

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 387

Representatives McNally, Brent

Cosponsors: Representatives Brown, Dell'Aquila, Denson, Forhan, Grim, Humphrey, Miranda, Mohamed, Patton, Piccolantonio, Robinson, Thomas, C., Troy, Upchurch, Weinstein, Abdullahi, Baker, Blackshear, Brennan, Brewer, Isaacsohn, Jarrells, Liston, Miller, A., Miller, J., Rogers, Russo, Skindell, Somani, Sweeney

A BILL

To amend sections 133.06, 3302.036, 3302.042, 1
3302.043, 3302.12, 3302.17, 3310.03, 3311.29, 2
and 3314.102 and to repeal sections 3302.10, 3
3302.101, 3302.102, 3302.103, 3302.11, and 4
3302.111 of the Revised Code to dissolve 5
existing academic distress commissions, to 6
repeal the law that creates new commissions, and 7
to declare an emergency. 8

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

Section 1. That sections 133.06, 3302.036, 3302.042, 9
3302.043, 3302.12, 3302.17, 3310.03, 3311.29, and 3314.102 of 10
the Revised Code be amended to read as follows: 11

Sec. 133.06. (A) A school district shall not incur, 12
without a vote of the electors, net indebtedness that exceeds an 13
amount equal to one-tenth of one per cent of its tax valuation, 14
except as provided in divisions (G) and (H) of this section and 15

in division (D) of section 3313.372 of the Revised Code, or as 16
prescribed in section 3318.052 or 3318.44 of the Revised Code, 17
or as provided in division (J) of this section. 18

(B) Except as provided in divisions (E), (F), and (I) of 19
this section, a school district shall not incur net indebtedness 20
that exceeds an amount equal to nine per cent of its tax 21
valuation. 22

(C) A school district shall not submit to a vote of the 23
electors the question of the issuance of securities in an amount 24
that will make the district's net indebtedness after the 25
issuance of the securities exceed an amount equal to four per 26
cent of its tax valuation, unless the director of education and 27
workforce, acting under policies adopted by the department of 28
education and workforce, and the tax commissioner, acting under 29
written policies of the commissioner, consent to the submission. 30
A request for the consents shall be made at least one hundred 31
twenty days prior to the election at which the question is to be 32
submitted. 33

The director of education and workforce shall certify to 34
the district the director's and the tax commissioner's decisions 35
within thirty days after receipt of the request for consents. 36

If the electors do not approve the issuance of securities 37
at the election for which the director of education and 38
workforce and tax commissioner consented to the submission of 39
the question, the school district may submit the same question 40
to the electors on the date that the next special election may 41
be held under section 3501.01 of the Revised Code without 42
submitting a new request for consent. If the school district 43
seeks to submit the same question at any other subsequent 44
election, the district shall first submit a new request for 45

consent in accordance with this division.	46
(D) In calculating the net indebtedness of a school district, none of the following shall be considered:	47
(1) Securities issued to acquire school buses and other equipment used in transporting pupils or issued pursuant to division (D) of section 133.10 of the Revised Code;	48
(2) Securities issued under division (F) of this section and, to the extent in excess of the limitation stated in division (B) of this section, under division (E) of this section;	49
(3) Indebtedness resulting from the dissolution of a joint vocational school district under section 3311.217 of the Revised Code, evidenced by outstanding securities of that joint vocational school district;	50
(4) Loans, evidenced by any securities, received under sections 3313.483, 3317.0210, and 3317.0211 of the Revised Code;	51
(5) Debt incurred under section 3313.374 of the Revised Code;	52
(6) Debt incurred pursuant to division (B)(5) of section 3313.37 of the Revised Code to acquire computers and related hardware;	53
(7) Debt incurred under section 3318.042 of the Revised Code;	54
(8) Debt incurred under section 5705.2112 or 5705.2113 of the Revised Code by the fiscal board of a qualifying partnership of which the school district is a participating school district.	55
(E) A school district may become a special needs district	56

as to certain securities as provided in division (E) of this section.	73 74
(1) A board of education, by resolution, may declare its school district to be a special needs district by determining both of the following:	75 76 77
(a) The student population is not being adequately serviced by the existing permanent improvements of the district.	78 79
(b) The district cannot obtain sufficient funds by the issuance of securities within the limitation of division (B) of this section to provide additional or improved needed permanent improvements in time to meet the needs.	80 81 82 83
(2) The board of education shall certify a copy of that resolution to the director of education and workforce with a statistical report showing all of the following:	84 85 86
(a) The history of and a projection of the growth of the tax valuation;	87 88
(b) The projected needs;	89
(c) The estimated cost of permanent improvements proposed to meet such projected needs.	90 91
(3) The director of education and workforce shall certify the district as an approved special needs district if the director finds both of the following:	92 93 94
(a) The district does not have available sufficient additional funds from state or federal sources to meet the projected needs.	95 96 97
(b) The projection of the potential average growth of tax valuation during the next five years, according to the	98 99

information certified to the director and any other information 100
the director obtains, indicates a likelihood of potential 101
average growth of tax valuation of the district during the next 102
five years of an average of not less than one and one-half per 103
cent per year. The findings and certification of the director 104
shall be conclusive. 105

(4) An approved special needs district may incur net 106
indebtedness by the issuance of securities in accordance with 107
the provisions of this chapter in an amount that does not exceed 108
an amount equal to the greater of the following: 109

(a) Twelve per cent of the sum of its tax valuation plus 110
an amount that is the product of multiplying that tax valuation 111
by the percentage by which the tax valuation has increased over 112
the tax valuation on the first day of the sixtieth month 113
preceding the month in which its board determines to submit to 114
the electors the question of issuing the proposed securities; 115

(b) Twelve per cent of the sum of its tax valuation plus 116
an amount that is the product of multiplying that tax valuation 117
by the percentage, determined by the director of education and 118
workforce, by which that tax valuation is projected to increase 119
during the next ten years. 120

(F) A school district may issue securities for emergency 121
purposes, in a principal amount that does not exceed an amount 122
equal to three per cent of its tax valuation, as provided in 123
this division. 124

(1) A board of education, by resolution, may declare an 125
emergency if it determines both of the following: 126

(a) School buildings or other necessary school facilities 127
in the district have been wholly or partially destroyed, or 128

condemned by a constituted public authority, or that such 129
buildings or facilities are partially constructed, or so 130
constructed or planned as to require additions and improvements 131
to them before the buildings or facilities are usable for their 132
intended purpose, or that corrections to permanent improvements 133
are necessary to remove or prevent health or safety hazards. 134

(b) Existing fiscal and net indebtedness limitations make 135
adequate replacement, additions, or improvements impossible. 136

(2) Upon the declaration of an emergency, the board of 137
education may, by resolution, submit to the electors of the 138
district pursuant to section 133.18 of the Revised Code the 139
question of issuing securities for the purpose of paying the 140
cost, in excess of any insurance or condemnation proceeds 141
received by the district, of permanent improvements to respond 142
to the emergency need. 143

(3) The procedures for the election shall be as provided 144
in section 133.18 of the Revised Code, except that: 145

(a) The form of the ballot shall describe the emergency 146
existing, refer to this division as the authority under which 147
the emergency is declared, and state that the amount of the 148
proposed securities exceeds the limitations prescribed by 149
division (B) of this section; 150

(b) The resolution required by division (B) of section 151
133.18 of the Revised Code shall be certified to the county 152
auditor and the board of elections at least one hundred days 153
prior to the election; 154

(c) The county auditor shall advise and, not later than 155
ninety-five days before the election, confirm that advice by 156
certification to, the board of education of the information 157

required by division (C) of section 133.18 of the Revised Code; 158

(d) The board of education shall then certify its 159
resolution and the information required by division (D) of 160
section 133.18 of the Revised Code to the board of elections not 161
less than ninety days prior to the election. 162

(4) Notwithstanding division (B) of section 133.21 of the 163
Revised Code, the first principal payment of securities issued 164
under this division may be set at any date not later than sixty 165
months after the earliest possible principal payment otherwise 166
provided for in that division. 167

(G) (1) The board of education may contract with an 168
architect, professional engineer, or other person experienced in 169
the design and implementation of energy conservation measures 170
for an analysis and recommendations pertaining to installations, 171
modifications of installations, or remodeling that would 172
significantly reduce energy consumption in buildings owned by 173
the district. The report shall include estimates of all costs of 174
such installations, modifications, or remodeling, including 175
costs of design, engineering, installation, maintenance, 176
repairs, measurement and verification of energy savings, and 177
debt service, forgone residual value of materials or equipment 178
replaced by the energy conservation measure, as defined by the 179
Ohio facilities construction commission, a baseline analysis of 180
actual energy consumption data for the preceding three years 181
with the utility baseline based on only the actual energy 182
consumption data for the preceding twelve months, and estimates 183
of the amounts by which energy consumption and resultant 184
operational and maintenance costs, as defined by the commission, 185
would be reduced. 186

If the board finds after receiving the report that the 187

amount of money the district would spend on such installations, 188
modifications, or remodeling is not likely to exceed the amount 189
of money it would save in energy and resultant operational and 190
maintenance costs over the ensuing fifteen years, the board may 191
submit to the commission a copy of its findings and a request 192
for approval to incur indebtedness to finance the making or 193
modification of installations or the remodeling of buildings for 194
the purpose of significantly reducing energy consumption. 195

The facilities construction commission, in consultation 196
with the auditor of state, may deny a request under division (G) 197
(1) of this section by the board of education of any school 198
district that is in a state of fiscal watch pursuant to division 199
(A) of section 3316.03 of the Revised Code, if it determines 200
that the expenditure of funds is not in the best interest of the 201
school district. 202

No district board of education of a school district that 203
is in a state of fiscal emergency pursuant to division (B) of 204
section 3316.03 of the Revised Code shall submit a request 205
without submitting evidence that the installations, 206
modifications, or remodeling have been approved by the 207
district's financial planning and supervision commission 208
established under section 3316.05 of the Revised Code. 209

~~No board of education of a school district for which an 210
academic distress commission has been established under section 211
3302.10 of the Revised Code shall submit a request without first 212
receiving approval to incur indebtedness from the district's 213
academic distress commission established under that section, for 214
so long as such commission continues to be required for the 215
district. 216~~

(2) The board of education may contract with a person 217

experienced in the implementation of student transportation to 218
produce a report that includes an analysis of and 219
recommendations for the use of alternative fuel vehicles by 220
school districts. The report shall include cost estimates 221
detailing the return on investment over the life of the 222
alternative fuel vehicles and environmental impact of 223
alternative fuel vehicles. The report also shall include 224
estimates of all costs associated with alternative fuel 225
transportation, including facility modifications and vehicle 226
purchase costs or conversion costs. 227

If the board finds after receiving the report that the 228
amount of money the district would spend on purchasing 229
alternative fuel vehicles or vehicle conversion is not likely to 230
exceed the amount of money it would save in fuel and resultant 231
operational and maintenance costs over the ensuing five years, 232
the board may submit to the commission a copy of its findings 233
and a request for approval to incur indebtedness to finance the 234
purchase of new alternative fuel vehicles or vehicle conversions 235
for the purpose of reducing fuel costs. 236

The facilities construction commission, in consultation 237
with the auditor of state, may deny a request under division (G) 238
(2) of this section by the board of education of any school 239
district that is in a state of fiscal watch pursuant to division 240
(A) of section 3316.03 of the Revised Code, if it determines 241
that the expenditure of funds is not in the best interest of the 242
school district. 243

No district board of education of a school district that 244
is in a state of fiscal emergency pursuant to division (B) of 245
section 3316.03 of the Revised Code shall submit a request 246
without submitting evidence that the purchase or conversion of 247

alternative fuel vehicles has been approved by the district's 248
financial planning and supervision commission established under 249
section 3316.05 of the Revised Code. 250

~~No board of education of a school district for which an 251
academic distress commission has been established under section 252
3302.10 of the Revised Code shall submit a request without first 253
receiving approval to incur indebtedness from the district's 254
academic distress commission established under that section, for 255
so long as such commission continues to be required for the 256
district. 257~~

(3) The facilities construction commission shall approve 258
the board's request provided that the following conditions are 259
satisfied: 260

(a) The commission determines that the board's findings 261
are reasonable. 262

(b) The request for approval is complete. 263

(c) If the request was submitted under division (G) (1) of 264
this section, the installations, modifications, or remodeling 265
are consistent with any project to construct or acquire 266
classroom facilities, or to reconstruct or make additions to 267
existing classroom facilities under sections 3318.01 to 3318.20 268
or sections 3318.40 to 3318.45 of the Revised Code. 269

Upon receipt of the commission's approval, the district 270
may issue securities without a vote of the electors in a 271
principal amount not to exceed nine-tenths of one per cent of 272
its tax valuation for the purpose specified in division (G) (1) 273
or (2) of this section, but the total net indebtedness of the 274
district without a vote of the electors incurred under this and 275
all other sections of the Revised Code, except section 3318.052 276

of the Revised Code, shall not exceed one per cent of the 277
district's tax valuation. 278

(4) (a) So long as any securities issued under division (G) 279
(1) of this section remain outstanding, the board of education 280
shall monitor the energy consumption and resultant operational 281
and maintenance costs of buildings in which installations or 282
modifications have been made or remodeling has been done 283
pursuant to that division. Except as provided in division (G) (4) 284
(b) of this section, the board shall maintain and annually 285
update a report in a form and manner prescribed by the 286
facilities construction commission documenting the reductions in 287
energy consumption and resultant operational and maintenance 288
cost savings attributable to such installations, modifications, 289
or remodeling. The resultant operational and maintenance cost 290
savings shall be certified by the school district treasurer. The 291
report shall be submitted annually to the commission. 292

(b) If the facilities construction commission verifies 293
that the certified annual reports submitted to the commission by 294
a board of education under division (G) (4) (a) of this section 295
fulfill the guarantee required under division (B) of section 296
3313.372 of the Revised Code for three consecutive years, the 297
board of education shall no longer be subject to the annual 298
reporting requirements of division (G) (4) (a) of this section. 299

(5) So long as any securities issued under division (G) (2) 300
of this section remain outstanding, the board of education shall 301
monitor the purchase of new alternative fuel vehicles or vehicle 302
conversions pursuant to that division. The board shall maintain 303
and annually update a report in a form and manner prescribed by 304
the facilities construction commission documenting the purchase 305
of new alternative fuel vehicles or vehicle conversions, the 306

associated environmental impact, and return on investment. The 307
resultant fuel and operational and maintenance cost savings 308
shall be certified by the school district treasurer. The report 309
shall be submitted annually to the commission. 310

(H) With the consent of the director of education and 311
workforce, a school district may incur without a vote of the 312
electors net indebtedness that exceeds the amounts stated in 313
divisions (A) and (G) of this section for the purpose of paying 314
costs of permanent improvements, if and to the extent that both 315
of the following conditions are satisfied: 316

(1) The fiscal officer of the school district estimates 317
that receipts of the school district from payments made under or 318
pursuant to agreements entered into pursuant to section 725.02, 319
1728.10, 3735.671, 5709.081, 5709.082, 5709.40, 5709.41, 320
5709.45, 5709.57, 5709.62, 5709.63, 5709.632, 5709.73, 5709.78, 321
or 5709.82 of the Revised Code, or distributions under division 322
(C) of section 5709.43 or division (B) of section 5709.47 of the 323
Revised Code, or any combination thereof, are, after accounting 324
for any appropriate coverage requirements, sufficient in time 325
and amount, and are committed by the proceedings, to pay the 326
debt charges on the securities issued to evidence that 327
indebtedness and payable from those receipts, and the taxing 328
authority of the district confirms the fiscal officer's 329
estimate, which confirmation is approved by the director of 330
education and workforce; 331

(2) The fiscal officer of the school district certifies, 332
and the taxing authority of the district confirms, that the 333
district, at the time of the certification and confirmation, 334
reasonably expects to have sufficient revenue available for the 335
purpose of operating such permanent improvements for their 336

intended purpose upon acquisition or completion thereof, and the 337
director of education and workforce approves the taxing 338
authority's confirmation. 339

The maximum maturity of securities issued under division 340
(H) of this section shall be the lesser of twenty years or the 341
maximum maturity calculated under section 133.20 of the Revised 342
Code. 343

(I) A school district may incur net indebtedness by the 344
issuance of securities in accordance with the provisions of this 345
chapter in excess of the limit specified in division (B) or (C) 346
of this section when necessary to raise the school district 347
portion of the basic project cost and any additional funds 348
necessary to participate in a project under Chapter 3318. of the 349
Revised Code, including the cost of items designated by the 350
facilities construction commission as required locally funded 351
initiatives, the cost of other locally funded initiatives in an 352
amount that does not exceed fifty per cent of the district's 353
portion of the basic project cost, and the cost for site 354
acquisition. A school district shall notify the director of 355
education and workforce whenever that district will exceed 356
either limit pursuant to this division. 357

(J) A school district whose portion of the basic project 358
cost of its classroom facilities project under sections 3318.01 359
to 3318.20 of the Revised Code is greater than or equal to one 360
hundred million dollars may incur without a vote of the electors 361
net indebtedness in an amount up to two per cent of its tax 362
valuation through the issuance of general obligation securities 363
in order to generate all or part of the amount of its portion of 364
the basic project cost if the controlling board has approved the 365
facilities construction commission's conditional approval of the 366

project under section 3318.04 of the Revised Code. The school 367
district board and the Ohio facilities construction commission 368
shall include the dedication of the proceeds of such securities 369
in the agreement entered into under section 3318.08 of the 370
Revised Code. No state moneys shall be released for a project to 371
which this section applies until the proceeds of any bonds 372
issued under this section that are dedicated for the payment of 373
the school district portion of the project are first deposited 374
into the school district's project construction fund. 375

Sec. 3302.036. (A) Notwithstanding anything in the Revised 376
Code to the contrary, the department of education and workforce 377
shall not assign an overall letter grade under division (C) (3) 378
of section 3302.03 of the Revised Code for any school district 379
or building for the 2014-2015, 2015-2016, ~~or~~ and 2016-2017 380
school years, may, at the discretion of the department, not 381
assign an individual grade to any component prescribed under 382
division (C) (3) of section 3302.03 of the Revised Code, and 383
shall not rank school districts, community schools established 384
under Chapter 3314. of the Revised Code, or STEM schools 385
established under Chapter 3326. of the Revised Code under 386
section 3302.21 of the Revised Code for those school years. The 387
report card ratings issued for the 2014-2015, 2015-2016, ~~or~~ and 388
2016-2017 school years shall not be considered in determining 389
whether a school district or a school is subject to sanctions or 390
penalties. However, the report card ratings of any previous or 391
subsequent years shall be considered in determining whether a 392
school district or building is subject to sanctions or 393
penalties. Accordingly, the report card ratings for the 2014- 394
2015, 2015-2016, ~~or~~ and 2016-2017 school years shall have no 395
effect in determining sanctions or penalties, but shall not 396
create a new starting point for determinations that are based on 397

ratings over multiple years.	398
(B) The provisions from which a district or school is exempt under division (A) of this section shall be the following:	399 400 401
(1) Any restructuring provisions established under this chapter, except as required under the "No Child Left Behind Act of 2001";	402 403 404
(2) Provisions for the Columbus city school pilot project under section 3302.042 of the Revised Code;	405 406
(3) Provisions for academic distress commissions under former section 3302.10 of the Revised Code as it existed prior to October 15, 2015. The provisions of this section do not apply to academic distress commissions under the version of that section as it exists on or after October 15, 2015.	407 408 409 410 411
(4) Provisions prescribing new buildings where students are eligible for the educational choice scholarships under section 3310.03 of the Revised Code;	412 413 414
(5) <u>(4)</u> Provisions defining "challenged school districts" in which new start-up community schools were required to be located, as prescribed in section 3314.02 of the Revised Code as it existed prior to September 30, 2021;	415 416 417 418
(6) <u>(5)</u> Provisions prescribing community school closure requirements under section 3314.35 or 3314.351 of the Revised Code.	419 420 421
(C) Notwithstanding anything in the Revised Code to the contrary and except as provided in Section 3 of H.B. 7 of the 131st general assembly, no school district, community school, or STEM school shall utilize at any time during a student's	422 423 424 425

academic career a student's score on any assessment administered 426
under division (A) of section 3301.0710 or division (B) (2) of 427
section 3301.0712 of the Revised Code in the 2014-2015, 2015- 428
2016, ~~or~~ and 2016-2017 school years as a factor in any decision 429
to promote or to deny the student promotion to a higher grade 430
level or in any decision to grant course credit. No individual 431
student score reports on such assessments administered in the 432
2014-2015, 2015-2016, or 2016-2017 school years shall be 433
released, except to a student's school district or school or to 434
the student or the student's parent or guardian. 435

Sec. 3302.042. (A) This section shall operate as a pilot 436
project that applies to any school that has been ranked 437
according to performance index score under section 3302.21 of 438
the Revised Code in the lowest five per cent of all public 439
school buildings statewide for three or more consecutive school 440
years and is operated by the Columbus city school district. The 441
pilot project shall commence once the department of education 442
and workforce establishes implementation guidelines for the 443
pilot project in consultation with the Columbus city school 444
district. 445

(B) Except as provided in division (D), (E), or (F) of 446
this section, if the parents or guardians of at least fifty per 447
cent of the students enrolled in a school to which this section 448
applies, or if the parents or guardians of at least fifty per 449
cent of the total number of students enrolled in that school and 450
the schools of lower grade levels whose students typically 451
matriculate into that school, by the thirty-first day of 452
December of any school year in which the school is subject to 453
this section, sign and file with the school district treasurer a 454
petition requesting the district board of education to implement 455
one of the following reforms in the school, and if the validity 456

and sufficiency of the petition is certified in accordance with 457
division (C) of this section, the board shall implement the 458
requested reform in the next school year: 459

(1) Reopen the school as a community school under Chapter 460
3314. of the Revised Code; 461

(2) Replace at least seventy per cent of the school's 462
personnel who are related to the school's poor academic 463
performance or, at the request of the petitioners, retain not 464
more than thirty per cent of the personnel; 465

(3) Contract with another school district or a nonprofit 466
or for-profit entity with a demonstrated record of effectiveness 467
to operate the school; 468

(4) Turn operation of the school over to the department; 469

(5) Any other major restructuring of the school that makes 470
fundamental reforms in the school's staffing or governance. 471

(C) Not later than thirty days after receipt of a petition 472
under division (B) of this section, the district treasurer shall 473
verify the validity and sufficiency of the signatures on the 474
petition and certify to the district board whether the petition 475
contains the necessary number of valid signatures to require the 476
board to implement the reform requested by the petitioners. If 477
the treasurer certifies to the district board that the petition 478
does not contain the necessary number of valid signatures, any 479
person who signed the petition may file an appeal with the 480
county auditor within ten days after the certification. Not 481
later than thirty days after the filing of an appeal, the county 482
auditor shall conduct an independent verification of the 483
validity and sufficiency of the signatures on the petition and 484
certify to the district board whether the petition contains the 485

necessary number of valid signatures to require the board to 486
implement the requested reform. If the treasurer or county 487
auditor certifies that the petition contains the necessary 488
number of valid signatures, the district board shall notify the 489
department of the certification. 490

(D) The district board shall not implement the reform 491
requested by the petitioners in any of the following 492
circumstances: 493

(1) The district board has determined that the request is 494
for reasons other than improving student academic achievement or 495
student safety. 496

(2) The department has determined that implementation of 497
the requested reform would not comply with the model of 498
differentiated accountability described in section 3302.041 of 499
the Revised Code. 500

(3) The petitioners have requested the district board to 501
implement the reform described in division (B)(4) of this 502
section and the department has not agreed to take over the 503
school's operation. 504

(4) When all of the following have occurred: 505

(a) After a public hearing on the matter, the district 506
board issued a written statement explaining the reasons that it 507
is unable to implement the requested reform and agreeing to 508
implement one of the other reforms described in division (B) of 509
this section. 510

(b) The district board submitted its written statement to 511
the department along with evidence showing how the alternative 512
reform the district board has agreed to implement will enable 513
the school to improve its academic performance. 514

(c) The department has approved implementation of the 515
alternative reform. 516

(E) If the provisions of this section conflict in any way 517
with the requirements of federal law, federal law shall prevail 518
over the provisions of this section. 519

(F) If a school is restructured under this section, 520
section ~~3302.10~~ or 3302.12 of the Revised Code, or federal law, 521
the school shall not be required to restructure again under 522
state law for three consecutive years after the implementation 523
of that prior restructuring. 524

(G) Beginning not later than six months after the first 525
petition under this section has been resolved, the department 526
shall annually evaluate the pilot program and submit a report to 527
the general assembly under section 101.68 of the Revised Code. 528
Such reports shall contain its recommendations to the general 529
assembly with respect to the continuation of the pilot program, 530
its expansion to other school districts, or the enactment of 531
further legislation establishing the program statewide under 532
permanent law. 533

Sec. 3302.043. (A) As used in this section, "eligible 534
district" means a city school district ~~to which both of the~~ 535
~~following apply:~~ 536

~~(1) The district that~~ has persistently low performance 537
ratings, as determined by the department of education and 538
workforce, under section 3302.03 of the Revised Code. 539

~~(2) The district is not subject to an academic distress~~ 540
~~commission under section 3302.10 of the Revised Code.~~ 541

(B) The department shall establish the career promise 542
academy summer demonstration pilot program. Under the pilot 543

program, which shall operate in the 2021-2022 and 2022-2023 544
school years, the department shall solicit proposals from 545
eligible districts to establish and operate a career promise 546
academy during the summer to provide students entering ninth 547
grade with intensive literacy instruction, internship or 548
mentoring experiences, and instruction regarding academic 549
preparedness skills, life skills, and financial literacy. The 550
department shall approve one proposal based on the criteria 551
prescribed under division (C) of this section. The department 552
shall award a grant to the eligible district with an approved 553
proposal. 554

(C) The department shall adopt criteria under which to 555
approve a proposal for a career promise academy, which shall 556
include all of the following: 557

(1) A requirement that the career promise academy operate 558
as follows: 559

(a) For four consecutive weeks in the summer of 2021; 560

(b) For five consecutive weeks in the summer of 2022. 561

(2) A requirement that not more than seventy-five students 562
participate in the career promise academy in one summer; 563

(3) A requirement for the eligible district to submit to 564
the department, in a form and manner prescribed by the 565
department, any data that the department and district jointly 566
determine is necessary to evaluate the pilot program; 567

(4) A method to determine student eligibility to 568
participate in the career promise academy. The method shall 569
identify students entering ninth grade who are at risk of not 570
qualifying for a high school diploma based on the student's 571
scores on the English language arts and mathematics assessments 572

prescribed under division (A) (1) (f) of section 3301.0710 of the Revised Code and other academic or social-emotional factors.	573 574
(5) A description of the instruction and internship or mentoring experiences that participating students will receive;	575 576
(6) An agreement with the district's business advisory council established under section 3313.82 of the Revised Code and other organizations or businesses to identify or provide internship and mentoring experiences to participating students;	577 578 579 580
(7) An agreement with at least one institution of higher education to identify and engage with prospective teachers to serve as mentors and academic coaches to participating students.	581 582 583
(D) The department shall adopt guidelines and procedures to operate the pilot program established under this section.	584 585
Sec. 3302.12. (A) (1) Except as provided in divisions (C) and (D) of this section, this section applies to a school building that is ranked according to performance index score under section 3302.21 of the Revised Code in the lowest five per cent of public school buildings statewide for three consecutive years and that meets any combination of the following for three consecutive years:	586 587 588 589 590 591 592
(a) The school building is declared to be under an academic watch or in a state of academic emergency under section 3302.03 of the Revised Code;	593 594 595
(b) The school building has received a grade of "F" for the value-added progress dimension under division (A) (1) (e), (B) (1) (e), or (C) (1) (e) of section 3302.03 of the Revised Code;	596 597 598
(c) The school building has received an overall grade of "F" under section 3302.03 of the Revised Code;	599 600

(d) The school building has received a performance rating 601
of one star for progress under division (D) (3) (c) of section 602
3302.03 of the Revised Code; 603

(e) The school building has received an overall 604
performance rating of less than two stars under section 3302.03 605
of the Revised Code. 606

(2) In the case of a building to which this section 607
applies, the district board of education in control of that 608
building shall do one of the following at the conclusion of the 609
school year in which the building first becomes subject to this 610
section: 611

(a) Close the school and direct the district 612
superintendent to reassign the students enrolled in the school 613
to other school buildings that demonstrate higher academic 614
achievement; 615

(b) Contract with another school district or a nonprofit 616
or for-profit entity with a demonstrated record of effectiveness 617
to operate the school; 618

(c) Replace the principal and all teaching staff of the 619
school and, upon request from the new principal, exempt the 620
school from all requested policies and regulations of the board 621
regarding curriculum and instruction. The board also shall 622
distribute funding to the school in an amount that is at least 623
equal to the product of the per pupil amount of state and local 624
revenues received by the district multiplied by the student 625
population of the school. 626

(d) Reopen the school as a conversion community school 627
under Chapter 3314. of the Revised Code. 628

(B) If an action taken by the board under division (A) (2) 629

of this section causes the district to no longer maintain all 630
grades kindergarten through twelve, as required by section 631
3311.29 of the Revised Code, the board shall enter into a 632
contract with another school district pursuant to section 633
3327.04 of the Revised Code for enrollment of students in the 634
schools of that other district to the extent necessary to comply 635
with the requirement of section 3311.29 of the Revised Code. 636
Notwithstanding any provision of the Revised Code to the 637
contrary, if the board enters into and maintains a contract 638
under section 3327.04 of the Revised Code, the district shall 639
not be considered to have failed to comply with the requirement 640
of section 3311.29 of the Revised Code. If, however, the 641
district board fails to or is unable to enter into or maintain 642
such a contract, the state board of education shall take all 643
necessary actions to dissolve the district as provided in 644
division (A) of section 3311.29 of the Revised Code. 645

(C) If a particular school is required to restructure 646
under this section and a petition with respect to that same 647
school has been filed and verified under divisions (B) and (C) 648
of section 3302.042 of the Revised Code, the provisions of that 649
section and the petition filed and verified under it shall 650
prevail over the provisions of this section and the school shall 651
be restructured under that section. However, if division (D) (1), 652
(2), or (3) of section 3302.042 of the Revised Code also applies 653
to the school, the school shall be subject to restructuring 654
under this section and not section 3302.042 of the Revised Code. 655

If the provisions of this section conflict in any way with 656
the requirements of federal law, federal law shall prevail over 657
the provisions of this section. 658

(D) If a school is restructured under this section, ~~or~~ 659

section 3302.042 ~~or 3302.10~~ of the Revised Code, or federal law, 660
the school shall not be required to restructure again under 661
state law for three consecutive years after the implementation 662
of that prior restructuring. 663

Sec. 3302.17. (A) Any school building operated by a city, 664
exempted village, or local school district, or a community 665
school established under Chapter 3314. of the Revised Code is 666
eligible to initiate the community learning center process as 667
prescribed by this section. 668

(B) Beginning with the 2015-2016 school year, each 669
district board of education or community school governing 670
authority may initiate a community learning center process for 671
any school building to which this section applies. 672

First, the board or governing authority shall conduct a 673
public information hearing at each school building to which this 674
section applies to inform the community of the community 675
learning center process. The board or governing authority may do 676
all of the following with regard to the public information 677
hearing: 678

(1) Announce the meeting not less than forty-five days in 679
advance at the school and on the school's or district's web 680
sites and using tools to ensure effective communication with 681
individuals with disabilities; 682

(2) Schedule the meeting for an evening or weekend time; 683

(3) Provide interpretation services and written materials 684
in all languages spoken by five per cent or more of the students 685
enrolled in the school; 686

(4) Provide child care services for parents attending the 687
meeting; 688

(5) Provide parents, students, teachers, nonteaching employees, and community members with the opportunity to speak at the meeting;

(6) Comply with section 149.43 of the Revised Code.

In preparing for the public information hearing, the board or governing authority shall ensure that information about the hearing is broadly distributed throughout the community.

The board or governing authority may enter into an agreement with any civic engagement organizations, community organizations, or employee organizations to support the implementation of the community learning center process.

The board or governing authority shall conduct a follow-up hearing at least once annually until action is further taken under the section with respect to the school building or until the conditions described in division (A) of this section no longer apply to the school building.

(C) Not sooner than forty-five days after the first public information hearing, the board or governing authority shall conduct an election, by paper ballot, to initiate the process to become a community learning center. Only parents or guardians of students enrolled in the school and students enrolled in a different school operated by a joint vocational school district but are otherwise entitled to attend the school, and teachers and nonteaching employees who are assigned to the school may vote in the election.

The board or governing authority shall distribute the ballots by mail and shall make copies available at the school and on the web site of the school. The board or governing authority also may distribute the ballots by directly giving

ballots to teachers and nonteaching employees and sending home 718
ballots with every student enrolled in the school building. 719

(D) The board or governing authority shall initiate the 720
transition of the building to a community learning center if the 721
results of the election held under division (C) of this section 722
are as follows: 723

(1) At least fifty per cent of parents and guardians of 724
students enrolled in the eligible school building and students 725
enrolled in a different building operated by a joint vocational 726
school district but who are entitled to attend the school cast 727
ballots by a date set by the board or governing authority, and 728
of those ballots at least sixty-seven per cent are in favor of 729
initiating the process; and 730

(2) At least fifty per cent of teachers and nonteaching 731
employees who are assigned to the school cast ballots by a date 732
set by the board or governing authority, and of those ballots at 733
least sixty-seven per cent are in favor of initiating the 734
process. 735

(E) If a community learning center process is initiated 736
under this section, the board or governing authority shall 737
create a school action team under section 3302.18 of the Revised 738
Code. Within four months upon selection, the school action team 739
shall conduct and complete, in consultation with community 740
partners, a performance audit of the school and review, with 741
parental input, the needs of the school with regard to 742
restructuring under section ~~3302.10, 3302.12, or 3302.042~~ or 743
3302.12 of the Revised Code, or federal law. 744

The school action team shall provide quarterly updates of 745
its work in a public hearing that complies with the same 746

specifications prescribed in division (B) of this section. 747

(F) Upon completion of the audit and review, the school 748
action team shall present its findings at a public hearing that 749
complies with the same specifications prescribed in division (B) 750
of this section. After the school action team presents its 751
findings at the public hearing, it shall create a community 752
learning center improvement plan that designates appropriate 753
interventions, which may be based on the recommendations 754
developed by the department under division (H) (1) (b) of this 755
section. 756

If there is a federally mandated school improvement 757
planning process, the team shall coordinate its work with that 758
plan. 759

The school action team shall approve the plan by a 760
majority vote. 761

(G) Upon approval of the plan by the school action team, 762
the team shall submit the community learning center improvement 763
plan to the same individuals described in division (C) of this 764
section. Ballots shall be distributed and an election shall be 765
conducted in the same manner as indicated under that division. 766

The school action team shall submit the plan to the 767
district board of education or community school governing 768
authority, if the results of the election under division (G) of 769
this section are as follows: 770

(1) At least thirty per cent of parents and guardians of 771
students enrolled in the eligible school building and students 772
enrolled in a different building operated by a joint vocational 773
school district but who are entitled to attend the school cast 774
ballots by a date set by the board or governing authority, and 775

of those ballots at least fifty per cent are in favor of 776
initiating the process; and 777

(2) At least thirty per cent of teachers and nonteaching 778
employees who are assigned to the school cast ballots by a date 779
set by the board or governing authority, and of those ballots at 780
least fifty per cent are in favor of initiating the process. 781

The board or governing authority shall evaluate the plan 782
and determine whether to adopt it. The board or governing 783
authority shall adopt the plan in full or adopt portions of the 784
plan. If the board or governing authority does not adopt the 785
plan in full, it shall provide a written explanation of why 786
portions of the plan were rejected. 787

(H) (1) The department shall do all of the following with 788
respect to this section: 789

(a) Adopt rules regarding the elections required under 790
this section; 791

(b) Develop appropriate interventions for a community 792
learning center improvement plan that may be used by a school 793
action team under division (F) of this section; 794

(c) Publish a menu of programs and services that may be 795
offered by community learning centers. The information shall be 796
posted on the department's web site. To compile this information 797
the department shall solicit input from resource coordinators of 798
existing community learning centers. 799

(d) Provide information regarding implementation of 800
comprehensive community-based programs and supportive services 801
including the community learning center model to school 802
buildings meeting any of the following conditions: 803

(i) The building is in improvement status as defined by	804
the "No Child Left Behind Act of 2001" or under an agreement	805
between the Ohio department of education and workforce and the	806
United States secretary of education.	807
(ii) The building is a secondary school that is among the	808
lowest achieving fifteen per cent of secondary schools	809
statewide, as determined by the department.	810
(iii) The building is a secondary school with a graduation	811
rate of sixty per cent or lower for three or more consecutive	812
years.	813
(iv) The building is a school that the department	814
determines is persistently low-performing.	815
(2) The department may do the following with respect to	816
this section:	817
(a) Provide assistance, facilitation, and training to	818
school action teams in the conducting of the audit required	819
under this section;	820
(b) Provide opportunities for members of school action	821
teams from different schools to share school improvement	822
strategies with parents, teachers, and other relevant	823
stakeholders in higher performing schools;	824
(c) Provide financial support in a school action team's	825
planning process and create a grant program to assist in the	826
implementation of a qualified community learning center plan.	827
(I) Notwithstanding any provision to the contrary in	828
Chapter 4117. of the Revised Code, the requirements of this	829
section prevail over any conflicting provisions of a collective	830
bargaining agreement entered into on or after October 15, 2015.	831

However, the board or governing authority and the teachers' 832
labor organization may negotiate additional factors to be 833
considered in the adoption of a community learning center plan. 834

Sec. 3310.03. For the 2021-2022 school year and each 835
school year thereafter, subject to division (G) of this section, 836
a student is an "eligible student" for purposes of the 837
educational choice scholarship pilot program if the student's 838
resident district is not a school district in which the pilot 839
project scholarship program is operating under sections 3313.974 840
to 3313.979 of the Revised Code, the student satisfies one of 841
the conditions in division (A) ~~or~~ (B) ~~or~~ (C) of this section, 842
and the student maintains eligibility to receive a scholarship 843
under division (D) of this section. 844

However, any student who received a scholarship for the 845
2020-2021 school year under this section, as it existed prior to 846
March 2, 2021, shall continue to receive that scholarship until 847
the student completes grade twelve, as long as the student 848
maintains eligibility to receive a scholarship under division 849
(D) of this section. 850

(A) (1) A student is eligible for a scholarship if the 851
student is enrolled in a school building operated by the 852
student's resident district and to which both of the following 853
apply: 854

(a) The building was ranked in the lowest twenty per cent 855
of all buildings operated by city, local, and exempted village 856
school districts according to performance index score as 857
determined by the department of education and workforce, as 858
follows: 859

(i) For a scholarship sought for the 2021-2022 or 2022- 860

2023 school year, the building was ranked in the lowest twenty 861
per cent of buildings for each of the 2017-2018 and 2018-2019 862
school years. 863

(ii) For a scholarship sought for the 2023-2024 school 864
year, the building was ranked in the lowest twenty per cent of 865
buildings for each of the 2018-2019 and 2021-2022 school years. 866

(iii) For a scholarship sought for the 2024-2025 school 867
year, the building was ranked in the lowest twenty per cent of 868
buildings for each of the 2021-2022 and 2022-2023 school years. 869

(iv) For a scholarship sought for the 2025-2026 school 870
year or any school year thereafter, the building was ranked in 871
the lowest twenty per cent of buildings for at least two of the 872
three most recent consecutive rankings issued prior to the first 873
day of July of the school year for which a scholarship is 874
sought. 875

(b) The building is operated by a school district in 876
which, for the three consecutive school years prior to the 877
school year for which a scholarship is sought, an average of 878
twenty per cent or more of the students entitled to attend 879
school in the district, under section 3313.64 or 3313.65 of the 880
Revised Code, were qualified to be included in the formula to 881
distribute funds under Title I of the "Elementary and Secondary 882
Education Act of 1965," 20 U.S.C. 6301 et seq. 883

When ranking school buildings under division (A) (1) of 884
this section, the department shall not include buildings 885
operated by a school district in which the pilot project 886
scholarship program is operating in accordance with sections 887
3313.974 to 3313.979 of the Revised Code. 888

(2) A student is eligible for a scholarship if the student 889

will be enrolling in any of grades kindergarten through twelve 890
in this state for the first time in the school year for which a 891
scholarship is sought, will be at least five years of age, as 892
defined in section 3321.01 of the Revised Code, by the first day 893
of January of the school year for which a scholarship is sought, 894
and otherwise would be assigned under section 3319.01 of the 895
Revised Code in the school year for which a scholarship is 896
sought, to a school building described in division (A) (1) of 897
this section. 898

(3) A student is eligible for a scholarship if the student 899
is enrolled in a community school established under Chapter 900
3314. of the Revised Code but otherwise would be assigned under 901
section 3319.01 of the Revised Code to a building described in 902
division (A) (1) of this section. 903

(4) A student is eligible for a scholarship if the student 904
is enrolled in a school building operated by the student's 905
resident district or in a community school established under 906
Chapter 3314. of the Revised Code and otherwise would be 907
assigned under section 3319.01 of the Revised Code to a school 908
building described in division (A) (1) of this section in the 909
school year for which the scholarship is sought. 910

(5) A student is eligible for a scholarship if the student 911
was enrolled in a public or nonpublic school or was homeschooled 912
in the prior school year and completed any of grades eight 913
through eleven in that school year and otherwise would be 914
assigned under section 3319.01 of the Revised Code to a school 915
building described in division (A) (1) of this section in the 916
school year for which the scholarship is sought. 917

(B) A student is eligible for a scholarship if the student 918
is enrolled in a nonpublic school at the time the school is 919

granted a charter by the director of education and workforce 920
under section 3301.16 of the Revised Code and the student meets 921
the standards of division (B) of section 3310.031 of the Revised 922
Code. 923

(C) A student is eligible for a scholarship if the 924
student's resident district ~~is was~~ subject to former section 925
3302.10 of the Revised Code ~~and the student either:~~ 926

~~(1) Is enrolled in a school building operated by the 927
resident district or in a community school established under 928
Chapter 3314. of the Revised Code;~~ 929

~~(2) Will be both enrolling in any of grades kindergarten 930
through twelve in this state for the first time and at least 931
five years of age by the first day of January of the school year 932
for which a scholarship is sought as it existed prior to the 933
effective date of this amendment, and the student remains an 934
eligible student pursuant to division (D) of this section. The 935
department shall cease awarding first-time scholarships pursuant 936
to division (C) of this section on the effective date of this 937
amendment. 938~~

(D) A student who receives a scholarship under the 939
educational choice scholarship pilot program remains an eligible 940
student and may continue to receive scholarships in subsequent 941
school years until the student completes grade twelve, so long 942
as all of the following apply: 943

(1) The student's resident district remains the same, or 944
the student transfers to a new resident district and otherwise 945
would be assigned in the new resident district to a school 946
building described in division (A) (1) or (C) of this section. 947

(2) The student takes each assessment prescribed for the 948

student's grade level under section 3301.0710, 3301.0712, or 949
3313.619 of the Revised Code while enrolled in a chartered 950
nonpublic school, unless one of the following applies to the 951
student: 952

(a) The student is excused from taking that assessment 953
under federal law, the student's individualized education 954
program, or division (C) (1) (c) (i) of section 3301.0711 of the 955
Revised Code. 956

(b) The student is enrolled in a chartered nonpublic 957
school that meets the conditions specified in division (K) (2) or 958
(L) (4) of section 3301.0711 of the Revised Code. 959

(c) The student is enrolled in any of grades three to 960
eight and takes an alternative standardized assessment under 961
division (K) (1) of section 3301.0711 of the Revised Code. 962

(d) The student is excused from taking the assessment 963
prescribed under division (B) (1) of section 3301.0712 of the 964
Revised Code pursuant to division (C) (1) (c) (ii) of section 965
3301.0711 of the Revised Code. 966

(3) In each school year that the student is enrolled in a 967
chartered nonpublic school, the student is absent from school 968
for not more than twenty days that the school is open for 969
instruction, not including excused absences. 970

~~(E) (1)~~ (E) The department shall cease awarding first-time 971
scholarships pursuant to divisions (A) (1) to (5) of this section 972
with respect to a school building that, in the most recent 973
ratings of school buildings under section 3302.03 of the Revised 974
Code prior to the first day of July of the school year, ceases 975
to meet the criteria in division (A) (1) of this section. 976

~~(2) The department shall cease awarding first-time~~ 977

~~scholarships pursuant to division (C) of this section with~~ 978
~~respect to a school district subject to section 3302.10 of the~~ 979
~~Revised Code when the academic distress commission established~~ 980
~~for the district ceases to exist.~~ 981

~~(3)~~ However, students who have received scholarships in 982
the prior school year remain eligible students pursuant to 983
division (D) of this section. 984

(F) The department shall adopt rules defining excused 985
absences for purposes of division (D) (3) of this section. 986

(G) Notwithstanding anything to the contrary in this 987
section or section 3310.031 of the Revised Code, a student shall 988
not be required to be enrolled or enrolling in a school building 989
operated by the student's resident district or a community 990
school in order to be eligible for a scholarship, as follows: 991

(1) For a scholarship sought for the 2021-2022 school 992
year, a student entering any of grades kindergarten through two; 993

(2) For a scholarship sought for the 2022-2023 school 994
year, a student entering any of grades kindergarten through 995
four; 996

(3) For a scholarship sought for the 2023-2024 school 997
year, a student entering any of grades kindergarten through six; 998

(4) For a scholarship sought for the 2024-2025 school 999
year, a student entering any of grades kindergarten through 1000
eight; 1001

(5) For a scholarship sought for the 2025-2026 school 1002
year, and each school year thereafter, a student entering any of 1003
grades kindergarten through twelve. 1004

(H) Except as provided for in section 3310.13 of the 1005

Revised Code and in division (C) (2) of section 3365.07 of the 1006
Revised Code, the department shall not require the parent of a 1007
student who applies for or receives a scholarship under this 1008
section or section 3310.033, 3310.034, or 3310.035 of the 1009
Revised Code to complete any kind of income verification 1010
regarding the student's family income. 1011

Sec. 3311.29. (A) Except as provided under division (B), 1012
(C), or (D) of this section, no school district shall be created 1013
and no school district shall exist which does not maintain 1014
within such district public schools consisting of grades 1015
kindergarten through twelve and any such existing school 1016
district not maintaining such schools shall be dissolved and its 1017
territory joined with another school district or districts by 1018
order of the state board of education if no agreement is made 1019
among the surrounding districts voluntarily, which order shall 1020
provide an equitable division of the funds, property, and 1021
indebtedness of the dissolved school district among the 1022
districts receiving its territory. The state board of education 1023
may authorize exceptions to school districts where topography, 1024
sparsity of population, and other factors make compliance 1025
impracticable. 1026

The director of education and workforce is without 1027
authority to distribute funds under Chapter 3317. of the Revised 1028
Code to any school district that does not maintain schools with 1029
grades kindergarten through twelve and to which no exception has 1030
been granted by the state board of education. 1031

(B) Division (A) of this section does not apply to any 1032
joint vocational school district or any cooperative education 1033
school district established pursuant to divisions (A) to (C) of 1034
section 3311.52 of the Revised Code. 1035

(C) (1) (a) Except as provided in division (C) (3) of this section, division (A) of this section does not apply to any cooperative education school district established pursuant to section 3311.521 of the Revised Code nor to the city, exempted village, or local school districts that have territory within such a cooperative education district.

(b) The cooperative district and each city, exempted village, or local district with territory within the cooperative district shall maintain the grades that the resolution adopted or amended pursuant to section 3311.521 of the Revised Code specifies.

(2) Any cooperative education school district described under division (C) (1) of this section that fails to maintain the grades it is specified to operate shall be dissolved by order of the state board of education unless prior to such an order the cooperative district is dissolved pursuant to section 3311.54 of the Revised Code. Any such order shall provide for the equitable adjustment, division, and disposition of the assets, property, debts, and obligations of the district among each city, local, and exempted village school district whose territory is in the cooperative district and shall provide that the tax duplicate of each city, local, and exempted village school district whose territory is in the cooperative district shall be bound for and assume its share of the outstanding indebtedness of the cooperative district.

(3) If any city, exempted village, or local school district described under division (C) (1) of this section fails to maintain the grades it is specified to operate the cooperative district within which it has territory shall be dissolved in accordance with division (C) (2) of this section and

upon that dissolution any city, exempted village, or local 1066
district failing to maintain grades kindergarten through twelve 1067
shall be subject to the provisions for dissolution in division 1068
(A) of this section. 1069

(D) Division (A) of this section does not apply to any 1070
school district that ~~is or~~ has ever been subject to former 1071
section 3302.10 of the Revised Code, as it ~~exists~~ existed on and 1072
after October 15, 2015, and has had a majority of its schools 1073
reconstituted or closed under that section. 1074

Sec. 3314.102. (A) As used in this section+ 1075

~~(1) "Chief executive officer" means a chief executive-~~ 1076
~~officer appointed by an academic distress commission pursuant to~~ 1077
~~section 3302.10 of the Revised Code.~~ 1078

~~(2) "Municipal, "municipal school district" and "mayor"~~ 1079
have the same meanings as in section 3311.71 of the Revised 1080
Code. 1081

(B) Notwithstanding section 3314.10 and sections 4117.03 1082
to 4117.18 of the Revised Code and Section 4 of Amended 1083
Substitute Senate Bill No. 133 of the 115th general assembly, 1084
the employees of a conversion community school that is sponsored 1085
by the board of education of a municipal school district ~~or a~~ 1086
~~school district for which an academic distress commission has~~ 1087
~~been established under section 3302.10 of the Revised Code~~ shall 1088
cease to be subject to any future collective bargaining 1089
agreement, if the mayor ~~or chief executive officer~~ submits to 1090
the board of education sponsoring the school and to the state 1091
employment relations board a statement requesting that all 1092
employees of the community school be removed from a collective 1093
bargaining unit. The employees of the community school who are 1094

covered by a collective bargaining agreement in effect on the 1095
date the mayor ~~or chief executive officer~~ submits the statement 1096
shall remain subject to that collective bargaining agreement 1097
until the collective bargaining agreement expires on its terms. 1098
Upon expiration of that collective bargaining agreement, the 1099
employees of that school are not subject to Chapter 4117. of the 1100
Revised Code and may not organize or collectively bargain 1101
pursuant to that chapter. 1102

Section 2. That existing sections 133.06, 3302.036, 1103
3302.042, 3302.043, 3302.12, 3302.17, 3310.03, 3311.29, and 1104
3314.102 of the Revised Code are hereby repealed. 1105

Section 3. That sections 3302.10, 3302.101, 3302.102, 1106
3302.103, 3302.11, and 3302.111 of the Revised Code are hereby 1107
repealed. 1108

Section 4. Any academic distress commission organized for 1109
a school district under former section 3302.10 of the Revised 1110
Code as it existed prior to the effective date of this section, 1111
and any related academic improvement plan under section 3302.103 1112
of the Revised Code, is hereby dissolved. The board of education 1113
of each district in which an academic distress commission 1114
previously was established shall reassume all the powers granted 1115
to it under the Revised Code, and the employees of that district 1116
shall reassume all the rights granted to them under the Revised 1117
Code. 1118

Section 5. This act is hereby declared to be an emergency 1119
measure necessary for the immediate preservation of the public 1120
peace, health, and safety. The reason for such necessity is so 1121
that all academic distress commissions be dissolved immediately 1122
and new commissions cannot be formed. Therefore, this act shall 1123
go into immediate effect. 1124