30;
    - » May sponsor any number of schools anywhere in Ohio and may continue to sponsor them even if the sponsor later receives a lower rating.
  - A sponsor rated "ineffective":
    - » Cannot sponsor any additional schools as long as it keeps that rating;
    - » Is subject to a quality improvement plan with timelines and benchmarks established by the department.
  - A sponsor rated "ineffective" for three consecutive years or rated "poor" has its sponsorship authority revoked.
- Establishes an appeal process for when sponsorship authority is revoked based on a sponsor's rating.
- Directs the Office of School Sponsorship to assume sponsorship of schools when the original sponsor's sponsorship authority is revoked.
- Requires the department of education to provide annual training on the evaluation system, including its methodology, timelines and the data used.
- For ratings based on the 2015-2016 school year only, permits the department to not assign an overall rating to a sponsor that (1) is a school district; (2) sponsors at least one conversion school with a dropout prevention and recovery program; and (3) had at least one school that was rated "meets standards" or better for the four- and five-year cohort graduation rates on its 2013-2014 report card.
- Permits the department to renew or extend its agreement with a sponsor that expires in June 2016 for a maximum period of two years, if the department has not yet issued a rating for the sponsor.

2015

**Office of School Sponsorship**

- Authorizes the Ohio Department of Education to establish a format and deadlines for applications for department sponsorship.
- Repeals the provision requiring the department to approve each application that contains all necessary information and instead permits the department to approve or deny applications at its discretion.
- Requires the department to review each application and assign the applicant school a rating, taking into consideration the standards for quality authorizing, capacity requirements, financial constraints and any other criteria it determines appropriate. The department must adopt criteria for evaluating applications and post the criteria on its website.
- Prohibits the department from approving an application for a new community school in the Cleveland Metropolitan School District, unless it meets the evaluation criteria and the applicant has received a recommendation from the Transformation Alliance.
- Repeals the requirement for the department to submit to the House and Senate education committees (1) a proposal for expanding the department's authority to sponsor schools; and (2) recommendations for a ratings rubric for the sponsor evaluation system.

**Ohio Department of Education reporting requirements**

- Requires the department to publish the following information, for each year since the 2010-2011 school year, on its website:
  - Each community school that closed during the year and the reason for closing;
  - Each entity that applied to be a sponsor, along with the entity's application and most recent evaluation, whether the application was approved, the documentation used to make a decision on the application and a brief rationale for the decision;
  - Sponsor ratings, a list of the sponsors that are prohibited from sponsoring new schools, and a list of sponsors that have sponsored a school that closed and the reason for closing.

**Sponsor oversight and monitoring**

- Requires sponsors to provide monitoring, oversight and technical assistance to each of their schools.
- States that "monitoring, oversight, and technical assistance" includes:
  - Monitoring the school's compliance with law and the terms of its contract and providing relevant technical assistance;
  - Monitoring and evaluating the school's academic and fiscal performance, organization and operation at least annually;
  - Reporting the results of the annual evaluation to the department of education and parents of the school's students;
  - Taking steps to intervene in the school's operation to correct performance problems, putting the school in probationary status, suspending the school's operation or terminating the school's contract as necessary;
  - Having a plan of action in case the school has financial problems or closes before the end of the school year;
  - Other activities designed to benefit the school.

2015

- Requires copies of the school's financial and enrollment records to be provided monthly to the school's sponsor, operator, governing authority and fiscal officer.
- Requires inclusion of a school's policies and procedures for internal financial controls when the school submits its comprehensive plan to the sponsor under existing law.
- Beginning in the 2016-2017 school year, requires a sponsor to submit to the department and each school's governing authority an annual report describing the amount and type of expenditures it made to provide monitoring, oversight and technical assistance.
- Directs the department to establish reporting requirements and procedures for the report, which must require reporting of (1) employee salaries and benefits; (2) all purchased or contracted services; (3) materials and supplies; (4) equipment, furniture and fixtures; (5) facilities; and (6) other expenditures.
- Requires the report to be a factor in determining a sponsor's legal compliance under the sponsor evaluation system and allows it to be used as a factor when evaluating the sponsor's adherence to quality practices.

#### **Switching sponsors**

- Prohibits a school from changing sponsors if the school (1) received a "D" or "F" for Performance Index and an overall "D" or "F" for the value-added measure on its last report card; or (2) is a dropout prevention and recovery school and was rated "does not meet standards" for the student growth measure and combined graduation rates on its last report card.
  - Exception: The school may change sponsors if (1) the proposed sponsor is the Office of School Sponsorship or was rated "effective" or better on its last evaluation; (2) the school submits a request to change sponsors to the department and has not had a prior request granted; and (3) the department approves the request.
- Allows a school whose request is denied to appeal to the State Board of Education and specifies the factors to be considered in the State Board's decision.

#### **Sponsor selling of services**

- Prohibits a sponsor (including its officers, directors, employees and anyone with decision-making authority regarding the sponsor's operations) from selling goods or services to a school it sponsors, unless:
  - The sponsor has an existing contract to sell goods or services to the school, in which case the prohibition does not apply until the contract expires;
  - The sponsor is the district in which the school is located or a state university, in which case the sponsor may sell goods and services at no profit.

#### **Governing authority members**

- Prohibits a person from simultaneously serving on a community school governing authority and a district board of education.
- Prohibits a district or educational service center employee from serving on the governing authority of a school sponsored by the district or educational service center.
- Prohibits a person from serving on a governing authority or from operating the school if the person (1) would be subject to license refusal, limitation or revocation based on past conduct if the person were an educator; or (2) has pleaded guilty to or been convicted of theft in office.



2015

- Prohibits a person who has not submitted to a criminal records check from serving on a governing authority or engaging in the daily financial management of the school.
- Aligns compensation for governing authority members and boards of education by:
  - Limiting compensation for governing authority members (for both start-up and conversion schools) to \$125 per meeting;
  - Applying the \$5,000 cap on governing authority members' annual compensation to school board members;
  - Permitting governing authority members to be paid for attending an approved training program in the same amounts as school board members (\$60 per day for a program three hours or less and \$125 per day for a longer program).
- Requires governing authority members to annually file a disclosure statement that names immediate relatives or business associates who were employed, within the past three years, by (1) the school's sponsor or operator; (2) a district or educational service center under contract with the school; or (3) a vendor that is or was engaged in business with the school.
- Requires each community school to post on its website the names of governing authority members and requires the school to provide, upon request, the names and addresses of governing authority members to the department and the school's sponsor.
- Requires a community school governing authority to employ an attorney, who must be independent of the school's sponsor and operator, for services related to negotiation of the school's contract with the sponsor or operator.

#### **Contract provisions**

- Makes changes regarding the content of the contract between a school's sponsor and governing authority as follows:
  - Specifies that the performance standards must include all applicable report card measures;
  - Eliminates the requirement to specify the location of the facilities to be used for the school;
  - Requires an addendum that provides (1) a detailed description of each facility used for instructional purposes; (2) the annual costs of leasing each facility that are paid by or on behalf of the school; (3) the annual mortgage principal and interest payments paid by the school; and (4) the name of the lender or landlord and any relationship between the lender or landlord and the school's operator;
  - Requires that the school's attendance and participation policies be available for public inspection;
  - Requires the school's attendance and participation records to be made available to the department, the Auditor of State and the school's sponsor to the extent allowed by student privacy laws;
  - Requires that loans from the operator, including facilities loans or cash flow assistance, must be accounted for, documented and bear interest at a fair market rate;
  - Requires any attorney, accountant or entity specializing in audits contracted by the school to be independent from the school's operator;
  - Requires inclusion of information about blended learning programs (see below).

2015

**Termination and non-renewal of sponsor contracts**

- Changes the date by which a sponsor must notify a school that it intends to terminate or not renew the school's contract from Feb. 1 to Jan. 15.
- Repeals the option for a school whose contract is terminated to appeal that decision to the State Board of Education.
- Prohibits a school whose contract is terminated or not renewed for poor academic performance or poor fiscal management from obtaining a new sponsor.
- Expands the civil immunity of a sponsor and its officers, directors and employees by exempting them from liability for failure of the school or its officers, directors or employees to meet contractual obligations.
- Clarifies that a sponsor may terminate or not renew a school's contract even if the school does not meet the standards of poor academic performance that trigger closure of the school.

**Bonds**

- Eliminates the requirement that the bond posted by a school's governing authority prior to operation must be a surety bond.
- In lieu of a bond, permits (1) the school's sponsor or operator (in addition to the school's governing authority, as in former law) to deposit cash with the Auditor of State; or (2) the school's sponsor or operator to provide a written guarantee that it will pay the costs of audits up to \$50,000.
- Specifies that a written guarantee of payment is binding upon any successor sponsor or operator and that the successor must acknowledge as much prior to contracting with the school.
- Requires the department to notify the Auditor of State of the proposed operation of a community school and to provide the Auditor of State with the sponsor's certification that the school has complied with all legal preconditions for opening.

**Fiscal officers**

- Generally requires a community school's fiscal officer to be employed by, or under contract with, the school's governing authority. Allows the governing authority to waive this requirement, for one year at a time, with sponsor approval.
- Specifies that if the governing authority waives the requirement, the fiscal officer must meet annually with the governing authority to review the school's financial status.
- Requires (rather than permits, as under former law) the Auditor of State to make the fiscal officer execute a bond conditioned on faithful performance of duties.
- Specifies that if a school closes, the fiscal officer must deliver all financial and enrollment records to the school's sponsor within 30 days after the closing.
- Directs the sponsor to seek recovery of funds owed as a result of a finding of recovery by the Auditor of State against the fiscal officer.

2015

**School budgets**

- Beginning in the 2016-2017 school year, requires the governing authority, with assistance from the fiscal officer, to adopt an annual budget for the school by Oct. 31 each year.
- Requires the department to develop a format for the budgets, which must require inclusion of the costs of administration, instructional services, instructional support services, administrative support services and extracurricular services.

**Audits**

- Requires a community school sponsor to communicate with the Auditor of State regarding audits of the school or the condition of the school's financial and enrollment records and to be present at meetings with the Auditor of State.
- Requires a sponsor to annually verify that no finding for recovery has been issued by the Auditor of State against a person who proposes to create a community school, serves on the governing authority, operates the school or is employed by the school.

**Operators**

- Repeals the provision allowing an operator that has been notified of a school's intent to terminate or not renew the operator's contract to appeal that decision to the sponsor or State Board of Education.
- Requires the department to annually publish the names and identifying information of all operators and to post a copy of each school's operator contract on the department's website.
- Requires the department to annually publish a performance report for all operators based on their performance for the previous school year.
- Specifies that if an operator buys furniture, computers, software, equipment or other personal property for use in a community school with state funds paid by the school for services rendered, that property belongs to the school. If the school closes, the operator must distribute that property in the same manner as if the school had bought the property.
- Requires the contract between a school and its operator to include (1) criteria for early termination of the contract; (2) required notification procedures and timelines for early termination or non-renewal of the contract; and (3) who owns all school facilities and property.
- Prohibits an operator from leasing any property to the school until an independent real estate professional verifies by addendum to the contract that the lease is commercially reasonable.
- Requires an operator that receives more than 20 percent of a school's gross revenues to provide a detailed accounting of the nature and costs of the goods and services provided to the school and specifies the expense categories that must be described.
- Eliminates the requirement that the detailed accounting be included in the footnotes of the school's financial statements.
- Specifies that the detailed accounting is subject to verification through examination of the school's records during its regular audit.

**E-schools**

- Permits an eSchool to provide a student with a location within a 50-mile radius of the student's home at which the student may receive counseling, instructional coaching and testing assistance.

2015

- Requires eSchools to keep accurate records of each student's daily participation in learning opportunities in a manner that can be easily submitted to the department, upon request from the department or the Auditor of State.
- Requires eSchools to offer student orientation courses and to notify incoming students of the opportunity to participate in the courses. Directs the department to provide guidance on developing and delivering an orientation course.
- Permits an eSchool to ask a student's parent, at the time of enrollment, to estimate the length of time the student will attend the school. If such information is sought, it must be aggregated and included in the annual report the school submits to parents and its sponsor on the school's progress and financial status.
- Requires eSchools to periodically communicate with each student's parent about the student's progress.
- Requires eSchools to provide opportunities for parent-teacher conferences and to document their requests for conferences. Permits conferences to be conducted electronically and allows eSchools to let students participate.
- Specifies that an eSchool's sponsor is responsible for monitoring, ensuring and reporting compliance with the online learning standards.

#### **Blended learning**

- Specifies that if a school uses the blended learning model, its contract with the sponsor must include (1) an indication of the blended learning model being used; (2) a description of how student instructional needs will be determined and documented; (3) the method used to determine competency, grant credit and promote students; (4) attendance requirements, including how the school will document participation; (5) a description of how student progress will be monitored; (6) a description of how private student data will be protected; and (7) a description of the teacher professional development that will be offered.
- Adds to the list of assurances that a sponsor must annually provide to the department assurance that the sponsor has reviewed the information above.

#### **Other provisions**

- Requires a school's governing authority, fiscal officer, administrators and all persons contracted by the school's operator for supervisory or administrative services to complete annual training on the Public Records and Open Meetings Laws.
- Prohibits the department from combining performance data for a conversion community school with its sponsoring district if a majority of the school's students are enrolled in a dropout prevention and recovery program. Requires instead that the school's ratings and performance measures be included as an addendum to the district's report card.
- Requires the department to evaluate the validity and usefulness of using the "similar students measure" to calculate student academic progress, and to report its findings and recommendations to the General Assembly and State Board of Education by December 1, 2016.
- Establishes a committee, under the guidance of the department, to make recommendations to the General Assembly on the definition of "quality" for dropout prevention and recovery schools and to study the efficacy of a completion or competency-based funding structure for the schools.

2015

- Exempts a school that merges or consolidates into a single public benefit corporation from the requirement to distribute its assets like a closed school, as long as the sponsor of the new school is rated “effective” or better.
- Changes the deadlines for the following reports for the 2014-2015 school year only:
  - The department’s annual community school report is due by March 31, 2016.
  - Sponsor evaluations of their schools are due to the department and parents by March 1, 2016.
  - School reports on their progress and financial statuses are due to sponsors and parents by Jan. 31, 2016.
- Exempts an employee of an operator from membership in the State Teachers Retirement System or School Employees Retirement System if the operator is paying into Social Security for the employee, except under certain conditions.
- Requires the State Board of Education, by June 30, 2016, to make recommendations to the General Assembly and governor on performance standards for community schools primarily serving students with disabilities and the feasibility of removing the exemption from closure based on academic performance for those schools.
- Requires each community school to annually report to the department and the Auditor of State each instance in which one of the school’s students resides in a children’s residential center.

#### House Bill 7

- Prohibits school districts, community schools and STEM schools from using a student’s score on an elementary achievement assessment (other than the third grade English language arts assessment) or high school end-of-course exam taken during the 2014-2015 school year as a factor in any decision to promote or retain the student or to grant course credit.
- Requires school districts, community schools and STEM schools to administer the Ohio Achievement Assessment for the third grade English language arts assessment in the 2014-2015 school year.
- Prohibits the Ohio Department of Education from withholding funding from a school district, community school or STEM school for a student who did not take an elementary achievement assessment or high school end-of-course exam during the 2014-2015 school year and was not excused from the test.
- Permits a student to retake any end-of-course exam during the student’s academic career at a time designated by the department.

#### House Bill 39

- Permits public and nonpublic schools to procure asthma inhalers for use in emergencies.
- Requires the school’s governing body, in consultation with a licensed health professional authorized to prescribe drugs, to adopt a policy regarding maintenance and use of the inhalers.
- Requires the policy to include (1) a prescriber-issued protocol for use of the inhalers, including the dosages to be administered, the number of times each inhaler may be used before disposal, and methods of disposal; (2) the locations in which inhalers must be stored; (3) the conditions for storing, replacing and disposing of inhalers, (4) the employees or contractors, besides

2015

school nurses and athletic trainers, who may administer an inhaler during an emergency and any training requirements for them; (5) the emergency situations in which an inhaler may be used; (6) a requirement to request emergency medical assistance immediately after use of an inhaler, unless the inhaler was administered by a school nurse, athletic trainer or other licensed health professional; and (7) a list of the people to whom an inhaler may be administered, in addition to students, employees, contractors and school visitors.

- Grants qualified immunity from civil liability to schools, members of the governing body and school employees and contractors for damages allegedly related to use of an inhaler.
- Permits drug manufacturers and distributors to donate inhalers to schools and allows schools to accept cash donations for purchase of inhalers.
- Requires schools that procure inhalers to report to the department of education each procurement and use of the inhalers.

#### House Bill 56

- Prohibits public employers from including questions about a person's criminal background on an employment application.
- Removes the ban against sealing a conviction record when the victim is 16 or 17 years old under specified circumstances.

#### House Bill 64

- Foundation funding for community schools is calculated in a manner similar to that of traditional school districts but with no state share index or percentage applied. Payments continue to be deducted from each student's resident school district, with the exception of two new academic performance bonuses and the continuation of per pupil facilities funding. The bill also includes the following components:
  - An opportunity grant per pupil amount of \$5,900 in FY16 and \$6,000 in FY17;
  - The per pupil amount of tier I targeted assistance funds from the resident district multiplied by 25 percent;
  - Additional aid for special education and related services based on the student's disability category;
  - Kindergarten through third grade literacy funding provided at \$305 in FY16 and \$320 in FY17 for each student in grades K-3;
  - For economically disadvantaged students, \$272 multiplied by the resident district's economically disadvantaged index;
  - Additional aid for limited English proficiency based on the student's limited English proficiency category;
  - Additional aid for career-technical education services based on the student's participation in approved career-technical education programs in one of five categories.
- Site-based community schools and STEM schools are funded at \$150 per pupil in FY16 and \$200 per pupil in FY17 for facilities costs. Eschools are funded at \$25 per pupil for facilities costs in each of FY16 and FY17.
- New in HB 64 are two academic performance bonuses that provide additional state aid to schools. The "graduation bonus" provides \$443 in FY16 and \$450 in FY17 for each student who graduated in the previous year, multiplied by the school's four-year graduation rate. The "third grade reading bonus" provides \$443 in FY16 and \$450 in FY17 for each student who scores proficient or higher on the third grade reading test, multiplied by the school's third

2015

grade reading proficiency percentage.

- Eschools are ineligible for K-3 literacy, economically disadvantaged, limited English proficiency and targeted assistance funds.
- Eschools continue to have an enrollment limit. The enrollment limit increases each year, from a base of the school's actual enrollment in FY13 or 1,000 students for a new school. When the enrollment limit is less than 3,000 students, the increase is 25 percent annually. When the enrollment limit is 3,000 or more students, the increase is 15 percent annually.
- The department of education must deduct state funds credited to an eSchool for students in excess of the enrollment limit and proportionally restore that amount to the students' resident school districts.
- All community schools that serve any of grades 7-12 must be assigned to a career-technical planning district (CTPD) by the department. Community school students also may participate in any career-technical education programs of the CTPD to which the student's resident district belongs.
- The community school funding guarantee for severe behavioral handicapped students with emotional disabilities is continued. For community schools that enroll a number of students receiving special education and related services for emotional disabilities equal to at least 50 percent of the total number of students, this funding provides the difference between the aggregate amount calculated and paid for special education weighted costs for the emotionally disabled students and the aggregate amount that would have been calculated for those same students in FY01.
- Eliminates the requirement that a community school that accepts responsibility for transporting its students must provide free transportation for students who are not entitled by law to transportation but would otherwise be transported by their districts under the districts' transportation policies.
- Clarifies that a community school that accepts responsibility for transporting its students may determine that it is impractical to transport a particular student using the same procedures, requirements and payment structure that a school district uses to determine impracticality.
- Clarifies that payments to a community school for transporting students must be calculated on a "per rider basis."
- Specifies that a school district is not required to transport students to and from a nonpublic or community school on weekends absent an agreement to do so that was entered into before July 1 of the school year in which the agreement takes effect.
- Creates the School Transportation Joint Task Force to study transportation of students to public and nonpublic schools and to make legislative recommendations by Feb. 1, 2016.
- Requires educational service centers that sponsor conversion schools to be approved by, and enter into an agreement with, the department.
- Specifies that an eSchool that provides career-technical education is still an eSchool, even if it provides some classroom-based instruction.
- Allows a community school to be licensed by the department to offer preschool if (1) its sponsor is rated "exemplary"; (2) it offers any of grades 4-12 and received a "C" or better for the overall value-added progress dimension and for the Performance Index score on its last report card; or (3) it does not offer a grade higher than three and received a "C" or better for making progress in improving K-3 literacy on its last report card. Specifies that community schools may not



2015

receive state operating funds for preschool students, but authorizes the schools to apply for early childhood education funding.

- Requires the department, by July 1, 2016, to submit to the House and Senate education committees (1) a plan proposing the expansion of the Ohio School Sponsorship Program; and (2) recommendations for a rating rubric for community school sponsor evaluations. (Note: This provision was repealed by HB 2 described above.)
- Requires the department, in conjunction with the Ohio ESC Association and the Ohio Association for Gifted Children, to conduct a feasibility analysis of establishing 16 regional community schools for gifted children.
- Gives right of first refusal to school district property to high-performing community schools and community schools that are implementing a school model that has a track record of high-quality academic performance, as determined by the department. Specifies that the purchase price may not be more than the appraised fair market value, as determined by an appraisal within the previous year.
- Prohibits community schools from selling property purchased from a school district by way of mandatory sale within five years after purchasing the property, unless the sale is to another community school.
- Qualifies high-performing community schools that agree to supply at least 50 percent of the cost of a facilities project for classroom facilities grants from the School Facilities Commission. Also permits new community schools to qualify for grants, if they are implementing a school model that has a track record of high-quality academic performance, as determined by the department. Requires facilities purchased, constructed or modified with grant funds to be used for educational purposes for a minimum of 10 years afterwards.
- Requires the Board of Building Standards to adopt rules for the use of school door barricade devices in public and private schools, for a finite period of time and during an emergency or active shooter drills. Requires schools to provide in-service training for staff on the use of the devices and to maintain training records.
- Prohibits the use of General Revenue Funds to purchase tests developed by the Partnership for Assessment of Readiness for College and Careers (PARCC) for use as the state achievement assessments.
- Requires the superintendent of public instruction to verify by July 30, 2015, that the achievement assessments for the 2015-2016 school year will be given once each year, not over multiple testing windows, and in the second half of the school year and that the length of the tests will be shorter compared to the 2014-2015 school year.
- Extends through the 2015-2016 school year the prohibition against requiring districts and schools to administer state assessments in an online format.
- Requires the department, or any contractor responsible for scoring the achievement assessments, to send districts and schools student test scores within 45 days after the assessment's administration or June 30, whichever is earlier. Establishes the following exceptions:
  - Scores from the third grade English language arts assessment are due by the earlier of 45 days after the administration or June 15.
  - Scores from the writing component of an English language arts assessment (other than the third grade assessment) may be returned later than 45 days after the test administration, as long as they are returned by June 30.

## 2015

- Requires the annual reading skills assessments administered under the Third Grade Reading Guarantee to be completed by Sept. 30 for grades 1 to 3 and by Nov. 1 for kindergarten.
- Permits the reading skills assessment to be administered electronically using two-way video and audio connections with the teacher and student in separate locations.
- Requires the State Board of Education, by Dec. 31, 2015, to update its statewide plan on subject-area competency to include methods for seventh and eighth graders to meet curriculum requirements by demonstrating competency and requires districts and community schools to comply with the updated plan beginning in the 2017-2018 school year. (Note: A conflicting provision in the Community School Law requires community schools to start complying in the 2016-2017 school year.)
- Permits career-technical students who enter ninth grade for the first time in the 2015-2016 school year or later to complete a career-based pathway math course as an alternative to algebra II.
- Qualifies a student who entered ninth grade prior to the 2014-2015 school year for high school graduation upon (1) completion of one of the three graduation pathways required for students beginning ninth grade after that date; or (2) meeting a graduation requirement established by rule of the State Board of Education that combines partial passage of the OGT and the graduation pathways.
- Sets the following deadlines by which the State Board of Education must adopt rules establishing proficiency percentages required to meet each report card indicator based on a state assessment:
  - Dec. 31, 2015, for the 2014-2015 school year;
  - July 1, 2016, for the 2015-2016 school year;
  - July 1, 2017, for the 2016-2017 school year and each subsequent school year.
- Makes it permissive (rather than mandatory as in prior law) for the State Board to develop a high school student academic progress measure. Prohibits a grade for any high school student academic progress measure from being reported earlier than the 2017-2018 school year and prohibits the measure from being included in determining a district's or school's overall report card grade.
- Extends through the 2016-2017 school year all of the following:
  - The prohibition against the department assigning an overall letter grade for a district or school on the report card;
  - Authority for the department, at the State Board's discretion, to not assign an individual grade for the six components that comprise the report card;
  - The prohibition against the department ranking districts, community schools and STEM schools based on academic performance measures and operating expenditures;
  - The prohibition against using report card ratings in determining if a district or school is subject to sanctions or penalties, including designating "challenged school districts" where start-up community schools may be located and automatically closing community schools;
  - The prohibition against using a student's score on an achievement assessment (other than the third grade English language arts assessment) or end-of-course exam as a factor in any decision to retain or promote the student or to grant course credit;
  - The prohibition against student score reports being released to anyone other than the student, the student's parent and the student's district or school.

2015

- Extends the deadline for the 2014-2015 report card from Sept. 15, 2015, to Jan. 15, 2016.
- Extends until Jan. 31, 2016, the deadline for the separate reports regarding students with disabilities for the 2014-2015 school year.
- Requires each district, community school and STEM school to report to the department the number and percentage of students who did not take an achievement assessment in the 2014-2015 school year and were not excused from taking the test.
- Sets a deadline of Jan. 31, 2016, for the department to rank districts, community schools and STEM schools according to expenditures for the 2014-2015 school year.
- Prohibits districts, community schools and STEM schools from using the value-added progress dimension ratings from the 2014-2015 and 2015-2016 school years for (1) teacher and principal evaluations; and (2) decisions regarding the dismissal, retention, tenure or compensation of teachers and principals, unless the district or school collectively agrees with its teachers or principals to use the ratings for those purposes.
- Specifies that, for a teacher of a grade and subject area for which the value-added progress dimension applies and if no other measure is available to determine student academic growth, the evaluation for that teacher or principal must be based solely on teacher or principal performance.
- Makes several changes to the Ohio Teacher Residency Program, as follows:
  - Requires mentoring only during the first two years of the program and removes the requirement that the mentoring be done by a teacher with a lead professional educator license;
  - Allows the employing district or school to determine the degree of counseling necessary as part of the program;
  - Requires the measures of appropriate progression through the program to include the performance-based assessment required by the State Board of Education for resident educators in the third year of the program;
  - Exempts career-technical education instructors teaching under an alternative educator license from the requirement to complete the conditions of the first two years of the program.
- Requires the State Board of Education, by July 1, 2016, to adopt rules that exempt “consistently high-performing teachers” from (1) the requirement to complete additional coursework to renew an educator license; and (2) any related requirement prescribed by a district’s or school’s local professional development committee.
- Authorizes community schools (in addition to districts and STEM schools under continuing law) to request from the superintendent of public instruction a waiver for up to five school years from (1) administering the state achievement assessments; (2) teacher evaluations; and (3) reporting of student achievement data for report card ratings. Specifies that districts and schools may submit waivers requests during the 2015-2016 school year only and limits to 10 the number of waivers that may be awarded.
- Permits students to participate in College Credit Plus during summer term.

2015

- Makes the following changes regarding the GED:
  - Automatically qualifies a person to take the GED if the person (1) is or was homeschooled; (2) is excused from attending school due to a physical or mental condition; (3) is moving or has moved out of Ohio; or (4) has an extenuating circumstance, as determined by the department, that requires withdrawal from school;
  - Requires 16 and 17 year olds to submit their high school transcript as part of their application and permits the department to approve the application only if the person (1) has been continuously enrolled in a diploma-granting program for at least one semester; (2) had an attendance rate of at least 75 percent during that semester; and (3) shows good cause;
  - Requires 16 and 17 year olds to remain enrolled in school and maintain at least a 75 percent attendance rate until passing all sections of the GED or turning 18;
  - Counts any person who officially withdraws from school to take the GED as a dropout from the last district or school the person attended;
  - Specifies that if a person takes the GED but does not pass all of the sections, the person is only required to retake the sections that the person failed and may only be charged for the sections that must be retaken.
- Modifies the law under which individuals aged 22 or older may enroll in school districts or community schools operating dropout prevention and recovery programs, joint vocational school districts with adult education programs or a public two-year colleges to earn a high school diploma, as follows:
  - Defines “competency-based educational program” as any system of academic instruction, assessment, grading and reporting where students receive credit based on demonstrations and assessments of their learning rather than the amount of time they spend studying a subject;
  - Specifies that enrollment is limited to two consecutive years (except in the case of a joint vocational school district);
  - Requires the department to pay the educating institution for each student up to \$5,000, as determined by the department based on the extent of the student’s completion of the graduation requirements.
- Permits public schools to contract with a hospital, an appropriately licensed health care provider, a federally qualified health center or a federally qualified health center “look-alike” to provide health services to students.
- Allows the superintendent of public instruction to adopt guidelines identifying circumstances in which the department, after consulting with the lead district of a career-technical planning district, may approve or disapprove a district’s or school’s career-technical education program after the May 15 deadline.
- Prohibits a district or school from altering, truncating or redacting any part of a student’s record so that the record is rendered unreadable during the course of transferring that record to an educational institution for a legitimate educational purpose.
- Establishes the Competency-Based Education Pilot Program to provide grants to school districts, community schools, STEM schools and consortia led by educational service centers to implement competency-based models of education during the 2016-2017, 2017-2018 and 2018-2019 school years.

2015

**House Bill 70**

- Permits a school district or community school to operate any of their schools as community learning centers to provide comprehensive educational, developmental, family and health services to students, families and community members.
  - Requires a district or school interested in a community learning center to hold public hearings and a vote of parents, teachers and nonteaching employees on whether to initiate the process;
  - Requires the district or school to create a school action team to conduct a performance audit of the school, review the school's needs with regard to restructuring and create an improvement plan;
  - Requires a community learning center to receive parental consent before providing health services to a student and requires the center's employees, contractors and volunteers to maintain the confidentiality of patient-identifying information in accordance with law.
- Allows the chief executive officer of a school district for which an academic distress commission has been established to exempt employees of a conversion community school sponsored by the district from future collective bargaining.
- Subject to appropriations, provides for academic performance bonuses for public and chartered nonpublic schools that meet certain academic accountability standards and enroll students who reside in a school district with an academic distress commission.

**Senate Bill 121**

- Beginning in the 2016-2017 school year, prohibits public and nonpublic schools from letting students remain in school for more than 14 days if they do not provide evidence that they have been immunized, or are in the process of being immunized, against meningococcal disease and are of the age recommended by the Ohio Department of Health for immunization.
- Exempts a student from removal from school if (1) the student's parent declines immunization for reasons of conscience; or (2) the student's doctor certifies that immunization is medically contraindicated.

2014

**130th General Assembly 2013-2014****House Bill 483**

- Requires the Department of Education to pay each community school 20% of the formula amount for each student who is not taking career-technical education classes provided by the school but is enrolled in career-technical programs at a joint vocational school district or another district in the school's career-technical planning district.
- Beginning in the 2014-2015 school year, permits an individual age 22 and above who has not received a high school diploma or equivalence certificate to enroll for up to two cumulative school years in a community school operating a dropout prevention and recovery program for the purpose of earning a high school diploma.
  - For fiscal year 2015, limits the combined enrollment of individuals ages 22 and above under the act's provisions to 1,000 individuals on a full-time equivalency basis, as determined by the Department.
  - Requires the Department to annually pay, for each individual enrolled, \$5,000 times the individual's enrollment on a full-time equivalence basis, as reported by the community school and certified by the Department, times the percentage of the school year in which the individual is enrolled.
  - Specifies that an individual enrolled under the act's provisions may elect to satisfy the requirements to earn a high school diploma by successfully completing a competency-based instructional program that complies with standards adopted by the State Board of Education.
  - Requires the Department, by December 31, 2015, to prepare and submit a report to the General Assembly regarding services provided to individuals ages 22 and above under the act's provisions.

**House Bill 487**

- Requires the Department of Education to withhold state payments to a new community school opening for its first year of operation until the school's sponsor confirms that the school has complied with certain requirements.
- Requires that the Department calculate the value-added progress dimension for purposes of community school closure using value-added data from only the most recent school year.
- Prohibits a community school that is permanently closed from reopening under another name if certain conditions still apply to the new school.
- Specifies conditions under which an educational service center may sponsor a conversion or start-up community school within and outside of its service territory.
- Revises the role of a transformation alliance in recommending sponsors to operate community schools in a municipal school district.
- Permits community schools that operate programs using the Montessori method to admit individuals younger than five years old and authorizes them to apply for early childhood education funding for those programs.

2014

- Specifies which English language arts assessment is to be administered to third grade students in the 2014-2015 school year for purposes of the third-grade reading guarantee.
- Permits a community school that cannot furnish the number of qualified teachers to teach a third grader who reads below grade level needed for the 2014-2015 or 2015-2016 school year to develop and submit an alternative staffing plan for that school year.
- Requires a person who is at least 16 but less than 18 years old and who applies to take the GED to submit to the Department of Education written approval only from the person's parent or guardian or a court official.
- Beginning in the 2015-2016 school year, requires each community school to (1) adopt a policy on career advising; (2) identify students who are at risk of dropping out of school using a research-based, locally based method developed "with input" from its classroom teachers and guidance counselors; and (3) develop a "student success plan" for each of those students that addresses the student's academic pathway to a successful graduation and the role of career-technical education, competency-based education, and experiential learning, as appropriate, in that pathway.
  - The community school must invite the student's parent, guardian, or custodian to assist in developing the plan.
  - Requires the Department to develop and post on its website, by December 1, 2014, model policies on career advising and model student success plans.
  - Requires the Department to create, by July 1, 2015, an online clearinghouse of research related to proven practices for policies on career advising and student success plans.
- Affords a student enrolled in a community school the opportunity to participate in any extracurricular activities at the school of the student's resident school district to which the student would have been assigned.
  - Permits the superintendent of any school district to afford to any student who is enrolled in a community school and who is not entitled to attend school in that district, the opportunity to participate in a school's extracurricular activities if the student's school does not offer the extracurricular activity, and the activity is not interscholastic athletics or interscholastic contests or competition in music, drama, or forensics.
  - Eliminates a former provision permitting a school district board of education to require a community school student to enroll and participate in no more than one academic course as a condition to participating in an extracurricular activity.
  - Prohibits a school district board from imposing additional rules on a community school student that do not apply to other students participating in the same extracurricular activity.
- Renames the Post-Secondary Enrollment Options (PSEO) program as the College Credit Plus (CCP) program and makes several changes to the program.
- Renames "dual-enrollment program" as "advanced standing program" and makes any agreement between a community school and an associated college subject to new requirements.



## 2014

- Revises graduation requirements for students entering the ninth grade for the first time on or after July 1, 2014, to require those students to (1) score at “remediation-free” levels in English, math, and reading on nationally standardized assessments, (2) attain a cumulative passing score on the end-of-course examinations, or (3) attain a passing score on a nationally recognized job skills assessment and obtain either an industry-recognized credential or a state agency- or board-issued license for practice in a specific vocation.
  - Requires the State Board to approve the industry-recognized credentials and licenses that may qualify a student for a high school diploma.
  - Requires the State Board to select by December 31, 2014, at least one nationally recognized job skills assessment for schools to administer to students who opt to take the assessment, and to establish the minimum score a student must attain on the job skills assessment in order to demonstrate a student’s workforce readiness and employability for the purpose of high school graduation.
- Sets the replacement of the Ohio Graduation Tests (OGT) with the College and Work-Ready Assessment System beginning with the 2014-2015 school year for students who enter ninth grade for the first time on or after July 1, 2014.
  - Prescribes seven end-of-course examinations: one in each of English language arts I, English language arts II, physical science, Algebra I, geometry, American history, and American government.
  - Authorizes the State Board to replace the Algebra I end-of-course examination with one in Algebra II beginning with the 2016-2017 school year for students who enter the ninth grade on or after July 1, 2016.
  - Specifies that the OGT may not be administered to first-time takers after July 1, 2015.
  - Permits substitute exams for students enrolled in an Advanced Placement (AP) or International Baccalaureate (IB) course or other advanced standing program course in the areas of physical science, American history, or American government.
  - Specifies that any student who received high school credit prior to July 1, 2014, for a course for which an end-of-course examination is prescribed may not be required to take that examination.
- Requires the nationally standardized assessment that measures college and career readiness (1) be administered to all eleventh-grade students, (2) include components in English, mathematics, science, and social studies, and (3) be an assessment used for college admission.
- For the 2014-2015 school year, (1) prohibits schools from being required to administer state achievement assessments in an online format, (2) permits schools to administer assessments in any combination of online or paper formats, and (3) requires the Department of Education to furnish, free of charge, all such assessments.
  - Requires the Department to publish, by July 1, 2015, the number of districts or schools that administer assessments in paper format, in online format, or in a combination of such formats.
  - Requires the Superintendent of Public Instruction to submit a report, by January 15, 2015, to the Governor and the General Assembly that includes a review of, as well as recommendations for, the number of elementary and secondary achievement assessments.
- Beginning with the spring assessments for the 2014-2015 school year, makes the questions and corresponding preferred answers on the third through eighth grade achievement assessments and high school end-of-course examinations a public record under a staggered release process, so that the entirety of those assessments and questions are a public record within three years of their administration.
  - Requires the Department to post questions and answers from the assessments that have been made a public record on its website.

2014

- Requires the state Superintendent to submit a report to the Governor and General Assembly by December 31, 2014, on the security and use of student data.
- Requires the Department to submit a report to the Governor and General Assembly by December 31, 2014, on the security of student data with regard to the administration of online assessments.
- Requires the State Board of Education to establish standards providing strict safeguards to protect the confidentiality of personally identifiable information in the use of the statewide Education Management Information System.
- Makes several changes to the local report card:
  - Establishes an additional graded value-added progress dimension measure for a “high mobility” school district or building that is exempt from the computation of the overall letter grade of a school or district.
  - For the 2014-2015 school year, requires the Department to include the academic progress measure for high school students on the report card as an ungraded measure.
  - Adjusts the assessment subjects used to calculate the performance index score as follows: (1) for grades 3-8, assessments in English language arts, mathematics, science, and social studies, and (2) for high school, assessments in English language arts and mathematics.
  - Permits kindergarten diagnostic assessment data to be included on the annual report cards issued for schools and school districts.
    - » Specifies that the results of the language and reading diagnostic assessment must be reported to the Department and are not subject to an existing parental option not to report that data.
    - » Specifies that a transfer student who transfers prior to the administration of diagnostic assessments take those assessments at the scheduled administration dates.
    - » Exempts students with “significant cognitive disabilities,” as defined by the Department, from taking diagnostic assessments.
    - » Permits a school district or school that received an “A” or “B” for performance index score or for overall value-added progress dimension on the report card for the prior school year to administer different diagnostic assessments than those prescribed by the Department.
  - Creates a one year safe harbor by prohibiting report card ratings issued for the 2014-2015 school year from being considered in determining whether a school district or school is subject to certain sanctions or penalties, including but not limited to automatic community school closure.
  - Prohibits the Department from (1) assigning an overall letter grade for school districts and schools for the 2014-2015 school year, and (2) ranking districts and schools based on operating expenditures, performance achievements, and other specified items for the 2014-2015 school year.
- Revises the statutory specifications for the statewide academic content standards adopted by the State Board of Education and creates separate academic standards review committees for each of the subjects of English language arts, mathematics, science, and social studies.
- Prohibits any official or board of the state from entering into any agreement with any federal or private entity that would require the state to cede any measure of control over the development, adoption, or revision of any academic content standards.
- Revises law regarding the development and administration of emergency management plans.

2013

**130th General Assembly 2012-2013****House Bill 167**

- Authorizes the mayor of a city in which a majority of a qualifying school district's territory is located to sponsor start-up community schools upon successful application to the Ohio Department of Education.
- Authorizes a qualifying school district to propose a levy for current operating expenses, a portion of which would be allocated to partnering community schools and distributed among those schools on a per pupil basis.

**House Bill 59**

- Foundation Funding for community schools is calculated in a manner similar to that of traditional school districts but with no state share index or percentage applied. Payments continue to be deducted from each student's resident school district, with the exception of the \$100 per pupil facilities payment to site-based community schools. The bill also includes the following components:
  - An opportunity grant per pupil amount of \$5,745 in FY14 and \$5,800 in FY15.
  - The per pupil amount of tier I targeted assistance funds from the resident district multiplied by 25 percent.
  - Additional aid for special education and related services based on the student's disability category and corresponding amount listed in the table under the "Special Education" section.
  - Kindergarten through third grade literacy funding provided at \$211 in FY14 and \$290 in FY15 for each student in grades K-3.
  - For economically disadvantaged students, \$269 in FY14 and \$272 in FY15 multiplied by the resident district's economically disadvantaged index. See a description of the district's economically disadvantaged index under the "State Support for Schools" section.
  - Additional aid for limited English proficiency based on the student's limited English proficiency category and corresponding amount described above under the "State Support to Schools" section.
  - Additional aid for career-technical education services based on the student's participation in approved career-technical education programs in one of five categories. The supplemental amounts are provided for each category under the "Career-Technical Education" section.
- eSchools are ineligible for K-3 literacy, economically disadvantaged, limited English proficiency and targeted assistance funds. eSchools are for the first time authorized to provide and receive funding for career-technical education, if approved.
- eSchools have an enrollment limit starting in FY15 that is based on the following percentage increases applied to the enrollment at the end of the 2012-2013 school year for eSchools open in that year or applied to 1,000 if newly opened in the 2013-2014 school year:
  - If the eSchool has enrollment equal to or greater than 3,000 students, the enrollment limit is a 15 percent increase;
  - If the eSchool has enrollment of less than 3,000 students, the enrollment limit is a 25 percent increase.
- The Ohio Department of Education is required to deduct the amount of state funds credited to an eSchool for students in excess of the enrollment limit and proportionally restore that amount to the students' resident school districts.

2013

- Site-based community schools and STEM schools are funded \$100 per student for facilities costs. However, \$7.5 million is provided in each fiscal year through lottery funds, and payments are prorated to stay within that amount. (Therefore, this funding is not deducted from community school students' or STEM school students' resident districts.)
- All community schools that serve grades 7 or above must be assigned to a career technical planning district by the Ohio Department of Education. Community school students also can participate in any career-technical education program of the career-technical planning district in which the student's resident district belongs.
- The community school funding guarantee for severe behavioral handicapped students with emotional disabilities is continued. For community schools that enroll a number of students receiving special education and related services for emotional disabilities equal to at least 50 percent of the total number of students, this funding provides the difference between the aggregate amount calculated and paid for special education weighted costs for the emotionally disabled students and the aggregate amount that would have been calculated for those same students in FY01.
- A new statute allows community schools to charge tuition for out-of-state students as long as the students do not receive state foundation funding. However, the U.S. Department of Education prohibits community schools to charge any students tuition.
- The Ohio Department of Education is now permitted, in lieu of revoking a sponsor's authority, to require sponsors found to be noncompliant with applicable laws and administrative rules to place temporary limits on the breadth and scope of the sponsor's authority until the sponsor remedies its noncompliance.
- The Ohio Department of Education is now authorized to deny an application submitted under the Ohio School Sponsorship Program by an existing community school if the school's contract with its sponsor was terminated, not just if the contract is not renewed as under current law.
- Language now specifies that the initial term for an agreement between the Ohio Department of Education and a community school sponsor runs for up to seven years and the department is required to add one year to the agreement term, unless the sponsor notifies the department that it does not wish to have the term of the agreement extended, if the following conditions are met:
  - Prior to Jan. 1, 2015, the sponsor is not ranked in the bottom 20 percent of sponsors statewide according to composite Performance Index score and meets all the statutory requirements pertaining to community school sponsors; or
  - On or after Jan. 1, 2015, the sponsor is rated as "exemplary" or "effective" under the new sponsor rating system, and in either case continues to meet all the statutory requirements pertaining to community school sponsors.
- Community schools that primarily enroll students in a dropout prevention and recovery program can attain a rating of "exceeds standards," in addition to "meets standards" as specified under current law, if the program improves by 10 percent both its graduation rate and its percentage of twelfth-grade students and other students passing the graduation assessments.
- The State Board of Education is required, not later than Dec. 31, 2014, to review the performance levels and benchmarks for report cards issued for dropout recovery community schools.
- The bill removes from the list of requirements that community schools must meet to operate in multiple facilities the following: 1) their contracts were filed by May 15, 2008, and 2) they were open prior to July 1, 2008.

## 2013

- Beginning with the 2013-2014 school year a community school's contract that has been suspended is void if the school's governing authority fails to provide a proposal to remedy issues for which the school's contract was suspended by Sept. 30 following the suspension date. If a community school sponsor suspends the operation of a school prior to the bill's effective date, the contract with the sponsor is void if the school's governing authority fails to provide a proposal to remedy issues for which the school's contract was suspended by Sept. 30, 2014.
- Any closing community school that has received hardware or software from the former Ohio SchoolNet or eTech Ohio is required to turn over the equipment to the Ohio Department of Education, rather than eTech Ohio.
- Transportation services relating to community schools:
  - New community schools, beginning with the 2014-2015 school year, are allowed to accept responsibility for providing or arranging for the transportation of the district's native students before it is open for its first year of operation.
  - Community schools that are scheduled to open in the 2014-2015 school year and each year thereafter are required to notify districts if responsibility to transport students is assumed no later than April 15 of the previous school year.
  - Community schools are required to follow current law once the school has been open for one year after renewing or relinquishing transportation responsibility.
- Criteria for closing community schools that offer any of grades four to eight and do not offer a grade higher than nine is made consistent with criteria prior to July 1, 2013, by including that such schools must also show less than one standard year of academic growth in either reading or math in order to be closed.
- A provision of current law is removed that requires any classroom teacher initially hired by a community school after July 1, 2013, to provide physical education instruction to hold a valid license from the State Board of Education for teaching physical education.

## 2012

**129th General Assembly 2011-2012****House Bill 555**

- Changed the state's accountability system by replacing the current academic performance rating system for school districts, individual buildings of districts, community schools, STEM schools and college-preparatory boarding schools with a phased-in letter grade system under which districts and schools are assigned grades of "A," "B," "C," "D," or "F" based on various performance measures
  - Requires the Department of Education to review additional information included on report cards and submit to the Governor and General Assembly recommendations for revisions
  - Requires the State Board of Education to submit to the General Assembly recommendations for a comprehensive statewide plan to intervene in and improve the performance of persistently poor performing schools and school districts
  - Adds honors diploma and industry credentials to report card measures; establishes how report card measures will be grouped into components: Achievement, Progress, Graduation, K-3 Literacy Progress, Gap Closing (AYP alternative), and Prepared for Success (formerly College-and Career-Ready)
  - Clarifies that the Prepared for Success component is to consist of an unduplicated student count. If a student qualifies for more than one performance measure in the component, the State Board may, in its method to determine a grade for the component, specify an additional weight for such a student that is not greater than or equal to 1.0

2012

- Requires the State Board to determine, for the K-3 literacy measure, progress made based on the reduction in the percentage of students scoring below level each year on the reading diagnostics and the English language arts third grade state assessment
- Raises performance proficiency benchmark to 80% for the 2013-2014 school year
- Restores five score levels for student test results to align with new assessments
- Revises benchmarks for Indicators Met and Performance Index to 90% for an 'A'; specifies that the State Board assign specific report card measures to buildings based on applicable grade levels
- Requires the State Board by December 31, 2013 to specify additional non-report card measures that will be made available to the public
- Conforms Ohio's definition of graduation rate to the federal definition; clarifies deadlines for adopting rules for the report card and clarifies performance criteria for schools with respect to support or intervention by ODE as required by ESEA
- Requires ODE to give a presentation to the House and Senate Education Committees on its report card recommendations at least 45 days before the State Board votes to adopt them starting with the August 2013 report card
- Requires ODE to assign letter grades to school districts and schools not later than September 15 of each year, or in certain cases on the preceding Friday
- Requires the State Board to make recommendations to the General Assembly to create a one-year safe harbor for districts and schools for the first year that the new assessments are administered. The recommendation must include a method to exempt districts, buildings, community schools, STEM schools and college preparatory boarding schools that have a decline in performance index score from sanctions and penalties based on report card ratings
- Requires the State Board of Education to develop an alternative academic performance rating system for community schools serving primarily students enrolled in dropout prevention and recovery programs
  - Establishes criteria for closing dropout prevention and recovery community schools based on their academic performance
  - Clarifies selection of assessments used to measure progress of dropout recovery students
  - Inserts performance criteria for dropout recovery schools wishing to operate in multiple facilities
  - Adds performance of dropout recovery schools to community school sponsor evaluations beginning with the 2014-2015 school year
- Establishes a new evaluation system for determining which community school sponsors may sponsor additional schools. This new system will be developed in 2013 but will not be used for determining which sponsors can open new schools until the 2015-16 school year.
  - Clarifies the deadline for ODE to prescribe quality practices for community school sponsors
  - Clarifies when a new community school's performance is included in sponsor evaluations
  - ODE may assume sponsorship of contracted, but not yet opened, community schools if the school's sponsor is found ineffective
- Permits an educational service center to sponsor a new start-up community school in any challenged district in the state, instead of just its service territory, so long as it receives approval to do so from the Department of Education
- Clarifies which students are included in value-added calculations for community school closure purposes

2012

- Clarifies that educational service centers approved by ODE as a statewide sponsor meet the criteria to authorize in a municipal school district
- Specifies a community school that operates a drug recovery program in cooperation with a court must be considered a dropout prevention and recovery program for purposes of Community School Law
- Provides criteria for new eSchools once the moratorium on new eSchools is lifted
- Requires community school treasurers to be licensed and provides an existing community school fiscal officer one year from the bill's effective date to obtain a school treasurer license
- Expands the current exception permitting a community school to operate facilities in more than one location to apply to a community school sponsored by a school district having territory in the same county where the facilities of the school are located, regardless of whether the school has an operator
- Requires a school district to provide immediate services and regular diagnostic assessments for a student found to have a reading deficiency pending development of the student's reading improvement and monitoring plan required under the third grade reading guarantee
  - Clarifies which diagnostic tests are appropriate for assessing student reading levels
  - Requires administration of diagnostic assessments to each student in third grade, as well as first and second under current law
  - Requires a teacher who provides reading instruction services under the third grade reading guarantee to be actively engaged in the reading instruction of students for the previous three years and to satisfy at least one of certain specified criteria, depending on which school year the teacher intends to provide these services

#### House Bill 525

- Allows the mayor of Cleveland to establish and appoint a board of directors of a Municipal School District Transformation Alliance as a nonprofit corporation.
  - Requires the alliance, if created, to: (1) confirm and monitor a "transformation alliance education plan" prepared by the mayor; (2) suggest national education models for and provide input in the development of new district schools and partnering community schools; (3) report annually on the performance of all municipal school district schools and all community schools located in the district; (4) make recommendations to the department on the approval of sponsors of new community schools located in the district.
  - Sunsets the authority to create an alliance on Jan. 1, 2018, and terminated any alliance created under the bill on that date.
  - Requires the Ohio Department of Education, the transformation alliance, if created, and a statewide nonprofit community school sponsor organization, to work jointly to establish criteria for both (1) sponsor to use to determine if they will sponsor new community schools in the municipal school district by April 30, 2013, and (2) the Ohio Department of Education and the alliance to use in assessing the ability of a sponsor to successfully sponsor schools in the district.
  - Beginning with any community school that opens after July 1, 2013, requires each sponsor to use the criteria developed jointly by the Alliance, department and statewide sponsor organization to determine whether it will sponsor a new community school in the municipal school district.

2012

- Authorizes a municipal school district, with the approval of the community school governing authority, to elect to have the student performance data of a community school located in the district combined with the district's data on the district's report card if the district either sponsors the community school or has entered into an agreement with the school to endorse each other's programs.
- Authorizes a municipal school district, at its own discretion, to elect to have the number of students enrolled in a community school located in the district noted separately on the district's report card if the district either sponsors the community school or has entered into an agreement with the school to endorse each other's programs.
- Requires the district, by Oct. 1 each year, to submit documentation to the department indicating eligibility for the election to include a community school's data on its report card.
- Authorizes the school board of a municipal school district to propose a levy for current operating expenses, a portion of which would be allocated to "partnering" community schools and distributed among those schools on a per-pupil basis.

#### Senate Bill 316

- Specifies that unless the General Assembly enacts performance standards, a report card rating system and closure criteria for community schools that operate dropout prevention and recovery programs by March 31, 2013, those schools are subject to permanent closure under the existing criteria that applies to other community schools. Also specified that only the performance ratings issued to schools that operate dropout programs for the 2012-2013 school year and later count in determining if a school meets the closure criteria.
- Defines "blended learning" as "the delivery of instruction in a combination of time in a supervised physical location away from home and online delivery whereby the student has some element of control over time, place, path, or pace of learning."
- Requires the State Board of Education to revise its existing operating standards for school districts and chartered nonpublic schools to include standards for blended learning programs.
- Requires the operating standards to provide for student-to-teacher ratios whereby no blended learning classroom is required to have more than one teacher for every 125 students.
- Requires an operating standard that provides for "the licensing of teachers, administrators, and other professional personnel and their assignment according to training and qualifications."
- Requires the State Board to provide standards for the following:
  - Licensing of teachers, administrators and other professional personnel and their assignment according to training and qualifications;
  - Efficient and effective instructional materials and equipment, including library facilities;
  - Proper organization, administration and supervision of each school, including regulations for preparing all necessary records and reports and the preparation of a statement of policies and objectives for each school;
  - Buildings, grounds and health and sanitary facilities and services;
  - Admission of pupils and such requirements for their promotion from grade to grade to ensure that they are capable and prepared for the level of study to which they are certified;
  - Requirements for graduation; and
  - Such other factors as the Board finds necessary.



2012

- Requires school districts, community schools, STEM schools, public college-preparatory boarding schools and chartered nonpublic schools that operate a blended learning school, or that plan to cease operating one, to notify the department by July 1 of the school year for which the change is effective.
- Permits a school already operating a blended learning program to notify the department of education within 90 days after the bill's effective date and request classification as a blended learning school.
- Specifies that an Internet or computer-based community school is not a blended learning school, and that the bill's provisions addressing blended and digital learning do not affect current law with respect to the operation of and state payments to eSchools.
- Requires the department to provide information on the use of blended or digital learning in the delivery of the standards or curricula to students whenever the State Board adopts new state academic standards or model curricula.
- Requires community schools to comply with an existing law requiring each school district to adopt a promotion and retention policy that prohibits the promotion of a student who has been truant for more than 10 percent of the school year and has failed at least two of the required subjects, unless the principal and teachers in the failed subject agree that the student is academically prepared for the next grade.
- Revises and updates the definition of "sponsor" for purposes of the community school laws to explicitly include boards of school districts and educational service centers that agree to the conversion of a school or building and grandfathered sponsors, which are exempt from having to obtain the department of education's approval to sponsor community schools.
- Increases to five the number of governing authorities of start-up community schools on which a person can serve at the same time.
- Allows the governing authority of a community school to establish a single-gender school without establishing a comparable school for the other gender.
- Revises an uncodified provision enacted in 2011 in House Bill 153 and in each prior budget act since 2005 to permit a community school operating from or in a residential care facility, as long as the school was operating in Ohio before May 1, 2005, regardless of whether the school was operating from or in the facility on that date.
- Requires the department of education to make available a copy of every approved community school contract filed with the superintendent of public instruction on its website.
- Makes permanent the exclusion from the ranking calculations of community schools that primarily serve students with disabilities.
- Requires the department of education to include schools that operate dropout programs when calculating the composite Performance Index scores of community school sponsors for the purpose of sponsor rankings, if the schools become subject to the existing closure criteria.
- Excludes community schools that have been in operation for less than two full school years from counting in the annual rankings of community school sponsors.
- Specifies that the Ohio Department of Education's Office of School Sponsorship must be included in the annual rankings of community school sponsors, but exempted the office from the prohibitions against sponsoring additional community schools.
- Requires the department to publish the rankings between Oct. 1 and Oct. 15.
- States that the General Assembly intends to enact a law, not later than Dec. 31, 2012, that establishes a battery of measures to be used to rate the performance of the sponsors of community schools and to determine whether an entity may sponsor additional community schools.

2012

- Designates the Ohio Department of Education's Office of School Sponsorship as the entity within the department that may assume sponsorship of a community school whose sponsor is found not to be in compliance with state rules or its contract with the community school.
- Permits the department to deny an application for direct authorization submitted by an existing community school, if the school's previous sponsor did not renew its contract with the school.
- Requires school district boards of education to review monthly the community school enrollment for students who are entitled to attend school in the district and verify the community school in which the student is enrolled and that the student is entitled to attend school in the district under law.
- Authorizes community school governing authorities to adopt a policy for initial reporting that prescribes the number of documents required to verify a student's residency. If adopted, this policy supersedes any policy adopted by a school district.
- Codifies current department of education policy by specifying that "the school district in which a parent or child resides is the location the parent or student has established as the primary residence and where substantial family activity takes place."
- Specifies that the following documents may serve as evidence of primary residence:
  - A deed, mortgage, lease, current home owner's or renter's insurance declaration page or current real property tax bill;
  - A utility bill or receipt of utility installation issued within 90 days of enrollment;
  - A paycheck or pay stub issued to the parent or student within 90 days of the date of enrollment that includes the address of the parent's or student's primary residence;
  - The most current available bank statement issued to the parent or student that includes the address of the parent's or student's primary residence;
  - Any other official document issued to the parent or student that includes the address of the parent's or student's primary residence. (Required the superintendent of public instruction to develop guidelines for determining what qualifies as an "official document.")
- Specifies that when a student becomes a homeless child, or when a homeless child changes living arrangements, the district in which the student is entitled to attend school must be determined in accordance with current state and federal law governing education of homeless children.
- Specifies that in the event of a disagreement, the state superintendent must determine the district in which the student is entitled to attend.
- Requires that when a school district and community school reach different determinations as to a student's school district, the community school is to provide the district with documentation of the student's residency and make a good faith effort to accurately identify the student's residence. The community school cannot appeal to the state superintendent until doing so, and any appeal must be within 60 days after the department's monthly deadlines for reporting enrollment. The state superintendent must make the determination within 30 days after the community school presents the matter.
- Makes no statement about withholding payments, but requires the state superintendent to direct any necessary adjustments to deductions and payments after resolving a dispute.
- In addition to community schools, as under current law, includes public college-preparatory boarding schools in the right of first refusal for real property that a school district chooses to sell. When offering unused real property for sale or lease to community schools located in the district, as required under current law, permits, but does not require, a school district also to make that offer to existing community schools or college preparatory boarding schools with plans to relocate operations to the district.

2012

- Specifies that the appraised fair market value of the property must be determined by an appraisal that is not more than one year old.
- Specifies that if the district conducts an auction or lottery to select a community school or college-preparatory boarding school to purchase or lease the property, because more than one eligible party notifies the district of its interest, the auction or lottery must be conducted only among the parties that notified the district of their interest, instead of among all eligible parties, as required under current law.
- Adds nonprofit private colleges and universities and chartered nonpublic schools to the list of entities that may purchase real (or personal) property of a school district directly without purchasing it at a public auction.

2011

### 129th General Assembly 2011-2012

#### House Bill 153

- Eliminates the requirement that new start-up community schools contract with an operator of a previously successful community school.
- Eliminates the moratorium on new eSchools, but limits growth to five new eSchools per year.
- Requires the department of education to recommend eSchool standards to the General Assembly.
- Requires eSchools to comply with the newly developed standards if enacted by the legislature or, if not enacted, default to national standards.
- Creates the Ohio School Sponsorship Program, under which the Ohio Department of Education may directly sponsor community schools.
- Expands challenged districts where start-up community schools may be established to include the lowest 5 percent of districts based on Performance Index scores.
- Prohibits community school sponsors ranked in the lowest 20 percent of sponsors based on Performance Index scores from sponsoring additional schools.
- Increases the number of community schools any one sponsor can sponsor to 100.
- Eliminates the reduction of a sponsor's cap by one for every school that closes permanently.
- Revises procedural deadlines related to a sponsor's decision to terminate or not renew community school contracts.
- Grants civil immunity to sponsors and staff when taking action authorized by law or contract to fulfill the oversight responsibility.
- Repeals the requirement that a sponsor have a representative within 50 miles of each school it sponsors.
- Requires monthly sponsor and school meetings to review finances and enrollment.
- Imposes a one-year revolving door restriction on governing authority members and their immediate relatives.
- Increases the maximum compensation for governing authority members of start-up community schools.
- Revises the closure criteria, decreasing the length of time it takes to close poor performing schools with certain grade configurations.
- Specifies that, for state funding purposes, an eSchool student is considered automatically re-enrolled the following year until enrollment is terminated or the student fails to meet the 105-hour participation requirement.

2011

- Repeals the requirement that eSchools spend a specified minimum amount per pupil on instruction.
- Makes exceptions to allow facilities to duplicate grades or be located in more than one district.
- Requires the department to assign a unique identification number to each facility when one school has multiple facilities.
- Permits two or more community schools to be located in the same facility.
- Expands a community school's right of first refusal to purchase all real property owned by a school district.
- Requires school district boards with real property that has not been in use for two years to offer it to new start-up community schools for purchase or lease.
- Permits community schools to enter into an agreement for the joint operation of educational programs but prohibited them from charging related tuition or fees.
- Requires the State Board of Education to review prior recommendations for dropout recovery performance standards and to issue new recommendations to the General Assembly by June 2012.

2010

#### 128th General Assembly 2009-2010

##### House Bill 19

- Requires the Ohio Department of Education to re-evaluate closure criteria for 2009-2010 school year excluding each school's first two years of operation.

2009

#### 128th General Assembly 2009-2010

##### House Bill 1

- Requires the Ohio Department of Education to issue a community school's first Local Report Card at the end of its first year of operation rather than the second year of operation.
- Excludes any ratings a community school receives on its first two Local Report Cards from use in the community school closure criteria.
- Strengthens the closure criteria for poorly performing community schools.
- Expands the exemption of schools from the closure criteria to include schools in which more than half of the students enrolled receive special education or related services.
- Requires the chief administrative officer of closing schools to transmit each student's records to his or her district of record within seven business days of the school's permanent closure.
- Clarifies that any and all sponsors are under the oversight of the department of education.
- Requires the Ohio Department of Education's annual report on community schools to report the performance of sponsors.
- Clarifies the performance requirements of schools used for the operator provision.
- Allows joint vocational school districts to sponsor conversion community schools.
- Revises the minimum standard for the expenditure of state funds on instruction by eSchools and provides a fine for non-compliance.
- Eliminates the prohibition against eSchools counting purchases of computers, obscenity filtering software and certain other software toward instructional expenditures.

2009

**House Bill 290**

- Allows a conversion community school to locate outside of the sponsoring district in very narrow circumstances.
- Allows a conversion community school to obtain a new sponsor in very narrow circumstances.

2007

**127th General Assembly 2007-2008****House Bill 119**

- Lifts the moratorium on new start-ups by allowing them to open under the control of a successful operator meeting certain criteria.
- Expands penalties for failing to report or misreporting Education Management Information System (EMIS) data.
- Strengthens the requirements for new sponsor applicants who currently sponsor or operate schools outside of Ohio to meet a minimum quality standard.
- Limits the sponsorship territory of educational service centers to their own and contiguous service areas, but exempts this limitation for schools already sponsored outside of the limited areas.
- Modifies payments for community school students attending multiple educational providers in one year.
- Allows community schools to transport their own students and receive transportation funds directly from the state.
- Establishes pre-opening requirements for all community schools that must be confirmed by sponsors prior to the beginning of each school year.
- Requires the Auditor of State to provide written notification to the school, sponsor and the department of education when finding a community school is unauditible.
- Prohibits the sponsor of an unauditible school from entering into preliminary agreements and/or contracts with additional community schools until the audit is complete.
- Requires the sponsor of an unauditible school to notify the Auditor of State of the actions it will take as a result of the unauditible finding.
- Requires the Ohio Department of Education to withhold funds, until notified otherwise by the Auditor of State, from any school that fails to make progress in bringing its records into an auditable condition within 90 days of the finding.
- Clarifies the proper distribution of a closed community school's assets.
- Prohibits community schools not operating as of May 1, 2005, from operating within residential treatment facilities that receive and care for children.

**House Bill 562**

- Allows educational service centers to sponsor conversion community schools housed in an existing building used by the educational service center.
- Allows new start-ups to be established in two districts under the same contract in certain circumstances.
- Allows governing authorities of multiple community schools to enter into pooling agreements to make purchases.
- Establishes the five-year ISUS demonstration project.

2005

**126th General Assembly 2005-2006****House Bill 66**

- Expands community school accountability for special education and related services.
- Establishes expected gains for community schools on additional assessments.
- Allows only 30 additional district-sponsored and 30 additional non-district sponsored new start-ups to open until July 1, 2007.
- Requires a lottery to be held to determine which new start-ups can open.
- Places a moratorium on new eSchools until the General Assembly enacts standards for eSchool operation.
- Requires eSchools to provide testing locations within 50 miles of students' homes.
- Requires eSchools to withdraw students who fail to participate in state-mandated tests for two consecutive years.
- Defines a "day" for an eSchool student as a minimum of five hours and maximum of 10 hours of learning opportunities.
- Establishes eSchool pupil instruction expenditure criteria and reporting requirements.
- Requires governing authorities to partner with a successful operator to open a new start-up above the cap.
- Places limits on the number of schools that can be sponsored by an entity.
- Ultimately caps the number of new start-up community schools at 50 per sponsor.
- Requires operator applicants who currently operate schools outside of Ohio to meet a minimum quality standard.
- Requires community school contracts to be adopted no later than March 15 of the year in which the school is to open.
- Requires community school to open within one year of the contract's execution.
- Requires non-dropout recovery schools to open by Sept. 30 of the year in which the contract is signed.
- Requires the Ohio Department of Education to adopt closing procedures for use by community schools and sponsors.

**House Bill 79**

- Clarifies requirements of districts offering real property to community schools.
- Reduces a sponsor's cap by one for every school that closes permanently.
- Allows individuals to serve on no more than two schools' governing authorities at one time.
- Limits governing authority members' compensation for attendance at meetings.
- Prohibits governing authority members of new start-ups, and their immediate relatives, from becoming owners, employees or consultants of any community school operator until one year after such membership has ended.
- Provides appeal rights for the community school's operator in the event that the governing authority terminated the operator's contract.
- Allows the parents of eSchool students to waive the school's requirement to provide a computer to their enrolled child.

2005

- Replaces earlier expected gains with the state ratings and Value-Added systems to determine closure requirements for poorly performing community schools.
- Provides an exemption from closure for poor performance for certain dropout recovery community schools.

2003

### 125th General Assembly 2003-2004

#### House Bill 95

- Allows educational service centers to sponsor start-ups in any challenged district.
- Prohibits schools from contracting with a new sponsor upon termination of their contract.
- Details the flow of state aid to community schools.
- Requires automatic withdrawal of community school students missing 105 consecutive hours of instruction.

#### House Bill 3

- Limits challenged districts to include only those in Lucas County, the Ohio eight urban districts, and districts in Academic Watch and Academic Emergency.
- Requires the State Board of Education to recommend eSchool standards to the General Assembly.

2001

### 124th General Assembly 2001-2002

#### House Bill 94

- Requires districts to offer real property for sale to new start-ups.
- Grants sponsors the right to suspend, terminate and non-renew community schools.

#### House Bill 364

- Changes the role of the State Board of Education to authorizer of sponsors.
- Refocuses the State Board of Education's efforts on oversight of sponsors and providing technical assistance to schools and sponsors.
- The State Board of Education is able to sponsor community schools only in very narrow circumstances.
- A sponsor that operated on or before April 8, 2003, is regarded as "grandfathered" for purposes of continuing to act as a sponsor.
- Requires non-grandfathered sponsors of new start-ups to apply to the State Board of Education.
- Extends sponsorship of new start-ups to include school districts, educational service centers, the 13 four-year state universities and qualified nonprofit organizations.
- Expands challenged districts to include those in Academic Watch.
- Limits the total number of non-district sponsored new start-ups to 225 until July 1, 2005.
- Allows and defines eSchools.

1999

**123th General Assembly 1999-2000****House Bill 282**

- Expands challenged districts to include Ohio Urban 21 districts.
- Expands challenged districts to include those in Academic Emergency.
- Requires community schools to designate attendance areas.
- Requires districts to transport community school students.

1997

**122nd General Assembly 1997-1998****House Bill 215**

- Pilot community school program established.
- Lucas County Educational Service Center established as a sponsor.
- University of Toledo established as a sponsor.
- New start-ups allowed to locate in Lucas County only.

**Senate Bill 55**

- Program expanded beyond Lucas County.
- State Board of Education established as a sponsor.
- Defines challenged districts as districts in Lucas County, and the eight largest urban districts.
- Allows new start-ups to locate in challenged districts only.

**House Bill 770**

- Allows University of Toledo designee to sponsor new start-up community schools.



