

**As Reported by the Senate Judiciary Committee**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**Sub. S. B. No. 16**

**Senator Williams**

**Cosponsors: Senators Thomas, Fedor, Antonio**

---

**A BILL**

To amend sections 109.73, 109.803, 3301.0721, 1  
3314.03, 3326.11, and 3328.24 and to enact 2  
sections 3313.6025 and 4508.022 of the Revised 3  
Code regarding instruction for peace officers, 4  
students, and new or student drivers on proper 5  
interactions with peace officers. 6

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

**Section 1.** That sections 109.73, 109.803, 3301.0721, 7  
3314.03, 3326.11, and 3328.24 be amended and sections 3313.6025 8  
and 4508.022 of the Revised Code be enacted to read as follows: 9

**Sec. 109.73.** (A) The Ohio peace officer training 10  
commission shall recommend rules to the attorney general with 11  
respect to all of the following: 12

(1) The approval, or revocation of approval, of peace 13  
officer training schools administered by the state, counties, 14  
municipal corporations, public school districts, technical 15  
college districts, and the department of natural resources; 16

(2) Minimum courses of study, attendance requirements, and 17  
equipment and facilities to be required at approved state, 18

county, municipal, and department of natural resources peace 19  
officer training schools; 20

(3) Minimum qualifications for instructors at approved 21  
state, county, municipal, and department of natural resources 22  
peace officer training schools; 23

(4) The requirements of minimum basic training that peace 24  
officers appointed to probationary terms shall complete before 25  
being eligible for permanent appointment, which requirements 26  
shall include training in the handling of the offense of 27  
domestic violence, other types of domestic violence-related 28  
offenses and incidents, and protection orders and consent 29  
agreements issued or approved under section 2919.26 or 3113.31 30  
of the Revised Code; crisis intervention training; and training 31  
in the handling of missing children and child abuse and neglect 32  
cases; and training in handling violations of section 2905.32 of 33  
the Revised Code; and the time within which such basic training 34  
shall be completed following appointment to a probationary term; 35

(5) The requirements of minimum basic training that peace 36  
officers not appointed for probationary terms but appointed on 37  
other than a permanent basis shall complete in order to be 38  
eligible for continued employment or permanent appointment, 39  
which requirements shall include training in the handling of the 40  
offense of domestic violence, other types of domestic violence- 41  
related offenses and incidents, and protection orders and 42  
consent agreements issued or approved under section 2919.26 or 43  
3113.31 of the Revised Code, crisis intervention training, and 44  
training in the handling of missing children and child abuse and 45  
neglect cases, and training in handling violations of section 46  
2905.32 of the Revised Code, and the time within which such 47  
basic training shall be completed following appointment on other 48

than a permanent basis; 49

(6) Categories or classifications of advanced in-service 50  
training programs for peace officers, including programs in the 51  
handling of the offense of domestic violence, other types of 52  
domestic violence-related offenses and incidents, and protection 53  
orders and consent agreements issued or approved under section 54  
2919.26 or 3113.31 of the Revised Code, in crisis intervention, 55  
and in the handling of missing children and child abuse and 56  
neglect cases, and in handling violations of section 2905.32 of 57  
the Revised Code, and minimum courses of study and attendance 58  
requirements with respect to such categories or classifications; 59

(7) Permitting persons, who are employed as members of a 60  
campus police department appointed under section 1713.50 of the 61  
Revised Code; who are employed as police officers by a qualified 62  
nonprofit corporation police department pursuant to section 63  
1702.80 of the Revised Code; who are appointed and commissioned 64  
as bank, savings and loan association, savings bank, credit 65  
union, or association of banks, savings and loan associations, 66  
savings banks, or credit unions police officers, as railroad 67  
police officers, or as hospital police officers pursuant to 68  
sections 4973.17 to 4973.22 of the Revised Code; or who are 69  
appointed and commissioned as amusement park police officers 70  
pursuant to section 4973.17 of the Revised Code, to attend 71  
approved peace officer training schools, including the Ohio 72  
peace officer training academy, and to receive certificates of 73  
satisfactory completion of basic training programs, if the 74  
private college or university that established the campus police 75  
department; qualified nonprofit corporation police department; 76  
bank, savings and loan association, savings bank, credit union, 77  
or association of banks, savings and loan associations, savings 78  
banks, or credit unions; railroad company; hospital; or 79

amusement park sponsoring the police officers pays the entire 80  
cost of the training and certification and if trainee vacancies 81  
are available; 82

(8) Permitting undercover drug agents to attend approved 83  
peace officer training schools, other than the Ohio peace 84  
officer training academy, and to receive certificates of 85  
satisfactory completion of basic training programs, if, for each 86  
undercover drug agent, the county, township, or municipal 87  
corporation that employs that undercover drug agent pays the 88  
entire cost of the training and certification; 89

(9) (a) The requirements for basic training programs for 90  
bailiffs and deputy bailiffs of courts of record of this state 91  
and for criminal investigators employed by the state public 92  
defender that those persons shall complete before they may carry 93  
a firearm while on duty; 94

(b) The requirements for any training received by a 95  
bailiff or deputy bailiff of a court of record of this state or 96  
by a criminal investigator employed by the state public defender 97  
prior to June 6, 1986, that is to be considered equivalent to 98  
the training described in division (A) (9) (a) of this section. 99

(10) Establishing minimum qualifications and requirements 100  
for certification for dogs utilized by law enforcement agencies; 101

(11) Establishing minimum requirements for certification 102  
of persons who are employed as correction officers in a full- 103  
service jail, five-day facility, or eight-hour holding facility 104  
or who provide correction services in such a jail or facility; 105

(12) Establishing requirements for the training of agents 106  
of a county humane society under section 1717.06 of the Revised 107  
Code, including, without limitation, a requirement that the 108

agents receive instruction on traditional animal husbandry 109  
methods and training techniques, including customary owner- 110  
performed practices; 111

(13) Permitting tactical medical professionals to attend 112  
approved peace officer training schools, including the Ohio 113  
peace officer training academy, to receive training of the type 114  
described in division (A) (14) of this section and to receive 115  
certificates of satisfactory completion of training programs 116  
described in that division; 117

(14) The requirements for training programs that tactical 118  
medical professionals shall complete to qualify them to carry 119  
firearms while on duty under section 109.771 of the Revised 120  
Code, which requirements shall include at least the firearms 121  
training specified in division (A) of section 109.748 of the 122  
Revised Code; 123

(15) Procedures and requirements for a portion of basic 124  
training that peace officers complete in proper interactions 125  
with civilians during traffic stops and other in-person 126  
encounters as specified in division (B) (4) of section 109.803 of 127  
the Revised Code and including the topics of instruction listed 128  
for active duty peace officers under divisions (B) (4) (a) to (d) 129  
of that section. 130

(B) The commission shall appoint an executive director, 131  
with the approval of the attorney general, who shall hold office 132  
during the pleasure of the commission. The executive director 133  
shall perform such duties assigned by the commission. The 134  
executive director shall receive a salary fixed pursuant to 135  
Chapter 124. of the Revised Code and reimbursement for expenses 136  
within the amounts available by appropriation. The executive 137  
director may appoint officers, employees, agents, and 138

consultants as the executive director considers necessary, 139  
prescribe their duties, and provide for reimbursement of their 140  
expenses within the amounts available for reimbursement by 141  
appropriation and with the approval of the commission. 142

(C) The commission may do all of the following: 143

(1) Recommend studies, surveys, and reports to be made by 144  
the executive director regarding the carrying out of the 145  
objectives and purposes of sections 109.71 to 109.77 of the 146  
Revised Code; 147

(2) Visit and inspect any peace officer training school 148  
that has been approved by the executive director or for which 149  
application for approval has been made; 150

(3) Make recommendations, from time to time, to the 151  
executive director, the attorney general, and the general 152  
assembly regarding the carrying out of the purposes of sections 153  
109.71 to 109.77 of the Revised Code; 154

(4) Report to the attorney general from time to time, and 155  
to the governor and the general assembly at least annually, 156  
concerning the activities of the commission; 157

(5) Establish fees for the services the commission offers 158  
under sections 109.71 to 109.79 of the Revised Code, including, 159  
but not limited to, fees for training, certification, and 160  
testing; 161

(6) Perform such other acts as are necessary or 162  
appropriate to carry out the powers and duties of the commission 163  
as set forth in sections 109.71 to 109.77 of the Revised Code. 164

(D) In establishing the requirements, under division (A) 165  
(12) of this section, the commission may consider any portions 166

of the curriculum for instruction on the topic of animal 167  
husbandry practices, if any, of the Ohio state university 168  
college of veterinary medicine. No person or entity that fails 169  
to provide instruction on traditional animal husbandry methods 170  
and training techniques, including customary owner-performed 171  
practices, shall qualify to train a humane agent for appointment 172  
under section 1717.06 of the Revised Code. 173

**Sec. 109.803.** (A) (1) Subject to divisions (A) (2) and (B) 174  
of this section, every appointing authority shall require each 175  
of its appointed peace officers and troopers to complete up to 176  
twenty-four hours of continuing professional training each 177  
calendar year, as directed by the Ohio peace officer training 178  
commission. The number of hours directed by the commission, up 179  
to twenty-four hours, is intended to be a minimum requirement, 180  
and appointing authorities are encouraged to exceed the number 181  
of hours the commission directs as the minimum. The commission 182  
shall set the required minimum number of hours based upon 183  
available funding for reimbursement as described in this 184  
division. If no funding for the reimbursement is available, no 185  
continuing professional training will be required. 186

(2) An appointing authority may submit a written request 187  
to the peace officer training commission that requests for a 188  
calendar year because of emergency circumstances an extension of 189  
the time within which one or more of its appointed peace 190  
officers or troopers must complete the required minimum number 191  
of hours of continuing professional training set by the 192  
commission, as described in division (A) (1) of this section. A 193  
request made under this division shall set forth the name of 194  
each of the appointing authority's peace officers or troopers 195  
for whom an extension is requested, identify the emergency 196  
circumstances related to that peace officer or trooper, include 197

documentation of those emergency circumstances, and set forth 198  
the date on which the request is submitted to the commission. A 199  
request shall be made under this division not later than the 200  
fifteenth day of December in the calendar year for which the 201  
extension is requested. 202

Upon receipt of a written request made under this 203  
division, the executive director of the commission shall review 204  
the request and the submitted documentation. If the executive 205  
director of the commission is satisfied that emergency 206  
circumstances exist for any peace officer or trooper for whom a 207  
request was made under this division, the executive director may 208  
approve the request for that peace officer or trooper and grant 209  
an extension of the time within which that peace officer or 210  
trooper must complete the required minimum number of hours of 211  
continuing professional training set by the commission. An 212  
extension granted under this division may be for any period of 213  
time the executive director believes to be appropriate, and the 214  
executive director shall specify in the notice granting the 215  
extension the date on which the extension ends. Not later than 216  
thirty days after the date on which a request is submitted to 217  
the commission, for each peace officer and trooper for whom an 218  
extension is requested, the executive director either shall 219  
approve the request and grant an extension or deny the request 220  
and deny an extension and shall send to the appointing authority 221  
that submitted the request written notice of the executive 222  
director's decision. 223

If the executive director grants an extension of the time 224  
within which a particular appointed peace officer or trooper of 225  
an appointing authority must complete the required minimum 226  
number of hours of continuing professional training set by the 227  
commission, the appointing authority shall require that peace 228



officer or trooper to complete the required minimum number of 229  
hours of training not later than the date on which the extension 230  
ends. 231

(B) With the advice of the Ohio peace officer training 232  
commission, the attorney general shall adopt in accordance with 233  
Chapter 119. of the Revised Code rules setting forth minimum 234  
standards for continuing professional training for peace 235  
officers and troopers and governing the administration of 236  
continuing professional training programs for peace officers and 237  
troopers. The rules adopted by the attorney general under 238  
division (B) of this section shall do all of the following: 239

(1) Allow peace officers and troopers to earn credit for 240  
up to four hours of continuing professional training for time 241  
spent while on duty providing drug use prevention education 242  
training that utilizes evidence-based curricula to students in 243  
school districts, community schools established under Chapter 244  
3314., STEM schools established under Chapter 3326., and 245  
college-preparatory boarding schools established under Chapter 246  
3328. of the Revised Code. 247

(2) Allow a peace officer or trooper appointed by a law 248  
enforcement agency to earn hours of continuing professional 249  
training for other peace officers or troopers appointed by the 250  
law enforcement agency by providing drug use prevention 251  
education training under division (B)(1) of this section so that 252  
hours earned by the peace officer or trooper providing the 253  
training in excess of four hours may be applied to offset the 254  
number of continuing professional training hours required of 255  
another peace officer or trooper appointed by that law 256  
enforcement agency. 257

(3) Prohibit the use of continuing professional training 258

hours earned under division (B) (1) or (2) of this section from 259  
being used to offset any mandatory hands-on training 260  
requirement. 261

(4) Require a peace officer to complete training on proper 262  
interactions with civilians during traffic stops and other in- 263  
person encounters, which training shall have an online offering 264  
and shall include all of the following topics: 265

(a) A person's rights during an interaction with a peace 266  
officer, including all of the following: 267

(i) When a peace officer may require a person to exit a 268  
vehicle; 269

(ii) Constitutional protections from illegal search and 270  
seizure; 271

(iii) The rights of a passenger in a vehicle who has been 272  
pulled over for a traffic stop; 273

(iv) The right for a citizen to record an encounter with a 274  
peace officer. 275

(b) Proper actions for interacting with a civilian and 276  
methods for diffusing a stressful encounter with a civilian; 277

(c) Laws regarding questioning and detention by peace 278  
officers, including any law requiring a person to present proof 279  
of identity to a peace officer, and the consequences for a 280  
person's or officer's failure to comply with those laws. 281

(d) Any other requirements and procedures necessary for 282  
the proper implementation of this section. 283

(C) The attorney general shall transmit a certified copy 284  
of any rule adopted under this section to the secretary of 285

state. 286

**Sec. 3301.0721.** (A) The superintendent of public 287  
instruction shall develop a model curriculum for instruction in 288  
college and career readiness and financial literacy. The 289  
curriculum shall focus on grades seven through twelve, but the 290  
superintendent may include other grade levels. When the model 291  
curriculum has been developed, the department of education shall 292  
notify all school districts, community schools established under 293  
Chapter 3314. of the Revised Code, and STEM schools established 294  
under Chapter 3326. of the Revised Code of the content of the 295  
curriculum. Any district or school may utilize the model 296  
curriculum. 297

(B) The state board of education, in collaboration with 298  
the director of public safety, shall develop a model curriculum 299  
for instruction in grades nine through twelve on proper 300  
interactions with peace officers during traffic stops and other 301  
in-person encounters with peace officers. In developing the 302  
curriculum under division (B) of this section, the state board 303  
and the director may consult with any interested party, 304  
including a volunteer work group convened for the purpose of 305  
making recommendations regarding the instruction. Before 306  
finalizing any curriculum under division (B) of this section, 307  
the state board and the director shall provide a reasonable 308  
period for public comment. The curriculum shall include both of 309  
the following: 310

(1) Information regarding all of the following: 311

(a) A person's rights during an interaction with a peace 312  
officer; 313

(b) Proper actions for interacting with a peace officer; 314

(c) Which individuals are considered peace officers, and 315  
their duties and responsibilities; 316

(d) Laws regarding questioning and detention by peace 317  
officers, including any law requiring a person to present proof 318  
of identity to a peace officer, and the consequences for a 319  
person's or officer's failure to comply with those laws. 320

(2) Demonstrations and role-play activities in a classroom 321  
setting that allow students to better understand how 322  
interactions between civilians and peace officers can and should 323  
unfold. 324

As used in this section, "peace officer" has the same 325  
meaning as in section 109.71 of the Revised Code. 326

**Sec. 3313.6025.** The board of education of each city, 327  
local, exempted village, and joint vocational school district 328  
shall provide instruction on proper interactions with peace 329  
officers during traffic stops and other in-person encounters 330  
using the model curriculum developed under division (B) of 331  
section 3301.0721 of the Revised Code. Each district shall 332  
include this instruction in one or more courses offered under 333  
division (C) of section 3313.603 of the Revised Code for 334  
students in grades nine through twelve. Each district may modify 335  
the instruction in the model curriculum as appropriate for the 336  
district's community. In modifying the instruction, the district 337  
shall solicit input from local law enforcement agencies, driver 338  
training schools, as that term is defined in section 4508.01 of 339  
the Revised Code, and the community. 340

**Sec. 3314.03.** A copy of every contract entered into under 341  
this section shall be filed with the superintendent of public 342  
instruction. The department of education shall make available on 343

its web site a copy of every approved, executed contract filed 344  
with the superintendent under this section. 345

(A) Each contract entered into between a sponsor and the 346  
governing authority of a community school shall specify the 347  
following: 348

(1) That the school shall be established as either of the 349  
following: 350

(a) A nonprofit corporation established under Chapter 351  
1702. of the Revised Code, if established prior to April 8, 352  
2003; 353

(b) A public benefit corporation established under Chapter 354  
1702. of the Revised Code, if established after April 8, 2003. 355

(2) The education program of the school, including the 356  
school's mission, the characteristics of the students the school 357  
is expected to attract, the ages and grades of students, and the 358  
focus of the curriculum; 359

(3) The academic goals to be achieved and the method of 360  
measurement that will be used to determine progress toward those 361  
goals, which shall include the statewide achievement 362  
assessments; 363

(4) Performance standards, including but not limited to 364  
all applicable report card measures set forth in section 3302.03 365  
or 3314.017 of the Revised Code, by which the success of the 366  
school will be evaluated by the sponsor; 367

(5) The admission standards of section 3314.06 of the 368  
Revised Code and, if applicable, section 3314.061 of the Revised 369  
Code; 370

(6) (a) Dismissal procedures; 371

(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in seventy-two consecutive hours of the learning opportunities offered to the student.

(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;

(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.

(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:

(a) A detailed description of each facility used for instructional purposes;

(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;

(c) The annual mortgage principal and interest payments that are paid by the school;

(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.

(10) Qualifications of teachers, including a requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except

that a community school may engage noncertificated persons to 400  
teach up to twelve hours per week pursuant to section 3319.301 401  
of the Revised Code. 402

(11) That the school will comply with the following 403  
requirements: 404

(a) The school will provide learning opportunities to a 405  
minimum of twenty-five students for a minimum of nine hundred 406  
twenty hours per school year. 407

(b) The governing authority will purchase liability 408  
insurance, or otherwise provide for the potential liability of 409  
the school. 410

(c) The school will be nonsectarian in its programs, 411  
admission policies, employment practices, and all other 412  
operations, and will not be operated by a sectarian school or 413  
religious institution. 414

(d) The school will comply with sections 9.90, 9.91, 415  
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 416  
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3313.472, 417  
3313.50, 3313.536, 3313.539, 3313.5310, 3313.608, 3313.609, 418  
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 419  
3313.6024, 3313.6025, 3313.643, 3313.648, 3313.6411, 3313.66, 420  
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.67, 421  
3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 422  
3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 3313.814, 423  
3313.816, 3313.817, 3313.818, 3313.86, 3313.89, 3313.96, 424  
3319.073, 3319.321, 3319.39, 3319.391, 3319.41, 3319.46, 425  
3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 426  
3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 427  
4113.52, and 5705.391 and Chapters 117., 1347., 2744., 3365., 428

3742., 4112., 4123., 4141., and 4167. of the Revised Code as if 429  
it were a school district and will comply with section 3301.0714 430  
of the Revised Code in the manner specified in section 3314.17 431  
of the Revised Code. 432

(e) The school shall comply with Chapter 102. and section 433  
2921.42 of the Revised Code. 434

(f) The school will comply with sections 3313.61, 435  
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 436  
Revised Code, except that for students who enter ninth grade for 437  
the first time before July 1, 2010, the requirement in sections 438  
3313.61 and 3313.611 of the Revised Code that a person must 439  
successfully complete the curriculum in any high school prior to 440  
receiving a high school diploma may be met by completing the 441  
curriculum adopted by the governing authority of the community 442  
school rather than the curriculum specified in Title XXXIII of 443  
the Revised Code or any rules of the state board of education. 444  
Beginning with students who enter ninth grade for the first time 445  
on or after July 1, 2010, the requirement in sections 3313.61 446  
and 3313.611 of the Revised Code that a person must successfully 447  
complete the curriculum of a high school prior to receiving a 448  
high school diploma shall be met by completing the requirements 449  
prescribed in division (C) of section 3313.603 of the Revised 450  
Code, unless the person qualifies under division (D) or (F) of 451  
that section. Each school shall comply with the plan for 452  
awarding high school credit based on demonstration of subject 453  
area competency, and beginning with the 2017-2018 school year, 454  
with the updated plan that permits students enrolled in seventh 455  
and eighth grade to meet curriculum requirements based on 456  
subject area competency adopted by the state board of education 457  
under divisions (J)(1) and (2) of section 3313.603 of the 458  
Revised Code. Beginning with the 2018-2019 school year, the 459



school shall comply with the framework for granting units of 460  
high school credit to students who demonstrate subject area 461  
competency through work-based learning experiences, internships, 462  
or cooperative education developed by the department under 463  
division (J) (3) of section 3313.603 of the Revised Code. 464

(g) The school governing authority will submit within four 465  
months after the end of each school year a report of its 466  
activities and progress in meeting the goals and standards of 467  
divisions (A) (3) and (4) of this section and its financial 468  
status to the sponsor and the parents of all students enrolled 469  
in the school. 470

(h) The school, unless it is an internet- or computer- 471  
based community school, will comply with section 3313.801 of the 472  
Revised Code as if it were a school district. 473

(i) If the school is the recipient of moneys from a grant 474  
awarded under the federal race to the top program, Division (A), 475  
Title XIV, Sections 14005 and 14006 of the "American Recovery 476  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 477  
the school will pay teachers based upon performance in 478  
accordance with section 3317.141 and will comply with section 479  
3319.111 of the Revised Code as if it were a school district. 480

(j) If the school operates a preschool program that is 481  
licensed by the department of education under sections 3301.52 482  
to 3301.59 of the Revised Code, the school shall comply with 483  
sections 3301.50 to 3301.59 of the Revised Code and the minimum 484  
standards for preschool programs prescribed in rules adopted by 485  
the state board under section 3301.53 of the Revised Code. 486

(k) The school will comply with sections 3313.6021 and 487  
3313.6023 of the Revised Code as if it were a school district 488

unless it is either of the following: 489

(i) An internet- or computer-based community school; 490

(ii) A community school in which a majority of the 491  
enrolled students are children with disabilities as described in 492  
division (A) (4) (b) of section 3314.35 of the Revised Code. 493

(12) Arrangements for providing health and other benefits 494  
to employees; 495

(13) The length of the contract, which shall begin at the 496  
beginning of an academic year. No contract shall exceed five 497  
years unless such contract has been renewed pursuant to division 498  
(E) of this section. 499

(14) The governing authority of the school, which shall be 500  
responsible for carrying out the provisions of the contract; 501

(15) A financial plan detailing an estimated school budget 502  
for each year of the period of the contract and specifying the 503  
total estimated per pupil expenditure amount for each such year. 504

(16) Requirements and procedures regarding the disposition 505  
of employees of the school in the event the contract is 506  
terminated or not renewed pursuant to section 3314.07 of the 507  
Revised Code; 508

(17) Whether the school is to be created by converting all 509  
or part of an existing public school or educational service 510  
center building or is to be a new start-up school, and if it is 511  
a converted public school or service center building, 512  
specification of any duties or responsibilities of an employer 513  
that the board of education or service center governing board 514  
that operated the school or building before conversion is 515  
delegating to the governing authority of the community school 516

with respect to all or any specified group of employees provided 517  
the delegation is not prohibited by a collective bargaining 518  
agreement applicable to such employees; 519

(18) Provisions establishing procedures for resolving 520  
disputes or differences of opinion between the sponsor and the 521  
governing authority of the community school; 522

(19) A provision requiring the governing authority to 523  
adopt a policy regarding the admission of students who reside 524  
outside the district in which the school is located. That policy 525  
shall comply with the admissions procedures specified in 526  
sections 3314.06 and 3314.061 of the Revised Code and, at the 527  
sole discretion of the authority, shall do one of the following: 528

(a) Prohibit the enrollment of students who reside outside 529  
the district in which the school is located; 530

(b) Permit the enrollment of students who reside in 531  
districts adjacent to the district in which the school is 532  
located; 533

(c) Permit the enrollment of students who reside in any 534  
other district in the state. 535

(20) A provision recognizing the authority of the 536  
department of education to take over the sponsorship of the 537  
school in accordance with the provisions of division (C) of 538  
section 3314.015 of the Revised Code; 539

(21) A provision recognizing the sponsor's authority to 540  
assume the operation of a school under the conditions specified 541  
in division (B) of section 3314.073 of the Revised Code; 542

(22) A provision recognizing both of the following: 543

(a) The authority of public health and safety officials to 544

inspect the facilities of the school and to order the facilities 545  
closed if those officials find that the facilities are not in 546  
compliance with health and safety laws and regulations; 547

(b) The authority of the department of education as the 548  
community school oversight body to suspend the operation of the 549  
school under section 3314.072 of the Revised Code if the 550  
department has evidence of conditions or violations of law at 551  
the school that pose an imminent danger to the health and safety 552  
of the school's students and employees and the sponsor refuses 553  
to take such action. 554

(23) A description of the learning opportunities that will 555  
be offered to students including both classroom-based and non- 556  
classroom-based learning opportunities that is in compliance 557  
with criteria for student participation established by the 558  
department under division (H) (2) of section 3314.08 of the 559  
Revised Code; 560

(24) The school will comply with sections 3302.04 and 561  
3302.041 of the Revised Code, except that any action required to 562  
be taken by a school district pursuant to those sections shall 563  
be taken by the sponsor of the school. However, the sponsor 564  
shall not be required to take any action described in division 565  
(F) of section 3302.04 of the Revised Code. 566

(25) Beginning in the 2006-2007 school year, the school 567  
will open for operation not later than the thirtieth day of 568  
September each school year, unless the mission of the school as 569  
specified under division (A) (2) of this section is solely to 570  
serve dropouts. In its initial year of operation, if the school 571  
fails to open by the thirtieth day of September, or within one 572  
year after the adoption of the contract pursuant to division (D) 573  
of section 3314.02 of the Revised Code if the mission of the 574

school is solely to serve dropouts, the contract shall be void. 575

(26) Whether the school's governing authority is planning 576  
to seek designation for the school as a STEM school equivalent 577  
under section 3326.032 of the Revised Code; 578

(27) That the school's attendance and participation 579  
policies will be available for public inspection; 580

(28) That the school's attendance and participation 581  
records shall be made available to the department of education, 582  
auditor of state, and school's sponsor to the extent permitted 583  
under and in accordance with the "Family Educational Rights and 584  
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, 585  
and any regulations promulgated under that act, and section 586  
3319.321 of the Revised Code; 587

(29) If a school operates using the blended learning 588  
model, as defined in section 3301.079 of the Revised Code, all 589  
of the following information: 590

(a) An indication of what blended learning model or models 591  
will be used; 592

(b) A description of how student instructional needs will 593  
be determined and documented; 594

(c) The method to be used for determining competency, 595  
granting credit, and promoting students to a higher grade level; 596

(d) The school's attendance requirements, including how 597  
the school will document participation in learning 598  
opportunities; 599

(e) A statement describing how student progress will be 600  
monitored; 601

(f) A statement describing how private student data will 602  
be protected; 603

(g) A description of the professional development 604  
activities that will be offered to teachers. 605

(30) A provision requiring that all moneys the school's 606  
operator loans to the school, including facilities loans or cash 607  
flow assistance, must be accounted for, documented, and bear 608  
interest at a fair market rate; 609

(31) A provision requiring that, if the governing 610  
authority contracts with an attorney, accountant, or entity 611  
specializing in audits, the attorney, accountant, or entity 612  
shall be independent from the operator with which the school has 613  
contracted. 614

(32) A provision requiring the governing authority to 615  
adopt an enrollment and attendance policy that requires a 616  
student's parent to notify the community school in which the 617  
student is enrolled when there is a change in the location of 618  
the parent's or student's primary residence. 619

(33) A provision requiring the governing authority to 620  
adopt a student residence and address verification policy for 621  
students enrolling in or attending the school. 622

(B) The community school shall also submit to the sponsor 623  
a comprehensive plan for the school. The plan shall specify the 624  
following: 625

(1) The process by which the governing authority of the 626  
school will be selected in the future; 627

(2) The management and administration of the school; 628

(3) If the community school is a currently existing public 629

school or educational service center building, alternative 630  
arrangements for current public school students who choose not 631  
to attend the converted school and for teachers who choose not 632  
to teach in the school or building after conversion; 633

(4) The instructional program and educational philosophy 634  
of the school; 635

(5) Internal financial controls. 636

When submitting the plan under this division, the school 637  
shall also submit copies of all policies and procedures 638  
regarding internal financial controls adopted by the governing 639  
authority of the school. 640

(C) A contract entered into under section 3314.02 of the 641  
Revised Code between a sponsor and the governing authority of a 642  
community school may provide for the community school governing 643  
authority to make payments to the sponsor, which is hereby 644  
authorized to receive such payments as set forth in the contract 645  
between the governing authority and the sponsor. The total 646  
amount of such payments for monitoring, oversight, and technical 647  
assistance of the school shall not exceed three per cent of the 648  
total amount of payments for operating expenses that the school 649  
receives from the state. 650

(D) The contract shall specify the duties of the sponsor 651  
which shall be in accordance with the written agreement entered 652  
into with the department of education under division (B) of 653  
section 3314.015 of the Revised Code and shall include the 654  
following: 655

(1) Monitor the community school's compliance with all 656  
laws applicable to the school and with the terms of the 657  
contract; 658

(2) Monitor and evaluate the academic and fiscal 659  
performance and the organization and operation of the community 660  
school on at least an annual basis; 661

(3) Report on an annual basis the results of the 662  
evaluation conducted under division (D)(2) of this section to 663  
the department of education and to the parents of students 664  
enrolled in the community school; 665

(4) Provide technical assistance to the community school 666  
in complying with laws applicable to the school and terms of the 667  
contract; 668

(5) Take steps to intervene in the school's operation to 669  
correct problems in the school's overall performance, declare 670  
the school to be on probationary status pursuant to section 671  
3314.073 of the Revised Code, suspend the operation of the 672  
school pursuant to section 3314.072 of the Revised Code, or 673  
terminate the contract of the school pursuant to section 3314.07 674  
of the Revised Code as determined necessary by the sponsor; 675

(6) Have in place a plan of action to be undertaken in the 676  
event the community school experiences financial difficulties or 677  
closes prior to the end of a school year. 678

(E) Upon the expiration of a contract entered into under 679  
this section, the sponsor of a community school may, with the 680  
approval of the governing authority of the school, renew that 681  
contract for a period of time determined by the sponsor, but not 682  
ending earlier than the end of any school year, if the sponsor 683  
finds that the school's compliance with applicable laws and 684  
terms of the contract and the school's progress in meeting the 685  
academic goals prescribed in the contract have been 686  
satisfactory. Any contract that is renewed under this division 687



remains subject to the provisions of sections 3314.07, 3314.072, 688  
and 3314.073 of the Revised Code. 689

(F) If a community school fails to open for operation 690  
within one year after the contract entered into under this 691  
section is adopted pursuant to division (D) of section 3314.02 692  
of the Revised Code or permanently closes prior to the 693  
expiration of the contract, the contract shall be void and the 694  
school shall not enter into a contract with any other sponsor. A 695  
school shall not be considered permanently closed because the 696  
operations of the school have been suspended pursuant to section 697  
3314.072 of the Revised Code. 698

**Sec. 3326.11.** Each science, technology, engineering, and 699  
mathematics school established under this chapter and its 700  
governing body shall comply with sections 9.90, 9.91, 109.65, 701  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 702  
3301.0714, 3301.0715, 3301.0729, 3301.948, 3313.14, 3313.15, 703  
3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 704  
3313.481, 3313.482, 3313.50, 3313.536, 3313.539, 3313.5310, 705  
3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 706  
3313.6021, 3313.6024, 3313.6025, 3313.61, 3313.611, 3313.614, 707  
3313.615, 3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 708  
3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 709  
3313.668, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 710  
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.721, 711  
3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 3313.818, 712  
3313.86, 3313.89, 3313.96, 3319.073, 3319.21, 3319.32, 3319.321, 713  
3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 3319.46, 3320.01, 714  
3320.02, 3320.03, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 715  
3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 716  
4113.52, and 5705.391 and Chapters 102., 117., 1347., 2744., 717  
3307., 3309., 3365., 3742., 4112., 4123., 4141., and 4167. of 718

the Revised Code as if it were a school district. 719

**Sec. 3328.24.** A college-preparatory boarding school 720  
established under this chapter and its board of trustees shall 721  
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 722  
3301.0714, 3301.0729, 3301.948, 3313.536, 3313.6013, 3313.6021, 723  
3313.6024, 3313.6025, 3313.617, 3313.618, 3313.6114, 3313.6411, 724  
3313.668, 3313.7112, 3313.721, 3313.89, 3319.39, 3319.391, 725  
3319.46, 3320.01, 3320.02, and 3320.03 and Chapter 3365. of the 726  
Revised Code as if the school were a school district and the 727  
school's board of trustees were a district board of education. 728

**Sec. 4508.022.** (A) The director of public safety shall 729  
adapt the model curriculum on proper interactions with peace 730  
officers developed under division (B) of section 3301.0721 of 731  
the Revised Code so that it is appropriate for the instructional 732  
methods of driver training schools. 733

(B) The classroom instruction required by division (C) of 734  
section 4508.02 of the Revised Code shall include the 735  
instruction adapted under division (A) of this section. 736

(C) The director shall amend the digest of motor vehicle 737  
laws, or any other reference document for the material covered 738  
in the written portions of the temporary instruction permit and 739  
drivers' license examinations required under section 4507.11 of 740  
the Revised Code, to include a separate section with instruction 741  
on proper interactions when a driver is stopped by a peace 742  
officer. The instruction shall be adapted from the model 743  
curriculum described in division (A) of this section so that it 744  
is appropriate for new drivers. 745

(D) As used in this section, "peace officer" has the same 746  
meaning as in section 109.71 of the Revised Code. 747

**Section 2.** That existing sections 109.73, 109.803, 748  
3301.0721, 3314.03, 3326.11, and 3328.24 of the Revised Code are 749  
hereby repealed. 750

**Section 3.** The General Assembly, applying the principle 751  
stated in division (B) of section 1.52 of the Revised Code that 752  
amendments are to be harmonized if reasonably capable of 753  
simultaneous operation, finds that the following sections, 754  
presented in this act as composites of the sections as amended 755  
by the acts indicated, are the resulting versions of the 756  
sections in effect prior to the effective date of the sections 757  
as presented in this act: 758

Section 3314.03 of the Revised Code as amended by both 759  
H.B. 164 and H.B. 166 of the 133rd General Assembly. 760

Section 3326.11 of the Revised Code as amended by both 761  
H.B. 164 and H.B. 166 of the 133rd General Assembly. 762

Section 3328.24 of the Revised Code as amended by H.B 164 763  
and H.B. 166 of the 133rd General Assembly. 764