

As Introduced

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H. B. No. 316

Representative Slesnick

**Cosponsors: Representatives Letson, Domenick, Yuko, Patten, Harris,
Yates, Luckie, Foley, Chandler, Hagan, Stewart, Celeste**

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A B I L L

To amend sections 3313.60, 3313.6011, 3314.03, and 1
3326.11 of the Revised Code to establish statutory 2
standards for comprehensive sexual health 3
education and HIV/AIDS prevention education in 4
public schools and to designate section 3313.6011 5
of the Revised Code as the "Act for Our Children's 6
Future." 7

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

Section 1. That sections 3313.60, 3313.6011, 3314.03, and 8
3326.11 of the Revised Code be amended to read as follows: 9

Sec. 3313.60. Notwithstanding division (D) of section 3311.52 10
of the Revised Code, divisions (A) to (E) of this section do not 11
apply to any cooperative education school district established 12
pursuant to divisions (A) to (C) of section 3311.52 of the Revised 13
Code. 14

(A) The board of education of each city and exempted village 15
school district, the governing board of each educational service 16
center, and the board of each cooperative education school 17
district established pursuant to section 3311.521 of the Revised 18

Code shall prescribe a curriculum for all schools under their control. Except as provided in division (E) of this section, in any such curriculum there shall be included the study of the following subjects:

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

(2) Geography, the history of the United States and of Ohio, and national, state, and local government in the United States, including a balanced presentation of the relevant contributions to society of men and women of African, Mexican, Puerto Rican, and American Indian descent as well as other ethnic and racial groups in Ohio and the United States;

(3) Mathematics;

(4) Natural science, including instruction in the conservation of natural resources;

(5) Health education, which shall include instruction in:

(a) The nutritive value of foods, including natural and organically produced foods, the relation of nutrition to health, the use and effects of food additives;

(b) The harmful effects of and legal restrictions against the use of drugs of abuse, alcoholic beverages, and tobacco;

(c) ~~Venereal disease~~ Sexually transmitted infection prevention education, including HIV/AIDS prevention education in accordance with section 3313.6011 of the Revised Code, except that upon written request of the student's parent or guardian, a student shall be excused from taking instruction in ~~venereal disease education~~; sexually transmitted infection prevention. Instruction shall stress, if age-appropriate, the value of abstinence while not ignoring those who have been or are sexually active. Therefore, abstinence shall not be taught to the exclusion

of other instruction and materials on contraceptive and disease 49
reduction measures. 50

(d) In grades kindergarten through six, instruction in 51
personal safety and assault prevention, except that upon written 52
request of the student's parent or guardian, a student shall be 53
excused from taking instruction in personal safety and assault 54
prevention. 55

(6) Physical education; 56

(7) The fine arts, including music; 57

(8) First aid, including a training program in 58
cardiopulmonary resuscitation, safety, and fire prevention, except 59
that upon written request of the student's parent or guardian, a 60
student shall be excused from taking instruction in 61
cardiopulmonary resuscitation. 62

(B) Except as provided in division (E) of this section, every 63
school or school district shall include in the requirements for 64
promotion from the eighth grade to the ninth grade one year's 65
course of study of American history. A board may waive this 66
requirement for academically accelerated students who, in 67
accordance with procedures adopted by the board, are able to 68
demonstrate mastery of essential concepts and skills of the eighth 69
grade American history course of study. 70

(C) Except as provided in division (E) of this section, every 71
high school shall include in the requirements for graduation from 72
any curriculum one unit of American history and government, 73
including a study of the constitutions of the United States and of 74
Ohio. 75

(D) Except as provided in division (E) of this section, basic 76
instruction in geography, United States history, the government of 77
the United States, the government of the state of Ohio, local 78
government in Ohio, the Declaration of Independence, the United 79

States Constitution, and the Constitution of the state of Ohio 80
shall be required before pupils may participate in courses 81
involving the study of social problems, economics, foreign 82
affairs, United Nations, world government, socialism and 83
communism. 84

(E) For each cooperative education school district 85
established pursuant to section 3311.521 of the Revised Code and 86
each city, exempted village, and local school district that has 87
territory within such a cooperative district, the curriculum 88
adopted pursuant to divisions (A) to (D) of this section shall 89
only include the study of the subjects that apply to the grades 90
operated by each such school district. The curriculums for such 91
schools, when combined, shall provide to each student of these 92
districts all of the subjects required under divisions (A) to (D) 93
of this section. 94

(F) The board of education of any cooperative education 95
school district established pursuant to divisions (A) to (C) of 96
section 3311.52 of the Revised Code shall prescribe a curriculum 97
for the subject areas and grade levels offered in any school under 98
its control. 99

(G) Upon the request of any parent or legal guardian of a 100
student, the board of education of any school district shall 101
permit the parent or guardian to promptly examine, with respect to 102
the parent's or guardian's own child: 103

(1) Any survey or questionnaire, prior to its administration 104
to the child; 105

(2) Any textbook, workbook, software, video, or other 106
instructional materials being used by the district in connection 107
with the instruction of the child; 108

(3) Any completed and graded test taken or survey or 109
questionnaire filled out by the child; 110

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

Sec. 3313.6011. (A) As used in this section, ~~"sexual activity" has the same meaning as in section 2907.01 of the Revised Code.~~

~~(B) Instruction in venereal disease education pursuant to division (A)(5)(c) of section 3313.60 of the Revised Code shall emphasize that abstinence from sexual activity is the only protection that is one hundred per cent effective against unwanted pregnancy, sexually transmitted disease, and the sexual transmission of a virus that causes acquired immunodeficiency syndrome.~~

~~(C) In adopting minimum standards under section 3301.07 of the Revised Code, the state board of education shall require course material and instruction in venereal disease education courses taught pursuant to division (A)(5)(c) of section 3313.60 of the Revised Code to do all of the following:~~

~~(1) Stress that students should abstain from sexual activity until after marriage;~~

~~(2) Teach the potential physical, psychological, emotional, and social side effects of participating in sexual activity outside of marriage;~~

~~(3) Teach that conceiving children out of wedlock is likely to have harmful consequences for the child, the child's parents, and society;~~

~~(4) Stress that sexually transmitted diseases are serious possible hazards of sexual activity;~~

~~(5) Advise students of the laws pertaining to financial~~

responsibility of parents to children born in and out of wedlock;	141
(6) Advise students of the circumstances under which it is	142
eriminal to have sexual contact with a person under the age of	143
sixteen pursuant to section 2907.04 of the Revised Code;	144
(7) Emphasize adoption as an option for unintended	145
pregnancies.	146
(D):	147
<u>(1) "Age-appropriate" means designed to teach concepts,</u>	148
<u>information, and skills based on the social, cognitive, emotional,</u>	149
<u>and experience level of pupils.</u>	150
<u>(2) "Comprehensive sexual health education" means education</u>	151
<u>regarding human development and sexuality, including education on</u>	152
<u>sexual health, family planning, and sexually transmitted</u>	153
<u>infections.</u>	154
<u>(3) "HIV/AIDS prevention education" means instruction on the</u>	155
<u>nature of HIV/AIDS, methods of transmission, strategies to reduce</u>	156
<u>the risk of human immunodeficiency virus (HIV) infection, and</u>	157
<u>social and public health issues related to HIV/AIDS. "HIV/AIDS</u>	158
<u>prevention education" is not comprehensive sexual health</u>	159
<u>education.</u>	160
<u>(4) "Instructors trained in the appropriate courses" means</u>	161
<u>instructors with knowledge of the most recent medically and</u>	162
<u>scientifically accurate research on human sexuality, pregnancy,</u>	163
<u>and sexually transmitted infections.</u>	164
<u>(5) "Medically and scientifically accurate" means verified or</u>	165
<u>supported by research conducted in compliance with scientific</u>	166
<u>methods and published in peer-reviewed journals, where</u>	167
<u>appropriate, and recognized as accurate and objective by</u>	168
<u>professional organizations and agencies with expertise in the</u>	169
<u>relevant field, such as the United States centers for disease</u>	170

control and prevention and the American college of obstetricians 171
and gynecologists. 172

(B) Any school district or educational service center may 173
offer comprehensive sexual health education. Beginning August 1, 174
2010, each school district and educational service center that 175
elects to offer comprehensive sexual health education shall ensure 176
that the program meets all of the following requirements: 177

(1) Instruction and materials shall be age-appropriate. 178

(2) All factual information shall be medically and 179
scientifically accurate. 180

(3) Instruction and materials shall be appropriate for use 181
with all pupils regardless of gender, race, ethnic and cultural 182
background, religion, disability, sexual orientation, or gender 183
identity. 184

(4) Instruction and materials shall encourage pupils to 185
communicate with their parents or guardians about human sexuality. 186

(5) Instruction and materials shall teach all of the 187
following: 188

(a) That abstinence from sexual activity is the only certain 189
way to avoid pregnancy, sexually transmitted diseases, and other 190
associated health problems; 191

(b) That bearing children outside of a committed relationship 192
is likely to have consequences for the child, the child's parents, 193
and society; 194

(c) Young people how to effectively reject sexual advances 195
and how alcohol and drug use increases vulnerability to sexual 196
advances; 197

(d) The importance of attaining self-sufficiency before 198
engaging in sexual activity. 199

(6) If age-appropriate, instruction and materials shall 200

stress the value of abstinence while not ignoring those young 201
people who have been or are sexually active. Therefore, abstinence 202
shall not be taught to the exclusion of other instruction and 203
materials on contraceptive and disease reduction measures. 204

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(7) If age-appropriate, instruction and materials shall 206
provide information about the effectiveness and safety, including 207
the health benefits and side effects, of all contraceptive methods 208
in preventing unintended pregnancy and reducing the risk of 209
contracting sexually transmitted infections. 210

(8) Instruction about sexually transmitted infections shall 211
commence not later than grade seven. That instruction shall 212
include how sexually transmitted infections are and are not 213
transmitted, the effectiveness and methods of reducing the risk of 214
contracting sexually transmitted infections, and identification of 215
local resources for testing and medical care for sexually 216
transmitted infections and HIV. 217

(9) If age-appropriate, instruction and materials shall 218
provide pupils with skills for negotiating intimate relationships 219
and making and implementing responsible decisions about sexuality. 220

(10) If age-appropriate, instruction and materials shall 221
include a discussion of the possible emotional, physical, and 222
psychological consequences of preadolescent and adolescent sexual 223
activity and the emotional, physical, and psychological 224
consequences of unintended pregnancy. 225

(11) Instruction and materials shall teach pupils to 226
recognize unwanted physical and verbal sexual advances, not to 227
make unwanted physical and verbal sexual advances, and how to 228
effectively reject unwanted sexual advances. The instruction and 229
materials shall cover verbal, physical, and visual sexual 230
harassment, including nonconsensual physical sexual contact and 231

rape by an acquaintance or family member. The course information 232
and materials shall emphasize personal accountability and respect 233
for others and shall encourage youth to resist peer pressure. 234

(12) Comprehensive sexual health education shall not include 235
any instruction or materials that teach or promote religious 236
doctrine. 237

A school district or educational service center may use 238
separate, outside speakers or prepared curricula to teach 239
different content areas or units with the comprehensive sexual 240
health education program, as long as all speakers, curricula, and 241
materials used comply with this section. 242

(C) Each city, local, exempted village, and joint vocational 243
school district shall ensure that each pupil in grades seven 244
through twelve receives HIV/AIDS prevention education from 245
instructors trained in the appropriate courses. Each pupil shall 246
receive this instruction at least once in grades seven through 247
nine, and at least once in grades ten through twelve. HIV/AIDS 248
prevention education, whether taught by school district personnel 249
or outside consultants, shall accurately reflect the latest 250
information and recommendations from the United States surgeon 251
general, the United States centers for disease control and 252
prevention, and the national academy of sciences, and shall 253
include all of the following: 254

(1) Information on the nature of HIV/AIDS and its effects on 255
the human body; 256

(2) Information on the manner in which HIV is and is not 257
transmitted, including information on activities that present the 258
highest risk of HIV infection; 259

(3) Discussion of methods to reduce the risk of HIV 260
infection, which shall emphasize that sexual abstinence, monogamy, 261
and the avoidance of multiple sexual partners, and abstinence from 262

intravenous drug use, are the most effective means for HIV/AIDS prevention, but shall also include statistics based upon the latest medical information citing the success and failure rates of condoms and other contraceptives in preventing sexually transmitted HIV infection, as well as information on other methods that may reduce the risk of HIV transmission from intravenous drug use; 263
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(4) Discussion of the public health issues associated with HIV/AIDS; 270
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(5) Information on local resources for HIV testing and medical care; 272
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(6) Instruction and materials that provide pupils with skills for negotiating intimate relationships and making and implementing responsible decisions about sexuality; 274
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(7) Discussion about societal views on HIV/AIDS, including stereotypes and myths regarding persons with HIV/AIDS, which shall emphasize an understanding of the disease and its impact on people's lives; 277
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(8) Instruction and materials that teach pupils to recognize unwanted physical and verbal sexual advances, not to make unwanted physical and verbal sexual advances, and how to effectively reject unwanted sexual advances. The instruction and materials shall cover verbal, physical, and visual sexual harassment, including nonconsensual physical sexual contact and rape by an acquaintance or family member. The course information and materials shall emphasize personal accountability and respect for others and shall encourage youth to resist peer pressure. 281
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(D) Each school district and educational service center shall cooperatively plan and provide, through regional planning, joint powers agreements, or contract services, in-service training for all school district personnel who provide comprehensive sexual 290
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health education or HIV/AIDS prevention education. In doing so, 294
each district and service center shall consult with the department 295
of education. 296

The in-service training shall be conducted periodically to 297
enable district and service center personnel to learn new 298
developments in the scientific understanding of sexual health and 299
HIV/AIDS. The in-service training shall be voluntary for district 300
and service center personnel who have demonstrated expertise or 301
received in-service training from the department or the United 302
States centers for disease control and prevention. 303

A district or service center may contract with outside 304
consultants with expertise in comprehensive sexual health 305
education and HIV/AIDS prevention education, including those who 306
have developed multilingual curricula or curricula accessible to 307
persons with disabilities, to deliver the in-service training to 308
district or service center personnel. 309

(E) At the beginning of each school year, or at the time of 310
enrollment in the case of a pupil who enrolls after the beginning 311
of the school year, each school district shall notify the parent 312
or guardian of each pupil about instruction in comprehensive 313
sexual health education and HIV/AIDS prevention education and 314
about research on pupil health behaviors and health risks planned 315
for that year. The notice shall advise parents and guardians of 316
all of the following: 317

(1) That written and audio-visual educational materials used 318
in comprehensive sexual health education and HIV/AIDS prevention 319
education are available for inspection; 320

(2) Whether comprehensive sexual health education or HIV/AIDS 321
prevention education will be taught by school district personnel 322
or by outside consultants; 323

(3) That a parent or guardian may request a copy of this 324

section; 325

(4) That a parent or guardian may request in writing that the 326
child not receive comprehensive sexual health education or 327
HIV/AIDS prevention education. 328

A school district or educational service center shall not 329
permit a pupil to attend any class in comprehensive sexual health 330
education or HIV/AIDS prevention education if the school has 331
received a written request from the pupil's parent or guardian 332
excusing the pupil from participation. A pupil who is so excused 333
shall not be subject to disciplinary action, academic penalty, or 334
other sanction, and the district or service center shall make an 335
alternative educational activity available for the pupil while 336
comprehensive sexual health education or HIV/AIDS prevention 337
education is conducted. 338

Each school district and educational service center shall 339
make written and audio-visual educational materials used in 340
comprehensive sexual health education and HIV/AIDS prevention 341
education available for inspection by the parents and guardians of 342
pupils. Each school district shall provide a copy of this section 343
upon request to the parent or guardian of a pupil enrolled in the 344
district. 345

(F) Any model education program for health education the 346
state board of education adopts shall conform to the requirements 347
of this section. 348

~~(E) On and after March 18, 1999, and notwithstanding~~ 349
~~(G) If a~~
school district or educational service center does not elect to 350
offer comprehensive sexual health education under this section, 351
any sexual education that the school district or educational 352
service center offers, including instruction in sexually 353
transmitted infection prevention pursuant to division (A)(5)(c) of 354
section 3313.60 of the Revised Code, shall stress, if 355

age-appropriate, the value of abstinence while not ignoring those 356
who have been or are sexually active. Therefore, abstinence shall 357
not be taught to the exclusion of other instruction and materials 358
on contraceptive and disease reduction measures. 359

(H) Notwithstanding section 3302.07 of the Revised Code, the 360
superintendent of public instruction shall not approve, pursuant 361
to that section ~~3302.07 of the Revised Code~~, any waiver of any 362
requirement of this section or of any rule adopted by the state 363
board of education pursuant to this section. 364

Sec. 3314.03. A copy of every contract entered into under 365
this section shall be filed with the superintendent of public 366
instruction. 367

(A) Each contract entered into between a sponsor and the 368
governing authority of a community school shall specify the 369
following: 370

(1) That the school shall be established as either of the 371
following: 372

(a) A nonprofit corporation established under Chapter 1702. 373
of the Revised Code, if established prior to April 8, 2003; 374

(b) A public benefit corporation established under Chapter 375
1702. of the Revised Code, if established after April 8, 2003; 376

(2) The education program of the school, including the 377
school's mission, the characteristics of the students the school 378
is expected to attract, the ages and grades of students, and the 379
focus of the curriculum; 380

(3) The academic goals to be achieved and the method of 381
measurement that will be used to determine progress toward those 382
goals, which shall include the statewide achievement assessments; 383

(4) Performance standards by which the success of the school 384
will be evaluated by the sponsor; 385

(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	386 387
(6)(a) Dismissal procedures;	388
(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in one hundred five consecutive hours of the learning opportunities offered to the student.	389 390 391 392 393 394
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	395 396
(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.	397 398 399 400 401 402
(9) The facilities to be used and their locations;	403
(10) Qualifications of teachers, including a requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours per week pursuant to section 3319.301 of the Revised Code;	404 405 406 407 408 409
(11) That the school will comply with the following requirements:	410 411
(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred twenty hours per school year.	412 413 414
(b) The governing authority will purchase liability	415

insurance, or otherwise provide for the potential liability of the school. 416
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(c) The school will be nonsectarian in its programs, 418
admission policies, employment practices, and all other 419
operations, and will not be operated by a sectarian school or 420
religious institution. 421

(d) The school will comply with sections 9.90, 9.91, 109.65, 422
121.22, 149.43, 2151.357, 2151.421, 2313.18, 3301.0710, 3301.0711, 423
3301.0712, 3301.0715, 3313.472, 3313.50, 3313.536, 3313.608, 424
3313.6011, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.643, 425
3313.648, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 426
3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 427
3313.718, 3313.719, 3313.80, 3313.86, 3313.96, 3319.073, 3319.321, 428
3319.39, 3319.391, 3319.41, 3321.01, 3321.041, 3321.13, 3321.14, 429
3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 4113.52, 430
and 5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 431
4123., 4141., and 4167. of the Revised Code as if it were a school 432
district and will comply with section 3301.0714 of the Revised 433
Code in the manner specified in section 3314.17 of the Revised 434
Code. 435

(e) The school shall comply with Chapter 102. and section 436
2921.42 of the Revised Code. 437

(f) The school will comply with sections 3313.61, 3313.611, 438
and 3313.614 of the Revised Code, except that for students who 439
enter ninth grade for the first time before July 1, 2010, the 440
requirement in sections 3313.61 and 3313.611 of the Revised Code 441
that a person must successfully complete the curriculum in any 442
high school prior to receiving a high school diploma may be met by 443
completing the curriculum adopted by the governing authority of 444
the community school rather than the curriculum specified in Title 445
XXXIII of the Revised Code or any rules of the state board of 446
education. Beginning with students who enter ninth grade for the 447

first time on or after July 1, 2010, the requirement in sections 448
3313.61 and 3313.611 of the Revised Code that a person must 449
successfully complete the curriculum of a high school prior to 450
receiving a high school diploma shall be met by completing the 451
Ohio core curriculum prescribed in division (C) of section 452
3313.603 of the Revised Code, unless the person qualifies under 453
division (D) or (F) of that section. Each school shall comply with 454
the plan for awarding high school credit based on demonstration of 455
subject area competency, adopted by the state board of education 456
under division (J) of section 3313.603 of the Revised Code. 457

(g) The school governing authority will submit within four 458
months after the end of each school year a report of its 459
activities and progress in meeting the goals and standards of 460
divisions (A)(3) and (4) of this section and its financial status 461
to the sponsor and the parents of all students enrolled in the 462
school. 463

(h) The school, unless it is an internet- or computer-based 464
community school, will comply with section 3313.801 of the Revised 465
Code as if it were a school district. 466

(12) Arrangements for providing health and other benefits to 467
employees; 468

(13) The length of the contract, which shall begin at the 469
beginning of an academic year. No contract shall exceed five years 470
unless such contract has been renewed pursuant to division (E) of 471
this section. 472

(14) The governing authority of the school, which shall be 473
responsible for carrying out the provisions of the contract; 474

(15) A financial plan detailing an estimated school budget 475
for each year of the period of the contract and specifying the 476
total estimated per pupil expenditure amount for each such year. 477
The plan shall specify for each year the base formula amount that 478

will be used for purposes of funding calculations under section 479
3314.08 of the Revised Code. This base formula amount for any year 480
shall not exceed the formula amount defined under section 3317.02 481
of the Revised Code. The plan may also specify for any year a 482
percentage figure to be used for reducing the per pupil amount of 483
the subsidy calculated pursuant to section 3317.029 of the Revised 484
Code the school is to receive that year under section 3314.08 of 485
the Revised Code. 486

(16) Requirements and procedures regarding the disposition of 487
employees of the school in the event the contract is terminated or 488
not renewed pursuant to section 3314.07 of the Revised Code; 489

(17) Whether the school is to be created by converting all or 490
part of an existing public school or educational service center 491
building or is to be a new start-up school, and if it is a 492
converted public school or service center building, specification 493
of any duties or responsibilities of an employer that the board of 494
education or service center governing board that operated the 495
school or building before conversion is delegating to the 496
governing authority of the community school with respect to all or 497
any specified group of employees provided the delegation is not 498
prohibited by a collective bargaining agreement applicable to such 499
employees; 500

(18) Provisions establishing procedures for resolving 501
disputes or differences of opinion between the sponsor and the 502
governing authority of the community school; 503

(19) A provision requiring the governing authority to adopt a 504
policy regarding the admission of students who reside outside the 505
district in which the school is located. That policy shall comply 506
with the admissions procedures specified in sections 3314.06 and 507
3314.061 of the Revised Code and, at the sole discretion of the 508
authority, shall do one of the following: 509

(a) Prohibit the enrollment of students who reside outside the district in which the school is located;	510 511
(b) Permit the enrollment of students who reside in districts adjacent to the district in which the school is located;	512 513
(c) Permit the enrollment of students who reside in any other district in the state.	514 515
(20) A provision recognizing the authority of the department of education to take over the sponsorship of the school in accordance with the provisions of division (C) of section 3314.015 of the Revised Code;	516 517 518 519
(21) A provision recognizing the sponsor's authority to assume the operation of a school under the conditions specified in division (B) of section 3314.073 of the Revised Code;	520 521 522
(22) A provision recognizing both of the following:	523
(a) The authority of public health and safety officials to inspect the facilities of the school and to order the facilities closed if those officials find that the facilities are not in compliance with health and safety laws and regulations;	524 525 526 527
(b) The authority of the department of education as the community school oversight body to suspend the operation of the school under section 3314.072 of the Revised Code if the department has evidence of conditions or violations of law at the school that pose an imminent danger to the health and safety of the school's students and employees and the sponsor refuses to take such action;	528 529 530 531 532 533 534
(23) A description of the learning opportunities that will be offered to students including both classroom-based and non-classroom-based learning opportunities that is in compliance with criteria for student participation established by the department under division (L)(2) of section 3314.08 of the Revised	535 536 537 538 539

Code; 540

(24) The school will comply with sections 3302.04 and 541
3302.041 of the Revised Code, except that any action required to 542
be taken by a school district pursuant to those sections shall be 543
taken by the sponsor of the school. However, the sponsor shall not 544
be required to take any action described in division (F) of 545
section 3302.04 of the Revised Code. 546

(25) Beginning in the 2006-2007 school year, the school will 547
open for operation not later than the thirtieth day of September 548
each school year, unless the mission of the school as specified 549
under division (A)(2) of this section is solely to serve dropouts. 550
In its initial year of operation, if the school fails to open by 551
the thirtieth day of September, or within one year after the 552
adoption of the contract pursuant to division (D) of section 553
3314.02 of the Revised Code if the mission of the school is solely 554
to serve dropouts, the contract shall be void. 555

(B) The community school shall also submit to the sponsor a 556
comprehensive plan for the school. The plan shall specify the 557
following: 558

(1) The process by which the governing authority of the 559
school will be selected in the future; 560

(2) The management and administration of the school; 561

(3) If the community school is a currently existing public 562
school or educational service center building, alternative 563
arrangements for current public school students who choose not to 564
attend the converted school and for teachers who choose not to 565
teach in the school or building after conversion; 566

(4) The instructional program and educational philosophy of 567
the school; 568

(5) Internal financial controls. 569

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

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

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

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

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

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

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

of the school pursuant to section 3314.07 of the Revised Code as 601
determined necessary by the sponsor; 602

(6) Have in place a plan of action to be undertaken in the 603
event the community school experiences financial difficulties or 604
closes prior to the end of a school year. 605

(E) Upon the expiration of a contract entered into under this 606
section, the sponsor of a community school may, with the approval 607
of the governing authority of the school, renew that contract for 608
a period of time determined by the sponsor, but not ending earlier 609
than the end of any school year, if the sponsor finds that the 610
school's compliance with applicable laws and terms of the contract 611
and the school's progress in meeting the academic goals prescribed 612
in the contract have been satisfactory. Any contract that is 613
renewed under this division remains subject to the provisions of 614
sections 3314.07, 3314.072, and 3314.073 of the Revised Code. 615

(F) If a community school fails to open for operation within 616
one year after the contract entered into under this section is 617
adopted pursuant to division (D) of section 3314.02 of the Revised 618
Code or permanently closes prior to the expiration of the 619
contract, the contract shall be void and the school shall not 620
enter into a contract with any other sponsor. A school shall not 621
be considered permanently closed because the operations of the 622
school have been suspended pursuant to section 3314.072 of the 623
Revised Code. Any contract that becomes void under this division 624
shall not count toward any statewide limit on the number of such 625
contracts prescribed by section 3314.013 of the Revised Code. 626

Sec. 3326.11. Each science, technology, engineering, and 627
mathematics school established under this chapter and its 628
governing body shall comply with sections 9.90, 9.91, 109.65, 629
121.22, 149.43, 2151.357, 2151.421, 2313.18, 2921.42, 2921.43, 630
3301.0714, 3301.0715, 3313.14, 3313.15, 3313.16, 3313.18, 631

3313.201, 3313.26, 3313.472, 3313.48, 3313.481, 3313.482, 3313.50, 632
3313.536, 3313.608, 3313.6011, 3313.6012, 3313.6013, 3313.6014, 633
3313.6015, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 634
3313.648, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 635
3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 636
3313.718, 3313.719, 3313.80, 3313.801, 3313.86, 3313.96, 3319.073, 637
3319.21, 3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 3319.41, 638
3319.45, 3321.01, 3321.041, 3321.13, 3321.14, 3321.17, 3321.18, 639
3321.19, 3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and 640
Chapters 102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 641
4112., 4123., 4141., and 4167. of the Revised Code as if it were a 642
school district. 643

644

Section 2. That existing sections 3313.60, 3313.6011, 645
3314.03, and 3326.11 of the Revised Code are hereby repealed. 646

Section 3. (A) Section 3313.6011 of the Revised Code is to be 647
known as the "Act for Our Children's Future." 648

(B) The purposes of the Act for Our Children's Future are to: 649

(1) Provide pupils with knowledge and skills necessary to 650
protect their sexual and reproductive health from unintended 651
pregnancy and sexually transmitted infections; 652

(2) Encourage pupils to develop responsible decision-making 653
skills as well as healthy attitudes and values about adolescent 654
growth and development, body image, gender roles, sexual 655
orientation, and healthy relationships. 656