

As Reported by the House Primary and Secondary Education Committee

133rd General Assembly

Regular Session

2019-2020

Sub. H. B. No. 123

Representatives Holmes, G., Manning, G.

A BILL

To amend sections 149.433, 3313.536, 3313.60,
3313.951, 3314.03, 3319.073, 3319.31, 3326.11,
3328.24, and 3737.73; to amend, for the purpose
of adopting a new section number as indicated in
parentheses, section 3313.536 (5502.262); and to
enact sections 3301.221, 3313.669, 3313.6610,
3313.6611, and 5502.263 of the Revised Code to
enact the "Safety and Violence Education
Students (SAVE Students) Act" regarding school
security and youth suicide awareness education
and training.

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

Section 1. That sections 149.433, 3313.536, 3313.60,
3313.951, 3314.03, 3319.073, 3319.31, 3326.11, 3328.24, and
3737.73 be amended; section 3313.536 (5502.262) be amended for
the purpose of adopting a new section number as indicated in
parentheses; and sections 3301.221, 3313.669, 3313.6610,
3313.6611, and 5502.263 of the Revised Code be enacted to read
as follows:

Sec. 149.433. (A) As used in this section:

"Act of terrorism" has the same meaning as in section 20
2909.21 of the Revised Code. 21

"Express statement" means a written statement 22
substantially similar to the following: "This information is 23
voluntarily submitted to a public office in expectation of 24
protection from disclosure as provided by section 149.433 of the 25
Revised Code." 26

"Infrastructure record" means any record that discloses 27
the configuration of critical systems including, but not limited 28
to, communication, computer, electrical, mechanical, 29
ventilation, water, and plumbing systems, security codes, or the 30
infrastructure or structural configuration of a building. 31

"Infrastructure record" includes a risk assessment of 32
infrastructure performed by a state or local law enforcement 33
agency at the request of a property owner or manager. 34

"Infrastructure record" does not mean a simple floor plan 35
that discloses only the spatial relationship of components of 36
the building. 37

"Security record" means any of the following: 38

(1) Any record that contains information directly used for 39
protecting or maintaining the security of a public office 40
against attack, interference, or sabotage; 41

(2) Any record assembled, prepared, or maintained by a 42
public office or public body to prevent, mitigate, or respond to 43
acts of terrorism, including any of the following: 44

(a) Those portions of records containing specific and 45
unique vulnerability assessments or specific and unique response 46
plans either of which is intended to prevent or mitigate acts of 47

terrorism, and communication codes or deployment plans of law 48
enforcement or emergency response personnel; 49

(b) Specific intelligence information and specific 50
investigative records shared by federal and international law 51
enforcement agencies with state and local law enforcement and 52
public safety agencies; 53

(c) National security records classified under federal 54
executive order and not subject to public disclosure under 55
federal law that are shared by federal agencies, and other 56
records related to national security briefings to assist state 57
and local government with domestic preparedness for acts of 58
terrorism. 59

(3) An emergency management plan adopted pursuant to 60
section ~~3313.536~~5502.262 of the Revised Code. 61

(B) (1) A record kept by a public office that is a security 62
record is not a public record under section 149.43 of the 63
Revised Code and is not subject to mandatory release or 64
disclosure under that section. 65

(2) A record kept by a public office that is an 66
infrastructure record of a public office, public school, or a 67
chartered nonpublic school is not a public record under section 68
149.43 of the Revised Code and is not subject to mandatory 69
release or disclosure under that section. 70

(3) A record kept by a public office that is an 71
infrastructure record of a private entity may be exempted from 72
release or disclosure under division (C) of this section. 73

(C) A record prepared by, submitted to, or kept by a 74
public office that is an infrastructure record of a private 75
entity, which is submitted to the public office for use by the 76

public office, when accompanied by an express statement, is 77
exempt from release or disclosure under section 149.43 of the 78
Revised Code for a period of twenty-five years after its 79
creation if it is retained by the public office for that length 80
of time. 81

(D) Notwithstanding any other section of the Revised Code, 82
disclosure by a public office, public employee, chartered 83
nonpublic school, or chartered nonpublic school employee of a 84
security record or infrastructure record that is necessary for 85
construction, renovation, or remodeling work on any public 86
building or project or chartered nonpublic school does not 87
constitute public disclosure for purposes of waiving division 88
(B) of this section and does not result in that record becoming 89
a public record for purposes of section 149.43 of the Revised 90
Code. 91

Sec. 3301.221. (A) As used in this section and section 92
3313.60 of the Revised Code, "evidence-based" means a program or 93
practice that does either of the following: 94

(1) Demonstrates a rationale based on high-quality 95
research findings or positive evaluation that such a program or 96
practice is likely to improve relevant outcomes and includes 97
ongoing efforts to examine the effects of the program or 98
practice; 99

(2) Has a statistically significant effect on relevant 100
outcomes based on: 101

(a) Strong evidence from at least one well-designed and 102
well-implemented experimental study; 103

(b) Moderate evidence from at least one well-designed and 104
well-implemented quasi-experimental study; or 105

(c) Promising evidence from at least one well-designed and 106
well-implemented correlation study with statistical controls for 107
selection bias. 108

(B) The department of education, in consultation with the 109
department of public safety and the department of mental health 110
and addiction services, shall maintain a list of not fewer than 111
three approved training programs, to be posted on the department 112
of education's web site, for instruction in suicide awareness 113
and prevention and violence prevention as prescribed under 114
division (A) (5) (h) of section 3313.60 and division (D) of 115
section 3319.073 of the Revised Code. The list of approved 116
training programs shall include at least one option that is free 117
or of no cost to schools. The approved training programs shall 118
be evidence-based and include the following: 119

(1) How to instruct school personnel to identify the signs 120
and symptoms of depression, suicide, and self-harm in students; 121

(2) How to instruct students to identify the signs and 122
symptoms of depression, suicide, and self-harm in their peers; 123

(3) How to identify appropriate mental health services 124
within schools and within larger communities, and when and how 125
to refer youth and their families to those services; 126

(4) How to teach students about mental health and 127
depression, warning signs of suicide, and the importance of and 128
processes for seeking help on behalf of self and peers and 129
reporting of these behaviors. 130

(C) The department of education, in consultation with the 131
department of mental health and addiction services, shall 132
maintain a list of not fewer than three approved training 133
programs, to be posted on the department of education's web 134

site, for instruction in social inclusion as prescribed by 135
division (A) (5) (i) of section 3313.60 of the Revised Code. The 136
list of approved training programs shall include at least one 137
option that is free or of no cost to schools. The approved 138
training programs shall be evidence-based and include the 139
following: 140

(1) What social isolation is and how to identify it in 141
others; 142

(2) What social inclusion is and the importance of 143
establishing connections with peers; 144

(3) When and how to seek help for peers who may be 145
socially isolated; 146

(4) How to utilize strategies for more social inclusion in 147
classrooms and the school community. 148

Sec. 3313.60. Notwithstanding division (D) of section 149
3311.52 of the Revised Code, divisions (A) to (E) of this 150
section do not apply to any cooperative education school 151
district established pursuant to divisions (A) to (C) of section 152
3311.52 of the Revised Code. 153

(A) The board of education of each city, exempted village, 154
and local school district and the board of each cooperative 155
education school district established, pursuant to section 156
3311.521 of the Revised Code, shall prescribe a curriculum for 157
all schools under its control. Except as provided in division 158
(E) of this section, in any such curriculum there shall be 159
included the study of the following subjects: 160

(1) The language arts, including reading, writing, 161
spelling, oral and written English, and literature; 162

(2) Geography, the history of the United States and of	163
Ohio, and national, state, and local government in the United	164
States, including a balanced presentation of the relevant	165
contributions to society of men and women of African, Mexican,	166
Puerto Rican, and American Indian descent as well as other	167
ethnic and racial groups in Ohio and the United States;	168
(3) Mathematics;	169
(4) Natural science, including instruction in the	170
conservation of natural resources;	171
(5) Health education, which shall include instruction in:	172
(a) The nutritive value of foods, including natural and	173
organically produced foods, the relation of nutrition to health,	174
and the use and effects of food additives;	175
(b) The harmful effects of and legal restrictions against	176
the use of drugs of abuse, alcoholic beverages, and tobacco;	177
(c) Venereal disease education, except that upon written	178
request of the student's parent or guardian, a student shall be	179
excused from taking instruction in venereal disease education;	180
(d) In grades kindergarten through six, instruction in	181
personal safety and assault prevention, except that upon written	182
request of the student's parent or guardian, a student shall be	183
excused from taking instruction in personal safety and assault	184
prevention;	185
(e) In grades seven through twelve, age-appropriate	186
instruction in dating violence prevention education, which shall	187
include instruction in recognizing dating violence warning signs	188
and characteristics of healthy relationships.	189
In order to assist school districts in developing a dating	190

violence prevention education curriculum, the department of 191
education shall provide on its web site links to free curricula 192
addressing dating violence prevention. 193

If the parent or legal guardian of a student less than 194
eighteen years of age submits to the principal of the student's 195
school a written request to examine the dating violence 196
prevention instruction materials used at that school, the 197
principal, within a reasonable period of time after the request 198
is made, shall allow the parent or guardian to examine those 199
materials at that school. 200

(f) Prescription opioid abuse prevention, with an emphasis 201
on the prescription drug epidemic and the connection between 202
prescription opioid abuse and addiction to other drugs, such as 203
heroin; 204

(g) The process of making an anatomical gift under Chapter 205
2108. of the Revised Code, with an emphasis on the life-saving 206
and life-enhancing effects of organ and tissue donation; 207

(h) Beginning with the first day of the next school year 208
that begins at least two years after the effective date of this 209
amendment, in grades six through twelve, at least one hour or 210
one standard class period per school year of evidence-based 211
suicide awareness and prevention and at least one hour or one 212
standard class period per school per year of safety training and 213
violence prevention; 214

(i) Beginning with the first day of the next school year 215
that begins at least two years after the effective date of this 216
amendment, in grades six through twelve, at least one hour or 217
one standard class period per school year of evidence-based 218
social inclusion instruction. 219

For the instruction required under divisions (A) (5) (h) and 220
(i) of this section, the board shall use a training program 221
approved by the department of education under section 3301.221 222
of the Revised Code. 223

(6) Physical education; 224

(7) The fine arts, including music; 225

(8) First aid, including a training program in 226
cardiopulmonary resuscitation, which shall comply with section 227
3313.6021 of the Revised Code when offered in any of grades nine 228
through twelve, safety, and fire prevention. However, upon 229
written request of the student's parent or guardian, a student 230
shall be excused from taking instruction in cardiopulmonary 231
resuscitation. 232

(B) Except as provided in division (E) of this section, 233
every school or school district shall include in the 234
requirements for promotion from the eighth grade to the ninth 235
grade one year's course of study of American history. A board 236
may waive this requirement for academically accelerated students 237
who, in accordance with procedures adopted by the board, are 238
able to demonstrate mastery of essential concepts and skills of 239
the eighth grade American history course of study. 240

(C) As specified in divisions (B) (6) and (C) (6) of section 241
3313.603 of the Revised Code, except as provided in division (E) 242
of this section, every high school shall include in the 243
requirements for graduation from any curriculum one-half unit 244
each of American history and government. 245

(D) Except as provided in division (E) of this section, 246
basic instruction or demonstrated mastery in geography, United 247
States history, the government of the United States, the 248

government of the state of Ohio, local government in Ohio, the 249
Declaration of Independence, the United States Constitution, and 250
the Constitution of the state of Ohio shall be required before 251
pupils may participate in courses involving the study of social 252
problems, economics, foreign affairs, United Nations, world 253
government, socialism, and communism. 254

(E) For each cooperative education school district 255
established pursuant to section 3311.521 of the Revised Code and 256
each city, exempted village, and local school district that has 257
territory within such a cooperative district, the curriculum 258
adopted pursuant to divisions (A) to (D) of this section shall 259
only include the study of the subjects that apply to the grades 260
operated by each such school district. The curriculums for such 261
schools, when combined, shall provide to each student of these 262
districts all of the subjects required under divisions (A) to 263
(D) of this section. 264

(F) The board of education of any cooperative education 265
school district established pursuant to divisions (A) to (C) of 266
section 3311.52 of the Revised Code shall prescribe a curriculum 267
for the subject areas and grade levels offered in any school 268
under its control. 269

(G) Upon the request of any parent or legal guardian of a 270
student, the board of education of any school district shall 271
permit the parent or guardian to promptly examine, with respect 272
to the parent's or guardian's own child: 273

(1) Any survey or questionnaire, prior to its 274
administration to the child; 275

(2) Any textbook, workbook, software, video, or other 276
instructional materials being used by the district in connection 277

with the instruction of the child; 278

(3) Any completed and graded test taken or survey or 279
questionnaire filled out by the child; 280

(4) Copies of the statewide academic standards and each 281
model curriculum developed pursuant to section 3301.079 of the 282
Revised Code, which copies shall be available at all times 283
during school hours in each district school building. 284

Sec. 3313.669. (A) Beginning not later than two years 285
after the effective date of this section, each local, city, 286
exempted village, and joint vocational school district shall 287
create a threat assessment team for each school building in the 288
district serving grades six through twelve. Upon appointment and 289
once every three years thereafter, each team member shall 290
complete an approved threat assessment training program from the 291
list maintained by the department of public safety pursuant to 292
section 5502.263 of the Revised Code. 293

(B) If a school building has a similarly constituted 294
safety team as of the effective date of this section, that team 295
also may serve as the threat assessment team, provided that the 296
team and each member comply with the requirements of this 297
section. 298

(C) Each district building shall include proof of 299
completion of an approved training program by each team member 300
in the building's emergency management plan submission to the 301
department of education in accordance with rules adopted under 302
division (F) of section 5502.262 of the Revised Code. Each team 303
shall be multidisciplinary, when possible, and may include 304
school administrators, mental health professionals, school 305
resource officers, and other necessary personnel. 306

Sec. 3313.6610. (A) Beginning with the first full school 307
year that begins after the effective date of this section, each 308
local, city, exempted village, and joint vocational school 309
district shall enter into a contract with an anonymous reporting 310
program of the district's choosing. The reporting program shall 311
meet the following requirements: 312

(1) Operate twenty-four hours per day, seven days per 313
week; 314

(2) Forward reported information to and coordinate with 315
the appropriate school threat assessment teams and law 316
enforcement and public safety agencies required under the 317
school's emergency management plan developed under section 318
5502.262 of the Revised Code; 319

(3) Be promoted in each district school to inform students 320
about the reporting program and its reporting methods; 321

(4) Comply with sections 149.433 and 3319.321 of the 322
Revised Code and the "Family Educational Rights and Privacy Act 323
of 1974," 20 U.S.C. 1232g. 324

Each district shall specify in the contract with its 325
chosen reporting program provider that the provider shall 326
annually submit a report to the department of public safety and 327
the department of education of the number of anonymous reports 328
made through the reporting program and the method by which they 329
were received, disaggregated by school. 330

(B) Each district shall submit data to the department of 331
education, in a manner prescribed by the department, and the 332
department of public safety at the end of the first full school 333
year of the district's participation in the reporting program, 334
and at the end of each school year thereafter, disaggregated by 335

school. The data shall include the following: 336

(1) The number and type of disciplinary actions taken in 337
the previous school year as a result of anonymous reports; 338

(2) The number and type of mental wellness referrals as a 339
result of anonymous reports; 340

(3) The race and gender of the students subject to the 341
disciplinary actions and mental wellness referrals as a result 342
of anonymous reports; 343

(4) Any other information the department of education or 344
the department of public safety determines necessary. 345

(C) Any data collected by an anonymous reporting program 346
or reported to the department of education or department of 347
public safety pursuant to this section are security records and 348
are not public records pursuant to section 149.433 of the 349
Revised Code. 350

Sec. 3313.6611. (A) Each local, city, exempted village, 351
and joint vocational school district shall designate a student- 352
led violence prevention club for each school building in the 353
district serving grades six through twelve. Each club shall do 354
the following: 355

(1) Be open to all members of the student body; 356

(2) Have at least one identified adult advisor; 357

(3) Implement and sustain suicide and violence prevention 358
and social inclusion training and awareness activities in a 359
manner consistent with section 3301.221 of the Revised Code; 360

(4) Foster opportunities for student leadership 361
development. 362

(B) If a school building already has a student club that 363
satisfies the requirements of divisions (A) (1) and (2) of this 364
section on the effective date of this section, that club may 365
serve as the violence prevention club, provided that it also 366
satisfies the requirements of divisions (A) (3) and (4) of this 367
section thereafter. 368

Sec. 3313.951. (A) As used in this section: 369

(1) "Law enforcement agency" has the same meaning as in 370
section 149.435 of the Revised Code. 371

(2) "Peace officer" has the same meaning as in division 372
(A) (1) of section 109.71 of the Revised Code. 373

(3) "School resource officer" means a peace officer who is 374
appointed through a memorandum of understanding between a law 375
enforcement agency and a school district to provide services to 376
a school district or school as described in this section. 377

(B) (1) A school resource officer who provides services to 378
a school district or school on or after November 2, 2018, shall, 379
except as described in division (B) (2) of this section, satisfy 380
both of the following conditions: 381

(a) Complete a basic training program approved by the Ohio 382
peace officer training commission, as described in division (B) 383
(1) of section 109.77 of the Revised Code; 384

(b) Complete at least forty hours of school resource 385
officer training within one year after appointment to provide 386
those services through one of the following entities, as 387
approved by the Ohio peace officer training commission: 388

(i) The national association of school resource officers; 389

(ii) The Ohio school resource officer association; 390

(iii) The Ohio peace officer training academy.	391
(2) A school resource officer who is appointed to provide	392
services to a school district or school prior to November 2,	393
2018, shall be exempt from compliance with the training	394
requirements prescribed in division (B)(1)(b) of this section.	395
(3) A certified training program provided by an entity	396
described in division (B)(1)(b) of this section shall include	397
instruction regarding skills, tactics, and strategies necessary	398
to address the specific nature of all of the following:	399
(a) School campuses;	400
(b) School building security needs and characteristics;	401
(c) The nuances of law enforcement functions conducted	402
inside a school environment, including:	403
(i) Understanding the psychological and physiological	404
characteristics consistent with the ages of the students in the	405
assigned building or buildings;	406
(ii) Understanding the appropriate role of school resource	407
officers regarding discipline and reducing the number of	408
referrals to juvenile court; and	409
(iii) Understanding the use of developmentally appropriate	410
interview, interrogation, de-escalation, and behavior management	411
strategies.	412
(d) The mechanics of being a positive role model for	413
youth, including appropriate communication techniques which	414
enhance interactions between the school resource officer and	415
students;	416
(e) Providing assistance on topics such as classroom	417

management tools to provide law-related education to students 418
and methods for managing the behaviors sometimes associated with 419
educating children with special needs; 420

(f) The mechanics of the laws regarding compulsory 421
attendance, as set forth in Chapter 3321. of the Revised Code; 422

(g) Identifying the trends in drug use, eliminating the 423
instance of drug use, and encouraging a drug-free environment in 424
schools. 425

(4) The Ohio peace officer training commission shall adopt 426
rules, in accordance with Chapter 119. of the Revised Code, for 427
the approval of school resource officer training provided by an 428
entity described in division (B) (1) (b) of this section. 429

(C) (1) If a school district decides to utilize school 430
resource officer services, the school district and the 431
appropriate law enforcement agency shall first enter into a 432
memorandum of understanding that clarifies the purpose of the 433
school resource officer program and roles and expectations 434
between the participating entities. If a school district is 435
already utilizing school resource officer services on November 436
2, 2018, the school district and the law enforcement agency 437
shall enter into a memorandum of understanding within one year 438
after November 2, 2018. 439

(2) Each memorandum of understanding shall address the 440
following items: 441

(a) Clearly defined set of goals for the school resource 442
officer program; 443

(b) Background requirements or suggested expertise for 444
employing law enforcement in the school setting, including an 445
understanding of child and adolescent development; 446

(c) Professional development, including training 447
requirements that focus on age-appropriate practices for 448
conflict resolution and developmentally informed de-escalation 449
and crisis intervention methods; 450

(d) Clearly defined roles, responsibilities, and 451
expectations of the parties involved, including school resource 452
officers, law enforcement, school administrators, staff, and 453
teachers; 454

(e) A protocol for how suspected criminal activity versus 455
school discipline is to be handled; 456

(f) The requirement for coordinated crisis planning and 457
updating of school crisis plans; 458

(g) Any other discretionary items determined by the 459
parties to foster a school resource officer program that builds 460
positive relationships between law enforcement, school staff, 461
and the students, promotes a safe and positive learning 462
environment, and decreases the number of youth formally referred 463
to the juvenile justice system. 464

(3) A school district, through its school administration, 465
may give students an opportunity to provide input during the 466
drafting process of any memorandum of understanding being 467
entered into pursuant to division (C) of this section. 468

(D) (1) In accordance with the requirements prescribed in 469
this section, a school resource officer may work in one or more 470
school districts or schools providing the following services: 471

(a) Assistance with adoption, implementation, and 472
amendment of the comprehensive emergency management plan 473
required under section ~~3313.536~~ 5502.262 of the Revised Code; 474

(b) Carrying out any additional responsibilities assigned 475
to the school resource officer under the employment engagement, 476
contract, or memorandum of understanding, including but not 477
limited to: 478

(i) Providing a safe learning environment; 479

(ii) Providing valuable resources to school staff members; 480

(iii) Fostering positive relationships with students and 481
staff; 482

(iv) Developing strategies to resolve problems affecting 483
youth and protecting all students. 484

(2) A school resource officer shall consult with local law 485
enforcement officials and first responders when assisting a 486
school district's administrator in the development of a 487
comprehensive emergency management plan. 488

(E) The school district or school administrator shall have 489
final decision-making authority regarding all matters of school 490
discipline. 491

Sec. 3314.03. A copy of every contract entered into under 492
this section shall be filed with the superintendent of public 493
instruction. The department of education shall make available on 494
its web site a copy of every approved, executed contract filed 495
with the superintendent under this section. 496

(A) Each contract entered into between a sponsor and the 497
governing authority of a community school shall specify the 498
following: 499

(1) That the school shall be established as either of the 500
following: 501

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

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

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

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

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

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

(6) (a) Dismissal procedures;

(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; 530

(8) Requirements for financial audits by the auditor of 531
state. The contract shall require financial records of the 532
school to be maintained in the same manner as are financial 533
records of school districts, pursuant to rules of the auditor of 534
state. Audits shall be conducted in accordance with section 535
117.10 of the Revised Code. 536

(9) An addendum to the contract outlining the facilities 537
to be used that contains at least the following information: 538

(a) A detailed description of each facility used for 539
instructional purposes; 540

(b) The annual costs associated with leasing each facility 541
that are paid by or on behalf of the school; 542

(c) The annual mortgage principal and interest payments 543
that are paid by the school; 544

(d) The name of the lender or landlord, identified as 545
such, and the lender's or landlord's relationship to the 546
operator, if any. 547

(10) Qualifications of teachers, including a requirement 548
that the school's classroom teachers be licensed in accordance 549
with sections 3319.22 to 3319.31 of the Revised Code, except 550
that a community school may engage noncertificated persons to 551
teach up to twelve hours per week pursuant to section 3319.301 552
of the Revised Code. 553

(11) That the school will comply with the following 554
requirements: 555

(a) The school will provide learning opportunities to a 556
minimum of twenty-five students for a minimum of nine hundred 557

twenty hours per school year. 558

(b) The governing authority will purchase liability 559
insurance, or otherwise provide for the potential liability of 560
the school. 561

(c) The school will be nonsectarian in its programs, 562
admission policies, employment practices, and all other 563
operations, and will not be operated by a sectarian school or 564
religious institution. 565

(d) The school will comply with sections 9.90, 9.91, 566
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 567
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3313.472, 568
3313.50, ~~3313.536~~, 3313.539, 3313.5310, 3313.608, 3313.609, 569
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.643, 570
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 571
3313.667, 3313.668, 3313.669, 3313.6610, 3313.6611, 3313.67, 572
3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 573
3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 3313.814, 574
3313.816, 3313.817, 3313.86, 3313.89, 3313.96, 3319.073, 575
3319.074, 3319.321, 3319.39, 3319.391, 3319.41, 3319.46, 576
3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 577
3321.19, 3321.191, 3327.10, 4111.17, 4113.52, 5502.262, and 578
5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 579
4123., 4141., and 4167. of the Revised Code as if it were a 580
school district and will comply with section 3301.0714 of the 581
Revised Code in the manner specified in section 3314.17 of the 582
Revised Code. 583

(e) The school shall comply with Chapter 102. and section 584
2921.42 of the Revised Code. 585

(f) The school will comply with sections 3313.61, 586

3313.611, and 3313.614 of the Revised Code, except that for 587
students who enter ninth grade for the first time before July 1, 588
2010, the requirement in sections 3313.61 and 3313.611 of the 589
Revised Code that a person must successfully complete the 590
curriculum in any high school prior to receiving a high school 591
diploma may be met by completing the curriculum adopted by the 592
governing authority of the community school rather than the 593
curriculum specified in Title XXXIII of the Revised Code or any 594
rules of the state board of education. Beginning with students 595
who enter ninth grade for the first time on or after July 1, 596
2010, the requirement in sections 3313.61 and 3313.611 of the 597
Revised Code that a person must successfully complete the 598
curriculum of a high school prior to receiving a high school 599
diploma shall be met by completing the requirements prescribed 600
in division (C) of section 3313.603 of the Revised Code, unless 601
the person qualifies under division (D) or (F) of that section. 602
Each school shall comply with the plan for awarding high school 603
credit based on demonstration of subject area competency, and 604
beginning with the 2017-2018 school year, with the updated plan 605
that permits students enrolled in seventh and eighth grade to 606
meet curriculum requirements based on subject area competency 607
adopted by the state board of education under divisions (J) (1) 608
and (2) of section 3313.603 of the Revised Code. Beginning with 609
the 2018-2019 school year, the school shall comply with the 610
framework for granting units of high school credit to students 611
who demonstrate subject area competency through work-based 612
learning experiences, internships, or cooperative education 613
developed by the department under division (J) (3) of section 614
3313.603 of the Revised Code. 615

(g) The school governing authority will submit within four 616
months after the end of each school year a report of its 617

activities and progress in meeting the goals and standards of 618
divisions (A) (3) and (4) of this section and its financial 619
status to the sponsor and the parents of all students enrolled 620
in the school. 621

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

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

(j) If the school operates a preschool program that is 632
licensed by the department of education under sections 3301.52 633
to 3301.59 of the Revised Code, the school shall comply with 634
sections 3301.50 to 3301.59 of the Revised Code and the minimum 635
standards for preschool programs prescribed in rules adopted by 636
the state board under section 3301.53 of the Revised Code. 637

(k) The school will comply with sections 3313.6021 and 638
3313.6023 of the Revised Code as if it were a school district 639
unless it is either of the following: 640

(i) An internet- or computer-based community school; 641

(ii) A community school in which a majority of the 642
enrolled students are children with disabilities as described in 643
division (A) (4) (b) of section 3314.35 of the Revised Code. 644

(12) Arrangements for providing health and other benefits 645
to employees; 646

(13) The length of the contract, which shall begin at the 647
beginning of an academic year. No contract shall exceed five 648
years unless such contract has been renewed pursuant to division 649
(E) of this section. 650

(14) The governing authority of the school, which shall be 651
responsible for carrying out the provisions of the contract; 652

(15) A financial plan detailing an estimated school budget 653
for each year of the period of the contract and specifying the 654
total estimated per pupil expenditure amount for each such year. 655

(16) Requirements and procedures regarding the disposition 656
of employees of the school in the event the contract is 657
terminated or not renewed pursuant to section 3314.07 of the 658
Revised Code; 659

(17) Whether the school is to be created by converting all 660
or part of an existing public school or educational service 661
center building or is to be a new start-up school, and if it is 662
a converted public school or service center building, 663
specification of any duties or responsibilities of an employer 664
that the board of education or service center governing board 665
that operated the school or building before conversion is 666
delegating to the governing authority of the community school 667
with respect to all or any specified group of employees provided 668
the delegation is not prohibited by a collective bargaining 669
agreement applicable to such employees; 670

(18) Provisions establishing procedures for resolving 671
disputes or differences of opinion between the sponsor and the 672
governing authority of the community school; 673

(19) A provision requiring the governing authority to 674
adopt a policy regarding the admission of students who reside 675

outside the district in which the school is located. That policy 676
shall comply with the admissions procedures specified in 677
sections 3314.06 and 3314.061 of the Revised Code and, at the 678
sole discretion of the authority, shall do one of the following: 679

(a) Prohibit the enrollment of students who reside outside 680
the district in which the school is located; 681

(b) Permit the enrollment of students who reside in 682
districts adjacent to the district in which the school is 683
located; 684

(c) Permit the enrollment of students who reside in any 685
other district in the state. 686

(20) A provision recognizing the authority of the 687
department of education to take over the sponsorship of the 688
school in accordance with the provisions of division (C) of 689
section 3314.015 of the Revised Code; 690

(21) A provision recognizing the sponsor's authority to 691
assume the operation of a school under the conditions specified 692
in division (B) of section 3314.073 of the Revised Code; 693

(22) A provision recognizing both of the following: 694

(a) The authority of public health and safety officials to 695
inspect the facilities of the school and to order the facilities 696
closed if those officials find that the facilities are not in 697
compliance with health and safety laws and regulations; 698

(b) The authority of the department of education as the 699
community school oversight body to suspend the operation of the 700
school under section 3314.072 of the Revised Code if the 701
department has evidence of conditions or violations of law at 702
the school that pose an imminent danger to the health and safety 703

of the school's students and employees and the sponsor refuses 704
to take such action. 705

(23) A description of the learning opportunities that will 706
be offered to students including both classroom-based and non- 707
classroom-based learning opportunities that is in compliance 708
with criteria for student participation established by the 709
department under division (H) (2) of section 3314.08 of the 710
Revised Code; 711

(24) The school will comply with sections 3302.04 and 712
3302.041 of the Revised Code, except that any action required to 713
be taken by a school district pursuant to those sections shall 714
be taken by the sponsor of the school. However, the sponsor 715
shall not be required to take any action described in division 716
(F) of section 3302.04 of the Revised Code. 717

(25) Beginning in the 2006-2007 school year, the school 718
will open for operation not later than the thirtieth day of 719
September each school year, unless the mission of the school as 720
specified under division (A) (2) of this section is solely to 721
serve dropouts. In its initial year of operation, if the school 722
fails to open by the thirtieth day of September, or within one 723
year after the adoption of the contract pursuant to division (D) 724
of section 3314.02 of the Revised Code if the mission of the 725
school is solely to serve dropouts, the contract shall be void. 726

(26) Whether the school's governing authority is planning 727
to seek designation for the school as a STEM school equivalent 728
under section 3326.032 of the Revised Code; 729

(27) That the school's attendance and participation 730
policies will be available for public inspection; 731

(28) That the school's attendance and participation 732

records shall be made available to the department of education, 733
auditor of state, and school's sponsor to the extent permitted 734
under and in accordance with the "Family Educational Rights and 735
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, 736
and any regulations promulgated under that act, and section 737
3319.321 of the Revised Code; 738

(29) If a school operates using the blended learning 739
model, as defined in section 3301.079 of the Revised Code, all 740
of the following information: 741

(a) An indication of what blended learning model or models 742
will be used; 743

(b) A description of how student instructional needs will 744
be determined and documented; 745

(c) The method to be used for determining competency, 746
granting credit, and promoting students to a higher grade level; 747

(d) The school's attendance requirements, including how 748
the school will document participation in learning 749
opportunities; 750

(e) A statement describing how student progress will be 751
monitored; 752

(f) A statement describing how private student data will 753
be protected; 754

(g) A description of the professional development 755
activities that will be offered to teachers. 756

(30) A provision requiring that all moneys the school's 757
operator loans to the school, including facilities loans or cash 758
flow assistance, must be accounted for, documented, and bear 759
interest at a fair market rate; 760

(31) A provision requiring that, if the governing 761
authority contracts with an attorney, accountant, or entity 762
specializing in audits, the attorney, accountant, or entity 763
shall be independent from the operator with which the school has 764
contracted. 765

(32) A provision requiring the governing authority to 766
adopt an enrollment and attendance policy that requires a 767
student's parent to notify the community school in which the 768
student is enrolled when there is a change in the location of 769
the parent's or student's primary residence. 770

(33) A provision requiring the governing authority to 771
adopt a student residence and address verification policy for 772
students enrolling in or attending the school. 773

(B) The community school shall also submit to the sponsor 774
a comprehensive plan for the school. The plan shall specify the 775
following: 776

(1) The process by which the governing authority of the 777
school will be selected in the future; 778

(2) The management and administration of the school; 779

(3) If the community school is a currently existing public 780
school or educational service center building, alternative 781
arrangements for current public school students who choose not 782
to attend the converted school and for teachers who choose not 783
to teach in the school or building after conversion; 784

(4) The instructional program and educational philosophy 785
of the school; 786

(5) Internal financial controls. 787

When submitting the plan under this division, the school 788

shall also submit copies of all policies and procedures 789
regarding internal financial controls adopted by the governing 790
authority of the school. 791

(C) A contract entered into under section 3314.02 of the 792
Revised Code between a sponsor and the governing authority of a 793
community school may provide for the community school governing 794
authority to make payments to the sponsor, which is hereby 795
authorized to receive such payments as set forth in the contract 796
between the governing authority and the sponsor. The total 797
amount of such payments for monitoring, oversight, and technical 798
assistance of the school shall not exceed three per cent of the 799
total amount of payments for operating expenses that the school 800
receives from the state. 801

(D) The contract shall specify the duties of the sponsor 802
which shall be in accordance with the written agreement entered 803
into with the department of education under division (B) of 804
section 3314.015 of the Revised Code and shall include the 805
following: 806

(1) Monitor the community school's compliance with all 807
laws applicable to the school and with the terms of the 808
contract; 809

(2) Monitor and evaluate the academic and fiscal 810
performance and the organization and operation of the community 811
school on at least an annual basis; 812

(3) Report on an annual basis the results of the 813
evaluation conducted under division (D) (2) of this section to 814
the department of education and to the parents of students 815
enrolled in the community school; 816

(4) Provide technical assistance to the community school 817

in complying with laws applicable to the school and terms of the 818
contract; 819

(5) Take steps to intervene in the school's operation to 820
correct problems in the school's overall performance, declare 821
the school to be on probationary status pursuant to section 822
3314.073 of the Revised Code, suspend the operation of the 823
school pursuant to section 3314.072 of the Revised Code, or 824
terminate the contract of the school pursuant to section 3314.07 825
of the Revised Code as determined necessary by the sponsor; 826

(6) Have in place a plan of action to be undertaken in the 827
event the community school experiences financial difficulties or 828
closes prior to the end of a school year. 829

(E) Upon the expiration of a contract entered into under 830
this section, the sponsor of a community school may, with the 831
approval of the governing authority of the school, renew that 832
contract for a period of time determined by the sponsor, but not 833
ending earlier than the end of any school year, if the sponsor 834
finds that the school's compliance with applicable laws and 835
terms of the contract and the school's progress in meeting the 836
academic goals prescribed in the contract have been 837
satisfactory. Any contract that is renewed under this division 838
remains subject to the provisions of sections 3314.07, 3314.072, 839
and 3314.073 of the Revised Code. 840

(F) If a community school fails to open for operation 841
within one year after the contract entered into under this 842
section is adopted pursuant to division (D) of section 3314.02 843
of the Revised Code or permanently closes prior to the 844
expiration of the contract, the contract shall be void and the 845
school shall not enter into a contract with any other sponsor. A 846
school shall not be considered permanently closed because the 847

operations of the school have been suspended pursuant to section 848
3314.072 of the Revised Code. 849

Sec. 3319.073. (A) The board of education of each city and 850
exempted village school district and the governing board of each 851
educational service center shall adopt or adapt the curriculum 852
developed by the department of education for, or shall develop 853
in consultation with public or private agencies or persons 854
involved in child abuse prevention or intervention programs, a 855
program of in-service training in the prevention of child abuse, 856
violence, and substance abuse and the promotion of positive 857
youth development. Each person employed by any school district 858
or service center to work in a school as a nurse, teacher, 859
counselor, school psychologist, or administrator shall complete 860
at least four hours of the in-service training within two years 861
of commencing employment with the district or center, and every 862
five years thereafter. A person who is employed by any school 863
district or service center to work in an elementary school as a 864
nurse, teacher, counselor, school psychologist, or administrator 865
on March 30, 2007, shall complete at least four hours of the in- 866
service training not later than March 30, 2009, and every five 867
years thereafter. A person who is employed by any school 868
district or service center to work in a middle or high school as 869
a nurse, teacher, counselor, school psychologist, or 870
administrator on October 16, 2009, shall complete at least four 871
hours of the in-service training not later than October 16, 872
2011, and every five years thereafter. 873

(B) Each board shall incorporate training in school safety 874
and violence prevention, including human trafficking content, 875
into the in-service training required by division (A) of this 876
section. For this purpose, the board shall adopt or adapt the 877
curriculum developed by the department or shall develop its own 878

curriculum in consultation with public or private agencies or 879
persons involved in school safety and violence prevention 880
programs. 881

(C) Each board shall incorporate training on the board's 882
harassment, intimidation, or bullying policy adopted under 883
section 3313.666 of the Revised Code into the in-service 884
training required by division (A) of this section. Each board 885
also shall incorporate training in the prevention of dating 886
violence into the in-service training required by that division 887
for middle and high school employees. The board shall develop 888
its own curricula for these purposes. 889

(D) Each board shall incorporate training in youth suicide 890
awareness and prevention into the in-service training required 891
by division (A) of this section for each person employed by a 892
school district or service center to work in a school as a 893
nurse, teacher, counselor, school psychologist, or 894
administrator, and any other personnel that the board determines 895
appropriate. The board shall require each such person to undergo 896
training in youth suicide awareness and prevention programs once 897
every two years. For this purpose, the board shall adopt or 898
adapt the curriculum developed by the department under section 899
3301.221 of the Revised Code or shall develop its own curriculum 900
in consultation with public or private agencies or persons 901
involved in youth suicide awareness and prevention programs. 902

The training completed under this division shall count 903
toward the satisfaction of requirements for professional 904
development required by the school district or service center 905
board, and the training may be accomplished through self-review 906
of suitable suicide prevention materials approved by the board. 907

Sec. 3319.31. (A) As used in this section and sections 908

3123.41 to 3123.50 and 3319.311 of the Revised Code, "license" 909
means a certificate, license, or permit described in this 910
chapter or in division (B) of section 3301.071 or in section 911
3301.074 of the Revised Code. 912

(B) For any of the following reasons, the state board of 913
education, in accordance with Chapter 119. and section 3319.311 914
of the Revised Code, may refuse to issue a license to an 915
applicant; may limit a license it issues to an applicant; may 916
suspend, revoke, or limit a license that has been issued to any 917
person; or may revoke a license that has been issued to any 918
person and has expired: 919

(1) Engaging in an immoral act, incompetence, negligence, 920
or conduct that is unbecoming to the applicant's or person's 921
position; 922

(2) A plea of guilty to, a finding of guilt by a jury or 923
court of, or a conviction of any of the following: 924

(a) A felony other than a felony listed in division (C) of 925
this section; 926

(b) An offense of violence other than an offense of 927
violence listed in division (C) of this section; 928

(c) A theft offense, as defined in section 2913.01 of the 929
Revised Code, other than a theft offense listed in division (C) 930
of this section; 931

(d) A drug abuse offense, as defined in section 2925.01 of 932
the Revised Code, that is not a minor misdemeanor, other than a 933
drug abuse offense listed in division (C) of this section; 934

(e) A violation of an ordinance of a municipal corporation 935
that is substantively comparable to an offense listed in 936

divisions (B) (2) (a) to (d) of this section. 937

(3) A judicial finding of eligibility for intervention in 938
lieu of conviction under section 2951.041 of the Revised Code, 939
or agreeing to participate in a pre-trial diversion program 940
under section 2935.36 of the Revised Code, or a similar 941
diversion program under rules of a court, for any offense listed 942
in division (B) (2) or (C) of this section; 943

(4) Failure to comply with section ~~3313.536~~, 3314.40, 944
3319.313, 3326.24, 3328.19, ~~or 5126.253~~, or 5502.262 of the 945
Revised Code. 946

(C) Upon learning of a plea of guilty to, a finding of 947
guilt by a jury or court of, or a conviction of any of the 948
offenses listed in this division by a person who holds a current 949
or expired license or is an applicant for a license or renewal 950
of a license, the state board or the superintendent of public 951
instruction, if the state board has delegated the duty pursuant 952
to division (D) of this section, shall by a written order revoke 953
the person's license or deny issuance or renewal of the license 954
to the person. The state board or the superintendent shall 955
revoke a license that has been issued to a person to whom this 956
division applies and has expired in the same manner as a license 957
that has not expired. 958

Revocation of a license or denial of issuance or renewal 959
of a license under this division is effective immediately at the 960
time and date that the board or superintendent issues the 961
written order and is not subject to appeal in accordance with 962
Chapter 119. of the Revised Code. Revocation of a license or 963
denial of issuance or renewal of license under this division 964
remains in force during the pendency of an appeal by the person 965
of the plea of guilty, finding of guilt, or conviction that is 966

the basis of the action taken under this division. 967

The state board or superintendent shall take the action 968
required by this division for a violation of division (B) (1), 969
(2), (3), or (4) of section 2919.22 of the Revised Code; a 970
violation of section 2903.01, 2903.02, 2903.03, 2903.04, 971
2903.041, 2903.11, 2903.12, 2903.15, 2905.01, 2905.02, 2905.05, 972
2905.11, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 973
2907.21, 2907.22, 2907.23, 2907.24, 2907.241, 2907.25, 2907.31, 974
2907.311, 2907.32, 2907.321, 2907.322, 2907.323, 2907.33, 975
2907.34, 2909.02, 2909.22, 2909.23, 2909.24, 2911.01, 2911.02, 976
2911.11, 2911.12, 2913.44, 2917.01, 2917.02, 2917.03, 2917.31, 977
2917.33, 2919.12, 2919.121, 2919.13, 2921.02, 2921.03, 2921.04, 978
2921.05, 2921.11, 2921.34, 2921.41, 2923.122, 2923.123, 979
2923.161, 2923.17, 2923.21, 2925.02, 2925.03, 2925.04, 2925.041, 980
2925.05, 2925.06, 2925.13, 2925.22, 2925.23, 2925.24, 2925.32, 981
2925.36, 2925.37, 2927.24, or 3716.11 of the Revised Code; a 982
violation of section 2905.04 of the Revised Code as it existed 983
prior to July 1, 1996; a violation of section 2919.23 of the 984
Revised Code that would have been a violation of section 2905.04 985
of the Revised Code as it existed prior to July 1, 1996, had the 986
violation been committed prior to that date; felonious sexual 987
penetration in violation of former section 2907.12 of the 988
Revised Code; or a violation of an ordinance of a municipal 989
corporation that is substantively comparable to an offense 990
listed in this paragraph. 991

(D) The state board may delegate to the superintendent of 992
public instruction the authority to revoke a person's license or 993
to deny issuance or renewal of a license to a person under 994
division (C) or (F) of this section. 995

(E) (1) If the plea of guilty, finding of guilt, or 996

conviction that is the basis of the action taken under division 997
(B) (2) or (C) of this section, or under the version of division 998
(F) of section 3319.311 of the Revised Code in effect prior to 999
September 12, 2008, is overturned on appeal, upon exhaustion of 1000
the criminal appeal, the clerk of the court that overturned the 1001
plea, finding, or conviction or, if applicable, the clerk of the 1002
court that accepted an appeal from the court that overturned the 1003
plea, finding, or conviction, shall notify the state board that 1004
the plea, finding, or conviction has been overturned. Within 1005
thirty days after receiving the notification, the state board 1006
shall initiate proceedings to reconsider the revocation or 1007
denial of the person's license in accordance with division (E) 1008
(2) of this section. In addition, the person whose license was 1009
revoked or denied may file with the state board a petition for 1010
reconsideration of the revocation or denial along with 1011
appropriate court documents. 1012

(2) Upon receipt of a court notification or a petition and 1013
supporting court documents under division (E) (1) of this 1014
section, the state board, after offering the person an 1015
opportunity for an adjudication hearing under Chapter 119. of 1016
the Revised Code, shall determine whether the person committed 1017
the act in question in the prior criminal action against the 1018
person that is the basis of the revocation or denial and may 1019
continue the revocation or denial, may reinstate the person's 1020
license, with or without limits, or may grant the person a new 1021
license, with or without limits. The decision of the board shall 1022
be based on grounds for revoking, denying, suspending, or 1023
limiting a license adopted by rule under division (G) of this 1024
section and in accordance with the evidentiary standards the 1025
board employs for all other licensure hearings. The decision of 1026
the board under this division is subject to appeal under Chapter 1027

119. of the Revised Code. 1028

(3) A person whose license is revoked or denied under 1029
division (C) of this section shall not apply for any license if 1030
the plea of guilty, finding of guilt, or conviction that is the 1031
basis of the revocation or denial, upon completion of the 1032
criminal appeal, either is upheld or is overturned but the state 1033
board continues the revocation or denial under division (E) (2) 1034
of this section and that continuation is upheld on final appeal. 1035

(F) The state board may take action under division (B) of 1036
this section, and the state board or the superintendent shall 1037
take the action required under division (C) of this section, on 1038
the basis of substantially comparable conduct occurring in a 1039
jurisdiction outside this state or occurring before a person 1040
applies for or receives any license. 1041

(G) The state board may adopt rules in accordance with 1042
Chapter 119. of the Revised Code to carry out this section and 1043
section 3319.311 of the Revised Code. 1044

Sec. 3326.11. Each science, technology, engineering, and 1045
mathematics school established under this chapter and its 1046
governing body shall comply with sections 9.90, 9.91, 109.65, 1047
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 1048
3301.0714, 3301.0715, 3301.0729, 3301.948, 3313.14, 3313.15, 1049
3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 1050
3313.481, 3313.482, 3313.50, ~~3313.536~~, 3313.539, 3313.5310, 1051
3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 1052
3313.6021, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 1053
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 1054
3313.667, 3313.668, 3313.669, 3313.6610, 3313.6611, 3313.67, 1055
3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 1056
3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 3313.801, 1057

3313.814, 3313.816, 3313.817, 3313.86, 3313.89, 3313.96, 1058
3319.073, 3319.21, 3319.32, 3319.321, 3319.35, 3319.39, 1059
3319.391, 3319.41, 3319.45, 3319.46, 3321.01, 3321.041, 3321.05, 1060
3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 1061
3327.10, 4111.17, 4113.52, 5502.262, and 5705.391 and Chapters 1062
102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 1063
4123., 4141., and 4167. of the Revised Code as if it were a 1064
school district. 1065

Sec. 3328.24. A college-preparatory boarding school 1066
established under this chapter and its board of trustees shall 1067
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 1068
3301.0714, 3301.0729, 3301.948, ~~3313.536~~, 3313.6013, 3313.6021, 1069
3313.6411, 3313.669, 3313.6610, 3313.6611, 3313.7112, 3313.721, 1070
3313.89, 3319.073, 3319.39, 3319.391, ~~and 3319.46~~, and 5502.262 1071
and Chapter 3365. of the Revised Code as if the school were a 1072
school district and the school's board of trustees were a 1073
district board of education. 1074

Sec. 3737.73. (A) No principal or person in charge of a 1075
public or private school or educational institution having an 1076
average daily attendance of twenty or more pupils, and no person 1077
in charge of any children's home or orphanage housing twenty or 1078
more minor persons, shall willfully neglect to instruct and 1079
train such children by means of drills or rapid dismissals, so 1080
that such children in a sudden emergency may leave the building 1081
in the shortest possible time without confusion. Except as 1082
provided for in division (F) of this section, the principal or 1083
person in charge of a school or educational institution shall 1084
conduct drills or rapid dismissals at least six times during the 1085
school year, pursuant to division (E) of this section, which 1086
shall be at the times and frequency prescribed in rules adopted 1087
by the fire marshal. The principal or person in charge of a 1088

children's home or orphanage shall conduct drills or rapid 1089
dismissals at least once each month while the home is in 1090
operation. In the case of schools, no principal or person in 1091
charge of a school shall willfully neglect to keep the doors and 1092
exits of such building unlocked during school hours. The fire 1093
marshal may order the immediate installation of necessary fire 1094
gongs or signals in such schools, institutions, or children's 1095
homes and enforce this division and divisions (B), (C) (3), and 1096
(F) of this section. 1097

(B) In conjunction with the drills or rapid dismissals 1098
required by division (A) or (F) of this section, whichever is 1099
applicable, principals or persons in charge of public or private 1100
primary and secondary schools, or educational institutions, 1101
shall instruct pupils in safety precautions to be taken in case 1102
of a tornado alert or warning. Such principals or persons in 1103
charge of such schools or institutions shall designate, in 1104
accordance with standards prescribed by the fire marshal, 1105
appropriate locations to be used to shelter pupils in case of a 1106
tornado, tornado alert, or warning. 1107

(C) (1) The fire marshal or the fire marshal's designee 1108
shall annually inspect each school, institution, home, or 1109
orphanage subject to division (A) or (F) of this section to 1110
determine compliance with the applicable division, and each 1111
school or institution subject to division (B) of this section to 1112
ascertain whether the locations comply with the standards 1113
prescribed under that division. Nothing in this section shall 1114
require a school or institution to construct or improve a 1115
facility or location for use as a shelter area. 1116

(2) The fire marshal or the fire marshal's designee shall 1117
issue a warning to any person found in violation of division 1118

(A), (B), or (F) of this section. The warning shall indicate the 1119
specific violation and a date by which such violation shall be 1120
corrected. 1121

(3) No person shall fail to correct violations by the date 1122
indicated on a warning issued under division (C) (2) of this 1123
section. 1124

(D) (1) (a) The principal or person in charge of each public 1125
or private school or educational institution shall conduct 1126
school safety drills at least three times during the school 1127
year, pursuant to division (E) of this section, to provide 1128
pupils with instruction in the procedures to follow in 1129
situations where pupils must be secured in the school building 1130
or rapidly evacuated in response to a threat to the school 1131
involving an act of terrorism; a person possessing a deadly 1132
weapon or dangerous ordnance, as defined in section 2923.11 of 1133
the Revised Code, on school property; or other act of violence. 1134
At least one safety drill shall include a scenario where pupils 1135
must be secured in the school building rather than rapidly 1136
evacuated. 1137

Each safety drill shall be conducted in conjunction with 1138
the police chief or other similar chief law enforcement officer, 1139
or designee, of the municipal corporation, township, or township 1140
or joint police district in which the school or institution is 1141
located, or, in absence of any such person, the county sheriff 1142
of the county, or designee, in which the school or institution 1143
is located. 1144

(b) In addition to the three safety drills described in 1145
division (D) (1) (a) of this section, the principal or person in 1146
charge shall conduct a theoretical school safety drill at least 1147
once during the school year to provide all faculty and staff 1148

employed by the school or institution with instruction in the 1149
procedures to follow in such situations. The theoretical drill 1150
does not need to include student participation and may be 1151
conducted at the annual training session required by division 1152
(D) (3) of this section. 1153

(c) All safety drills required under division (D) of this 1154
section shall be conducted pursuant to the district's or 1155
school's emergency management plan adopted under section 1156
~~3313.536~~ 5502.262 of the Revised Code. 1157

(2) (a) The principal or person in charge of each public or 1158
private school or educational institution shall provide to the 1159
police chief or other similar chief law enforcement officer of 1160
the municipal corporation, township, or township or joint police 1161
district in which the school or institution is located, or, in 1162
absence of any such person, the county sheriff of the county in 1163
which the school or institution is located advance written 1164
notice of each school safety drill required under division (D) 1165
(1) of this section and shall keep a written record of the date 1166
and time of each drill conducted. The advance notice shall be 1167
provided not later than seventy-two hours prior to the date the 1168
drill will be conducted and shall include the date and time the 1169
drill will be conducted and the address of the school or 1170
educational institution. The notice shall be provided by mail, 1171
facsimile, or electronic submission. 1172

(b) Not later than the fifth day of December each year, 1173
the principal or person in charge of each public or private 1174
school or educational institution shall provide written 1175
certification by mail, facsimile, or electronic submission of 1176
the date and time each school safety drill required under 1177
division (D) (1) of this section was conducted during the 1178

previous school year, as well as the date and time each drill 1179
will be conducted during the current school year, to the police 1180
chief or other similar chief law enforcement officer of the 1181
municipal corporation, township, or township or joint police 1182
district in which the school or institution is located, or, in 1183
the absence of any such person, the county sheriff of the county 1184
in which the school or institution is located. If such 1185
certification is not provided, the principal or person in charge 1186
of the school or institution shall be considered to have failed 1187
to meet this requirement and shall be subject to division (D) (4) 1188
of this section. 1189

(3) The principal or person in charge of each public or 1190
private school or educational institution shall hold annual 1191
training sessions for employees of the school or institution 1192
regarding the conduct of school safety drills. 1193

(4) The police chief or other similar chief law 1194
enforcement officer of a municipal corporation, township, or 1195
township or joint police district, or, in the absence of any 1196
such person, the county sheriff shall issue a warning to any 1197
person found in violation of division (D) (1) of this section. 1198
Each warning issued for a violation of division (D) (1) of this 1199
section shall require the principal or person in charge of the 1200
school or institution to correct the violation by conducting a 1201
school safety drill not later than the thirtieth day after the 1202
date the warning is issued. The violation shall not be 1203
considered corrected unless, not later than forty days after the 1204
date the warning is issued, the principal or person in charge of 1205
the school or institution provides written certification of the 1206
date and time this drill was conducted, as well as the date and 1207
time each remaining drill will be conducted during the current 1208
school year, to the police chief or other similar chief law 1209

enforcement officer or county sheriff who issued the warning. 1210

(5) No person shall fail to correct violations by the date 1211
indicated on a warning issued under division (D) (4) of this 1212
section. 1213

(E) The principal or person in charge of each public or 1214
private school or educational institution shall conduct at least 1215
one drill or rapid dismissal required under division (A) or (F) 1216
of this section, whichever is applicable, or one school safety 1217
drill required under division (D) of this section during each 1218
month of the school year. However, the principal or person in 1219
charge may determine the exact date and time that each drill 1220
will be conducted. A drill or rapid dismissal under division (A) 1221
or (F) of this section may be conducted during the same month as 1222
a school safety drill under division (D) of this section. 1223

(F) If a public or private school or educational 1224
institution does not currently have smoke detectors, as defined 1225
in section 3781.104 of the Revised Code, or a sprinkler system 1226
in all classroom buildings of the school, the principal or 1227
person in charge of the school or educational institution shall 1228
conduct drills or rapid dismissals at least nine times during 1229
the school year, pursuant to division (E) of this section, which 1230
shall be at the times and frequency prescribed in rules adopted 1231
by the fire marshal. At the discretion of the principal or 1232
person in charge of the school or institution, drills conducted 1233
under this division may be combined with drills conducted under 1234
division (D) of this section, so long as at least one drill 1235
conducted under that division provides pupils with instruction 1236
in the procedures to follow in situations where pupils must be 1237
secured in the school building rather than rapidly evacuated. 1238

Sec. ~~3313.536~~ 5502.262. (A) As used in this section: 1239

- (1) "Administrator" means the superintendent, principal,
chief administrative officer, or other person having supervisory
authority of any of the following:
- (a) A city, exempted village, local, or joint vocational
school district;
- (b) A community school established under Chapter 3314. of
the Revised Code, as required through reference in division (A)
(11)(d) of section 3314.03 of the Revised Code;
- (c) A STEM school established under Chapter 3326. of the
Revised Code, as required through reference in section 3326.11
of the Revised Code;
- (d) A college-preparatory boarding school established
under Chapter 3328. of the Revised Code;
- (e) A district or school operating a career-technical
education program approved by the department of education under
section 3317.161 of the Revised Code;
- (f) A chartered nonpublic school;
- (g) An educational service center;
- (h) A preschool program or school-age child care program
licensed by the department of education;
- (i) Any other facility that primarily provides educational
services to children subject to regulation by the department of
education.
- (2) "Emergency management test" means a regularly
scheduled drill, exercise, or activity designed to assess and
evaluate an emergency management plan under this section.
- (3) "Building" means any school, school building,

facility, program, or center. 1267

(B) (1) Each administrator shall develop and adopt a 1268
comprehensive emergency management plan, in accordance with 1269
rules adopted ~~by the state board of education~~ pursuant to 1270
division (F) of this section, for each building under the 1271
administrator's control. The administrator shall examine the 1272
environmental conditions and operations of each building to 1273
determine potential hazards to student and staff safety and 1274
shall propose operating changes to promote the prevention of 1275
potentially dangerous problems and circumstances. In developing 1276
the plan for each building, the administrator shall involve 1277
community law enforcement and safety officials, parents of 1278
students who are assigned to the building, and teachers and 1279
nonteaching employees who are assigned to the building. The 1280
administrator shall incorporate remediation strategies into the 1281
plan for any building where documented safety problems have 1282
occurred. 1283

(2) Each administrator shall also incorporate into the 1284
emergency management plan adopted under division (B) (1) of this 1285
section all of the following: 1286

(a) A protocol for addressing serious threats to the 1287
safety of property, students, employees, or administrators; 1288

(b) A protocol for responding to any emergency events that 1289
occur and compromise the safety of property, students, 1290
employees, or administrators. This protocol shall include, but 1291
not be limited to, all of the following: 1292

(i) A floor plan that is unique to each floor of the 1293
building; 1294

(ii) A site plan that includes all building property and 1295

surrounding property; 1296

(iii) An emergency contact information sheet. 1297

(c) A threat assessment plan developed as prescribed in 1298
section 5502.263 of the Revised Code. A building may use the 1299
model plan developed by the department of public safety under 1300
that section; 1301

(d) A protocol for school threat assessment teams 1302
established under section 3313.669 of the Revised Code. 1303

(3) Each protocol described in ~~divisions~~ division (B) ~~(2)~~ 1304
~~(a) and (b)~~ of this section shall include procedures determined 1305
to be appropriate by the administrator for responding to threats 1306
and emergency events, respectively, including such things as 1307
notification of appropriate law enforcement personnel, calling 1308
upon specified emergency response personnel for assistance, and 1309
informing parents of affected students. 1310

Prior to the opening day of each school year, the 1311
administrator shall inform each student or child enrolled in the 1312
school and the student's or child's parent of the parental 1313
notification procedures included in the protocol. 1314

(4) Each administrator shall keep a copy of the emergency 1315
management plan adopted pursuant to this section in a secure 1316
place. 1317

(C) (1) The administrator shall submit to the department of 1318
education, in accordance with rules adopted ~~by the state board~~ 1319
~~of education~~ pursuant to division (F) of this section, an 1320
electronic copy of the emergency management plan prescribed by 1321
division (B) of this section not less than once every three 1322
years, whenever a major modification to the building requires 1323
changes in the procedures outlined in the plan, and whenever 1324

information on the emergency contact information sheet changes. 1325

(2) The administrator also shall file a copy of the plan 1326
with each law enforcement agency that has jurisdiction over the 1327
school building and, upon request, to any of the following: 1328

(a) The fire department that serves the political 1329
subdivision in which the building is located; 1330

(b) The emergency medical service organization that serves 1331
the political subdivision in which the building is located; 1332

(c) The county emergency management agency for the county 1333
in which the building is located. 1334

(3) Upon receipt of an emergency management plan, the 1335
department of education shall submit the information in 1336
accordance with rules adopted ~~by the state board of education~~ 1337
pursuant to division (F) of this section, to both of the 1338
following: 1339

(a) The attorney general, who shall post that information 1340
on the Ohio law enforcement gateway or its successor; 1341

(b) The director of public safety, who shall post the 1342
information on the contact and information management system. 1343

(4) Any department or entity to which copies of an 1344
emergency management plan are filed under this section shall 1345
keep the copies in a secure place. 1346

(D) (1) Not later than the first day of July of each year, 1347
each administrator shall review the emergency management plan 1348
and certify to the department of education that the plan is 1349
current and accurate. 1350

(2) Anytime that an administrator updates the emergency 1351

management plan pursuant to division (C) (1) of this section, the 1352
administrator shall file copies, not later than the tenth day 1353
after the revision is adopted and in accordance with rules 1354
adopted ~~by the state board~~ pursuant to division (F) of this 1355
section, to the department of education and to any entity with 1356
which the administrator filed a copy under division (C) (2) of 1357
this section. 1358

(E) Each administrator shall do both of the following: 1359

(1) Prepare and conduct at least one annual emergency 1360
management test, as defined in division (A) (2) of this section, 1361
in accordance with rules adopted ~~by the state board~~ pursuant to 1362
division (F) of this section; 1363

(2) Grant access to each building under the control of the 1364
administrator to law enforcement personnel and to entities 1365
described in division (C) (2) of this section, to enable the 1366
personnel and entities to hold training sessions for responding 1367
to threats and emergency events affecting the building, provided 1368
that the access occurs outside of student instructional hours 1369
and the administrator, or the administrator's designee, is 1370
present in the building during the training sessions. 1371

(F) ~~The state board of education~~ director of public 1372
safety, in accordance with Chapter 119. of the Revised Code, 1373
shall adopt rules regarding emergency management plans under 1374
this section, including the content of the plans and procedures 1375
for filing the plans. The rules shall specify that plans and 1376
information required under division (B) of this section be 1377
submitted on standardized forms developed by the department of 1378
~~education~~ public safety for such purpose. The rules shall also 1379
specify the requirements and procedures for emergency management 1380
tests conducted pursuant to division (E) (1) of this section. 1381

Failure to comply with the rules may result in discipline 1382
pursuant to section 3319.31 of the Revised Code or any other 1383
action against the administrator as prescribed by rule. 1384

(G) Division (B) of section 3319.31 of the Revised Code 1385
applies to any administrator who is subject to the requirements 1386
of this section and is not exempt under division (H) of this 1387
section and who is an applicant for a license or holds a license 1388
from the state board pursuant to section 3319.22 of the Revised 1389
Code. 1390

(H) The ~~superintendent of public instruction~~ director of 1391
~~public safety~~ may exempt any administrator from the requirements 1392
of this section, if the ~~superintendent~~ director determines that 1393
the requirements do not otherwise apply to a building or 1394
buildings under the control of that administrator. 1395

(I) Copies of the emergency management plan and 1396
information required under division (B) of this section are 1397
security records and are not public records pursuant to section 1398
149.433 of the Revised Code. In addition, the information posted 1399
to the contact and information management system, pursuant to 1400
division (C) (3) (b) of this section, is exempt from public 1401
disclosure or release in accordance with sections 149.43, 1402
149.433, and 5502.03 of the Revised Code. 1403

Notwithstanding section 149.433 of the Revised Code, a 1404
floor plan filed with the attorney general pursuant to this 1405
section is not a public record to the extent it is a record kept 1406
by the attorney general. 1407

Sec. 5502.263. (A) As used in this section, "evidence- 1408
based" means a program or practice that does either of the 1409
following: 1410

(1) Demonstrates a rationale based on high-quality 1411
research findings or positive evaluation that such a program or 1412
practice is likely to improve relevant outcomes and includes 1413
ongoing efforts to examine the effects of the program or 1414
practice; 1415

(2) Has a statistically significant effect on relevant 1416
outcomes based on: 1417

(a) Strong evidence from at least one well-designed and 1418
well-implemented experimental study; 1419

(b) Moderate evidence from at least one well-designed and 1420
well-implemented quasi-experimental study; or 1421

(c) Promising evidence from at least one well-designed and 1422
well-implemented correlation study with statistical controls for 1423
selection bias. 1424

(B) Not later than two years after the effective date of 1425
this section, the department of public safety, in consultation 1426
with the department of education and the attorney general, shall 1427
develop a model threat assessment plan that may be used in a 1428
building's emergency management plan developed under section 1429
5502.262 of the Revised Code. The model plan shall do at least 1430
the following: 1431

(1) Identify the types of threatening behavior that may 1432
represent a physical threat to a school community; 1433

(2) Identify individuals to whom threatening behavior 1434
should be reported and steps to be taken by those individuals; 1435

(3) Establish threat assessment guidelines including 1436
identification, evaluation of seriousness of threat or danger, 1437
intervention to reduce potential violence, and follow-up to 1438

assess intervention results; 1439

(4) Establish guidelines for coordinating with local law 1440
enforcement agencies and reports collected through the 1441
district's chosen anonymous reporting program under section 1442
3313.6610 of the Revised Code and identify a point of contact 1443
within each agency; 1444

(5) Conform with all other specifications in a school's 1445
emergency management plan developed under section 5502.262 of 1446
the Revised Code. 1447

(C) Not later than two years after the effective date of 1448
this section, the department of public safety, in consultation 1449
with the department of education and the attorney general, shall 1450
develop and maintain a list of approved training programs for 1451
completion by school threat assessment team members prescribed 1452
in section 3313.669 of the Revised Code, one of which must be 1453
free or of no cost to schools. Each program approved under this 1454
section must be an evidence-based program that provides 1455
instruction in the following: 1456

(1) Identifying behaviors, signs, and threats that may 1457
lead to a violent act; 1458

(2) Determining the seriousness of a threat; 1459

(3) Developing intervention plans that protect the 1460
potential victims and address the underlying problem or conflict 1461
that initiated the behavior and assessments of plan results. 1462

Completion of an approved program under this section shall 1463
fulfill the training requirements prescribed under section 1464
3313.669 of the Revised Code. 1465

Section 2. That existing sections 149.433, 3313.536, 1466

3313.60, 3313.951, 3314.03, 3319.073, 3319.31, 3326.11, 3328.24, 1467
and 3737.73 of the Revised Code are hereby repealed. 1468

Section 3. To offset any costs associated with the 1469
implementation of the provisions of law amended or enacted by 1470
this act, the Department of Education is encouraged to apply for 1471
any federal or other funding available for the purposes of 1472
increasing school safety. 1473

Section 4. This act shall be known as the "Safety and 1474
Violence Education Students Act," or the "SAVE Students Act." 1475

Section 5. Section 3328.24 of the Revised Code is 1476
presented in this act as a composite of the section as amended 1477
by both Am. Sub. H.B. 410 and Sub. S.B. 3 of the 131st General 1478
Assembly. The General Assembly, applying the principle stated in 1479
division (B) of section 1.52 of the Revised Code that amendments 1480
are to be harmonized if reasonably capable of simultaneous 1481
operation, finds that the composite is the resulting version of 1482
the section in effect prior to the effective date of the section 1483
as presented in this act. 1484