Members Brief

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Education Laws and Community Schools

This brief lists education laws from which community schools are exempt and those from which they are not. Community schools (often called "charter schools") are public schools that operate independently from school districts. They are exempt from many of the state education laws, such as a required course of study to be offered by the school and teacher employment and contract requirements. For some requirements, such as minimum school year, community schools must comply with provisions of law specific only to those types of schools. However, community schools also are subject to many state education laws, such as state assessments, graduation and diploma requirements, and health and safety standards.

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Introduction

Authorized in R.C. Chapter 3314, community schools (often called "charter schools") are public, nonprofit, nonsectarian schools that operate independently of any school district but under a contract with a sponsoring entity. The schools often serve a limited number of grades or a particular purpose. Conversion community schools may be sponsored by and operate in any school district in the state. Start-up community schools are new schools that may operate in any school district. The schools are directly financed with state funds. Many community schools are run by separate, private for-profit or nonprofit operators.

Community schools are exempt from many of the state's education laws.[1] Table 1 lists requirements that apply to school districts but from which community schools are exempt. Table 2 lists school district mandates that specifically also apply to community schools. The table

[1] R.C. 3314.04.

does not include requirements related to community school governance, location, and sponsorship. Table 3 lists optional programs and other provisions that include statutory requirements with which community schools must comply if they choose to participate in the program. Finally, Table 4 addresses matters about parental rights and health and safety standards that apply to community schools. This brief has been prepared for legislators as an overview of state policy. It is not intended to constitute legal advice to community schools, their sponsors, or any other parties.

Requirements from which community schools are exempt

Table 1. Requirements from Which Community Schools are Exempt

Citation (R.C.)	Description
124.01 *et seq*.	Civil Service Law (related to nonteaching employees in most city school districts)
133.01 *et seq*.	Uniform Public Securities Law
Chapter 135	Uniform Depository Act
149.351 and 149.41	Requirements on retention of school records and establishing a records commission
2151.553	Requirement that a school district must implement a procedure for receiving information regarding a foster child
3301.07	Department of Education and Workforce minimum standards; instructional materials and equipment, including library facilities; proper organization, administration, and supervision of schools; buildings and grounds (other than any building health and safety standards); admission and promotion of students; phonics instruction; instruction in energy and resource conservation; and reporting requirements (other than financial reporting requirements)
3301.072	Training requirements for school treasurers and business managers (however, the community school law prescribes licensure and training requirements for community school fiscal officers (R.C. 3314.011))
3301.0725 and 3313.6018	Requirements regarding extended programming for career-technical students
3301.16	School chartering requirements (apply to school districts and nonpublic schools)
3301.17	Driver education course standards
3301.65	Requirement to permit children of military families relocating to or within the state and not district residents during the enrollment period to apply for enrollment in a school in the district in the same manner and time as students residing in the district
3302.10	Requirement that the Director of Education and Workforce establish an academic distress commission for a persistently low-performing school district based on statutory criteria. (However, the community school law prescribes separate criteria for the permanent closure of persistently low-performing community schools (R.C. 3314.35 and 3314.351).)

Citation (R.C.)	Description
Chapter 3311	Requirements related to the formation and territory of school districts and educational service center financing districts, including requirement to maintain grades K-12 and requirement that the board of education of surviving school district after a consolidation notify the Tax Commissioner (R.C. 5748.10)
3313.01 to 3313.17 and 3313.18	Requirements related to the membership, organization, and operation of school boards. (However, each community school is under the oversight of a "governing authority" (R.C. 3314.02(E)).)
3313.20	Requirements (1) to make rules necessary for governing employees, students, and other persons entering a school, (2) to post the school entry rules, and (3) to have a written policy on employees' attendance at professional meetings
3313.201	Requirement to purchase liability insurance. (However, the community school law has its own requirements that a community school purchase liability insurance (R.C. 3314.03(A)(11)(b)) and, if it assumes responsibility for student transportation under R.C. 3314.091, comply with R.C. 3313.201.)
3313.205	Requirement to adopt a policy on notification of a parent when the parent's child is absent from school (see also R.C. 3321.141)
3313.208 and 3313.209	Latchkey program operating requirements
3313.21	School district board is the sole authority in the selection of instructional materials and curriculum
3313.211	Requirement to pay full-time employees while on jury duty
3313.212	Requirement to provide an opportunity for parents to review the selection of textbooks and reading lists, instructional materials, and the academic curriculum used by a school district; requirement for each district board to establish a parental advisory committee or another method for review, as determined appropriate by the board
3313.22 to 3313.32	Requirements related to the appointment, conduct, and duties of school district treasurers. (However, each community school must have a designated fiscal officer who meets certain licensure or educational qualifications (R.C. 3314.011).)
3313.35	Requirements concerning who is legal counsel for school district boards (however, each community school must employ an attorney who is independent from the school's sponsor or the operator (see R.C. 3314.036))
3313.37	Requirement for each school district and educational service center to seek to meet "the varying and unique needs of students and teachers" and consider certain factors when purchasing technological office equipment
3313.372	Requirements related to installment payment contracts for energy conservation measures for school facilities

Citation (R.C.)	Description
3313.373	Requirements related to shared-savings contracts for energy savings measures for school facilities
3313.41 to 3313.413	Disposal of district real and personal property requirements[2]
3313.44	Real and personal property tax exemption for school districts
3313.46 (and related sections in Chapter 153)	Competitive Bidding Law regarding school building projects
3313.47	Vesting of management and control of schools in the board of education. (However, a start-up community school must be governed by a "governing authority" (R.C. 3314.02(E)).)
3313.471	Procedures for the presentation of career information to students
3313.476	Requirement to permit a representative of a federally recognized youth organization to speak with and distribute informational materials to students during school hours
3313.48 and 3313.481	Standards for minimum school year and minimum school day (although community schools are required to provide 920 hours of instruction annually (R.C. 3314.03(A)(11)(a)); requirement to hold a public hearing on the school calendar; requirement that education be provided free of charge (though a separate law prohibits a community school from charging tuition for most Ohio residents (R.C. 3314.08(F))[3]
3313.483	Prohibition against closing schools for financial reasons
3313.49	Assignment of students when a school is suspended
3313.51	Check writing and deposit requirements related to school treasurers
3313.53	Requirements related to employing certificated noneducators for pupil-activity programs

[2] School districts must offer certain community schools and STEM schools the right of first refusal to purchase district real property. If district-owned real property has not been used for one year, the district must offer it for sale or lease to certain community schools and STEM schools. The law also prohibits a community school or STEM school from selling property purchased from a school district within five years of purchasing it, unless that sale is to another community school or STEM school located in the district.

[3] Community schools, like school districts, may make up calamity days by adopting a plan to provide instruction via online delivery (R.C. 3313.482). Nevertheless, the Department of Education and Workforce must waive the number of hours or days of learning opportunities not offered by a community school because it was closed due to a public calamity, so long as the school was actually open for instruction with students in attendance for at least the minimum number of hours required by law, which is currently 920 hours (R.C. 3314.08(H)(4)).

Citation (R.C.)	Description
3313.531 and 3313.532	Adult high school continuation program requirements[4]
3313.534	Requirement for "zero-tolerance" discipline policies; requirement that Big Eight and certain other school districts establish alternative schools
3313.535	Requirement to adopt rules and a policy regarding the academic eligibility of students to participate in interscholastic extracurricular activities
3313.5311	Requirement to afford a nonpublic school student the opportunity to participate in an extracurricular activity at the student's resident district if that activity is not offered at the nonpublic school. (A separate provision of law requires certain community schools to adopt a policy that permits a student who is enrolled in a neighboring school that does not offer that extracurricular activity to petition to participate in that activity, see R.C. 3313.5321.)
3313.5312	Requirement to afford home-educated students the opportunity to participate in extracurricular activities
3313.55	Requirements related to schooling for children with epilepsy or who reside in certain public institutions
3313.56	Part-time schooling requirements for programs provided to students with age and schooling certificates
3313.60	School course of study requirement (except that the parental rights to excuse a child from certain instructional topics and to examine instructional materials and other documents apply)
3313.601	Prohibition against barring teachers from providing periods for activities of a moral, philosophical, or patriotic theme (except that the student's or parent's right to excuse a child from these programs applies)
3313.602(A)	Requirement to have a policy regarding the recitation of the pledge of allegiance to the flag
3313.602(B) and (C)	Requirement that the "principles of democracy and ethics" be emphasized and discussed in appropriate parts of the curriculum and to encourage a school's employees to be cognizant of their roles to instill in students "ethical principles and democratic ideals"
3313.604	Recognition of American Sign Language as a foreign language in schools
3313.6011	Requirement that venereal disease education, which is a component of health education, emphasize sexual abstinence

[4] A separate law, R.C. 3314.38, permits individuals ages 22 and above who have not received high school diplomas or equivalence certificates to enroll for up to three consecutive school years in a community school that operates a dropout prevention and recovery program. If students enroll under that law, the community school must comply with reporting requirements and program administration standards.

Citation (R.C.)	Description
3313.6022	Requirement to adopt a policy that excuses students from school to attend a released time course in religious instruction
3313.6025	Requirement to provide instruction on the success sequence in at least one course required for high school graduation
3313.613	Requirement to award high school credit to a student for successful completion of a post-secondary course outside of regular school hours
3313.62	Definitions of "school year" and "school week"
3313.63	Specification of school holidays
3313.64, 3313.649, and 3313.65	School admission requirements related to payment of tuition; tuition payment and charging requirements between school districts
3313.642(B)	Prohibition against charging a fee for materials used in instruction to students eligible for free lunch, under federal guidelines
3313.642(D) and (E)	Prohibition against withholding grades, credits, official transcripts, diplomas, IEPs, or 504 plans of a student for nonpayment of fees for instructional materials if a complaint has been filed in a juvenile court alleging that the child is, or has been adjudicated as, an abused, neglected, or dependent child; procedures and requirements for transferring those records
3313.646	Requirements and prohibitions related to establishment of preschool programs. (A separate law specifically authorizes community schools to operate preschool programs (R.C. 3314.06); see also R.C. 3301.52 to 3301.59 in Table 2.)
3313.6414	Services and intervention assessments for enrolled foster child
3313.70	Prohibition against appointment of a school board member as school physician, dentist, or nurse
3313.713	Requirements to adopt prescription and over-the-counter drug administration to students' policies (except that the parental right to have a school administer prescription drugs to a child only after the parent makes a written request applies)
3313.714	Requirement, upon request from the Department of Medicaid, to operate a "health check" program for students covered by Medicaid (except that the parental right to excuse a child from a healthcheck examination applies)
3313.75	Prohibition against renting or leasing a school building so as to interfere with the public schools of the district or for any purpose other than authorized by law
3313.752	Requirement to conspicuously post a warning concerning anabolic steroid use in the locker rooms of each school building that includes any grade higher than sixth grade
3313.76 to 3313.79	Requirements related to the use of school buildings by the public when they are not being used for school purposes

Citation (R.C.)	Description
3313.81	Requirements related to management of food service operations and meals for the elderly
3313.811	Prohibition against the sale of anything for profit on school premises unless the profits are used for a school purpose or for a school activity
3313.82 and 3313.821	Requirement to appoint a business advisory council; procedures for their operation
3313.841	Requirements related to sharing certain services cooperatively with other districts and operating joint education programs
3313.843 and 3313.845	Requirements related to school districts receiving services provided by educational service centers. (R.C. 3313.844 establishes requirements related to community schools receiving services provided by educational service centers.)
3313.85	Requirement that the probate court fill a vacancy in a school board as promptly as possible if, within 30 days after the vacancy occurs, a school board fails to do so
3313.871	Fee limits for school district participation in accrediting associations
3313.90, 3313.901, 3313.91, and 3313.911	Career-technical education requirement. (However, community schools are authorized to offer career-technical education and receive additional state payments for it. If they do offer career-technical programs, they must be approved by the Department of Education and Workforce (R.C. 3314.08(C), 3314.086, and 3317.161).)
3313.92	Requirements related to joint construction projects between school districts
3313.93	Prohibition against students who are paid for work in a school district occupational work adjustment laboratory being considered employees for purposes of school employee retirement law, nonteaching employee contract law, unemployment compensation law, and workers' compensation law
3313.941	Requirement to include a "multiracial" category in any statistics on race gathered for state or school district purposes
3313.97 and 3313.984	Intradistrict open enrollment requirements
3313.98, 3313.981, 3313.982, and 3313.983	Interdistrict open enrollment requirements
3314.08(C)	Career-technical education spending requirements, but only if the school exclusively provides one or more career-technical workforce development programs in arts and communications that are not equipment-intensive. (Otherwise, the spending requirements apply to all schools that provide career-technical education.)

Citation (R.C.)	Description
3315.02 to 3315.05	Requirements related to administration of funds for bonded indebtedness (other than bonds secured by tax revenues, which community schools are prohibited from issuing (R.C. 3314.08(H)))
3315.062	Requirements regulating the provision and funding of student activity programs
3315.07	Requirements related to publishing school materials for the public; prohibition against using public funds to support or oppose a school levy or bond issue or to compensate any district employee for time spent on any activity meant to influence the outcome of a levy or bond issue
3315.08	Requirements related to payment of employee salaries and administration of payroll accounts
3315.063	School district budget administrative expense limits
3315.09	Limitation of only a one-year contract with a college or museum for providing instructional programs to students
3315.091	Requirements and limitations related to contracting with a driver training school for driver education
3315.10	Requirements related to the custody, management, and administration of certain property held in trust for educational purposes
3315.11 to 3315.14	Requirements related to establishing and administering a school building replacement fund
3315.15	Requirements related to setting aside money in a service fund for paying school board members' expenses in the performance of their duties
3315.18 and 3315.181	Requirement to maintain a Capital and Maintenance Fund
3315.19	Requirements regarding election of set-aside amounts
3315.20	Requirements regarding temporary deficits in school district special funds
3315.29 to 3315.31 (and related 501.01 to 501.14)	Requirements related to common school funds
3315.37	Requirements related to a school district teacher education loan program (if established)
3315.40 to 3315.42	Requirements related to a school district education foundation fund (if established)
Chapter 3316	School District Solvency Assistance Law (authorizes financial assistance and management intervention for financially troubled districts)
3317.01	Requirements for school districts to receive state operating funds, including levying 20 mills and providing instruction for the minimum number of school

Citation (R.C.)	Description
	hours; requirement to comply with all school law and Department of Education and Workforce rules to participate in the state school foundation funding program. (However, separate law requires community schools to offer at least 920 hours of learning opportunities each year (R.C. 3314.03(A)(11)(a) and 3314.08(H)(3)).)
3317.014	Requirement for each lead district of a career-technical planning district receiving career awareness and exploration funds to report on the use of those funds to the Department
3317.06 and 3317.062	Funding, requirements, and prohibitions related to auxiliary services for chartered nonpublic schools
3317.061	Requirement to annually report licensed employees to the State Board and the Department of Education and Workforce
3317.08 to 3317.082	Tuition calculation requirements
3317.12	Nonteaching employee salary schedule requirement
3317.13, 3317.14, 3317.141, and 3311.78[5]	School district teacher salary schedule requirements. (However, if a community school receives federal Race to the Top money, it must adopt a performance-based teacher salary schedule under R.C. 3317.141 (R.C. 3314.03(A)(11)(i)). On the other hand, since that federal program is no longer funded it is not clear whether community schools still need to comply with this provision.)
3317.15	Requirements specifying the number of speech-language pathologists and school psychologists a school district must hire
Chapter 3318	School Facilities Assistance Law
3319.01 and 3319.011	Requirements related to school district superintendent employment
3319.02	Requirements related to employment of assistant superintendents, principals, assistant principals, and other administrators
3319.03 to 3319.05	Requirements related to employment of school district business managers
3319.06	Requirements related to employment of school district internal auditors
3319.07, 3319.08, 3319.0811, 3319.09 to 3319.111, 3311.77, 3311.80, and 3311.81[6]	Teacher employment and contract requirements. (However, if a community school receives federal Race to the Top money, it must adopt a "standards-based" policy for annual teacher evaluations under R.C. 3319.111 (R.C. 3314.03(A)(11)(i)). But that federal program is no longer funded.)

[5] R.C. 3311.78 applies only to a municipal school district (Cleveland).

[6] R.C. 3311.77, 3311.80, and 3311.81 apply only to a municipal school district (Cleveland).

Citation (R.C.)	Description
3319.071	Prohibition against requiring teachers to participate in professional development programs
3319.072	Teacher lunch period requirement
3319.074	Requirements regarding employment of professional qualifications of teachers and paraprofessionals
3319.075	Requirement to use professional development standards adopted by the State Board of Education
3319.076	Requirement for a physical education teacher to hold a license for that subject
3319.081 to 3319.087	Employment and contract requirements for nonteaching employees
3319.088	Educational assistant employment and certification requirements
3319.10	Substitute teacher employment requirements
3319.113	Requirement to adopt a standards-based school counselor evaluation policy
3319.12	Annual professional staff salary notice requirements; requirements related to the transfer of administrators to other positions
3319.13 to 3319.143	Leave of absence requirements for teachers and nonteaching employees, including professional development leave, sick leave, military leave, personal leave, and assault leave
3319.16, 3319.161, and 3311.82[7]	Requirements and procedure for termination of teacher contracts by school board
3319.17, 3319.172, and 3311.83[8]	Requirements related to reductions in force of teachers and nonteaching employees
3319.171	Requirements related to administrative personnel suspension policy
3319.173	Requirement for district superintendent to assign teachers to positions based on the best interests of enrolled students and prohibition on using seniority or continuing contract status as primary factor in teaching assignments
3319.18 and 3319.181	Requirements related to employment of teachers and nonteaching employees when school district territory is transferred or districts are consolidated
3319.21	Prohibition against a school board member participating in making a contract employing a relative; requirement that these contracts and any contracts in which a board member has a pecuniary interest are void

[7] R.C. 3311.82 applies only to a municipal school district (Cleveland).

[8] R.C. 3311.83 applies only to a municipal school district (Cleveland).

Citation (R.C.)	Description
3319.313, 3319.314, and 3319.315	Requirements regarding reports of improper conduct by a licensed employee
3319.32	Requirement to keep school records, including student records, and to prepare reports
3319.322	Student photograph requirements for student records
3319.323	Prohibition from altering, truncating, or redacting student records during the course of transferring them to an educational institution
3319.325, 3319.326, and 3319.327	Requirements regarding monitoring of school-issued devices by school districts and technology providers, including parental notification and appropriate security safeguards for educational records
3319.33	Requirements regarding statistical reporting to the Department of Education and Workforce
3319.35 and 3319.37	Penalties and consequences for failure to submit reports to the Department of Education and Workforce
3319.36	Prohibition against paying a teacher who has not filed proof of licensure or any other required reports (except R.C. 3314.03(A)(10) requires community school teachers to be licensed under R.C. 3319.22 to 3319.31)
3319.45	Requirement that school principal report certain offenses committed by students
3319.63	Requirement to grant paid professional leave to any employee who is a member of the Educator Standards Board
3321.042	Requirement to provide written acknowledgement of notice receipt for home education
3321.043	Requirement to count up to eight hours of absences as excused if a student misses school to attend a driver education course
Chapter 3324	Identification of gifted children and development of service plan; requirement to adopt a student grade acceleration policy
3327.01 to 3327.05	Student transportation requirements. (R.C. 3314.09 and 3314.091 require a school district to transport its students to community schools in the same manner districts are required to transport students to other schools, unless a community school assumes responsibility for providing student transportation. If a community school assumes that responsibility, it must comply with the laws regarding who must be transported, standards for payments in lieu of transportation, liability insurance, driver qualifications, and bus rider instruction programs. It also generally must comply with all laws pertaining to the construction, design, equipment, and operation of school buses, including those pertaining to drivers and mechanics.)
3327.06	Tuition collection requirements and provisions related to the unauthorized attendance of students

Citation (R.C.)	Description
3327.08	Competitive Bidding Law regarding school bus purchases
3327.11	Requirements related to paying the cost of a student's room and board in certain circumstances
3327.13	Requirements related to leasing buses for transporting nonpublic school students to and from school activities
3327.14	Requirements related to providing transportation for senior citizen and adult education groups
3327.15	Restrictions on use of school vehicles out of state
3327.16(A)	Requirements related to volunteer bus rider assistance programs
3329.01 to 3329.08	Requirements related to the selection and purchase of school textbooks and electronic textbooks
3329.09	Requirements related to the accessibility and distribution of textbooks to students (except the parent's right to buy textbooks for a child at no more than 10% over the school district's cost applies)
3329.10	Prohibition against a superintendent, supervisor, principal, or teacher acting as a school textbook sales agent
Title 35 (various sections)	Elections Law related to school board elections and elections on tax levies and bond issues
4104.05	Requirement to employ a licensed boiler operator under certain circumstances. (However, this requirement may apply if it is considered to be a health and safety standard. See page 25 .)
5705.412	Requirement to attach a certificate of available resources to school district appropriation measures, contracts, and purchase orders

Requirements from which community schools are not exempt

Table 2. Requirements from Which Community Schools are Not Exempt (This table does not address operating requirements codified in R.C. Chapter 3314 that apply exclusively to community schools or their sponsors.)

Citation (R.C.)	Description
Chapter 102 and 2921.42	Ohio Ethics Law
109.65, 3313.672, and 3313.96	Requirements for missing children reporting, student fingerprinting, and admission documentation
Chapter 117	State fiscal auditing requirements
121.22	The Public Meetings ("Sunshine") Law
149.43	The Public Records Law

Citation (R.C.)	Description
311.29	Authority for the county sheriff to contract with a community school for police services. A separate, similar provision applies to school districts (R.C. 3313.95).[9]
Chapter 1347	Ohio Privacy Law
2151.357	Procedures related to school records of adjudicated delinquents after their court records are expunged
2151.421	Child abuse reporting requirements
2313.19	Employment protection for employees on jury duty
Chapter 2744	The Sovereign Immunity Law for public employees
3301.07(B)	Requirement to report financial information to the Department of Education and Workforce in the same manner as school districts
3301.0710, 3301.0711, 3301.0712, 3301.0728, and 3301.947	Statewide achievement assessment system
3301.0714	Education Management Information System (EMIS) requirements (as prescribed by rules adopted under R.C. 3314.17)
3301.0715	Administration and scoring of statewide diagnostic assessments and providing intervention services
3301.0715(F)	Requirement to establish a reading improvement plan supported by reading specialists if 80% or fewer of the school's students attain a passing score on the third grade English language arts assessment (see also R.C. 3302.13 for a separate similar requirement that also applies to community schools)
3301.0723(C)	Prohibition against assigning new data verification codes to younger children who received early childhood services from a state agency
3301.0729	Limits on administration time for state tests
3301.24	Requirement to adopt a policy on the use of artificial intelligence
3301.52 to 3301.59	Preschool program standards and licensing
3301.60	Interstate Compact on Educational Opportunity for Military Children
3301.601	Requirement to permit children of military families to participate in technology-based educational opportunities to minimize disruptions when their families transition from one military installation to another

[9] However, R.C. 3313.951 establishes qualifications and training requirements for school resource officers employed by school districts through memoranda of understanding with law enforcement agencies. It does not apply to community schools.

Citation (R.C.)	Description
3301.948	Prohibition on providing student names and addresses to any multi-state consortium that provides summative assessments
3302.037	Parental notification of report cards
3302.04 and 3302.041	Sanctions and supports for persistent low academic performance. (Building-level report cards are issued for each community school regardless of how long it has been in operation; however, a school's ratings for its first two years of operation may not be considered in the imposition of sanctions (R.C. 3314.012). In addition to sanctions imposed under R.C. 3302.04 and 3302.041, certain persistently underperforming community schools may be involuntarily closed (R.C. 3314.35 and 3314.351).)
3302.13	Reading achievement improvement plan requirements. See also R.C. 3301.0715(F) for a separate similar requirement that also applies to community schools.
3302.131	Requirement to develop a math achievement improvement plan for a school if 51% or less of the school's students who took the third grade math achievement assessment attained at least a proficient score on the assessment
3302.16 to 3302.18	Authority for establishment of community learning centers at schools
3302.20	Financial reporting requirements (see also R.C. 3301.07(B)(2))
Chapter 3307	State Teachers Retirement System, except for a community school employee who is hired after a prescribed date or rehired after termination, if the school has an operator and the operator pays Social Security taxes on the employee's behalf
Chapter 3309	School Employees Retirement System, except for a community school employee who is hired after a prescribed date or rehired after termination, if the school has an operator and the operator pays Social Security taxes on the employee's behalf
3310.11, 3310.42, 3310.63, and 3313.978	Requirement to provide the data verification code of a student applying for an Educational Choice, Autism, John Peterson Special Needs, or Cleveland Scholarship upon request from the Department of Education and Workforce or the student's parent
3311.742	Requirement for a "partnering community school" offering grades 9-12 in a municipal school district (Cleveland) to establish student advisory committees
3313.472	Requirement to adopt a policy on parent and foster caregiver involvement in schools
3313.473	Requirement to adopt a policy that promotes parental involvement in the public school system and establishes certain requirements regarding parental involvement regarding instruction in sexuality content, school-provided healthcare services, and student health and well-being

Citation (R.C.)	Description
3313.474	Requirement for schools serving grades 9 to 12 to include the telephone number for the national suicide and crisis lifeline, "988," on student ID cards, student planners, and any electronic portal accessed by students
3313.482	Requirement to adopt a plan to provide instruction via online delivery to make up the equivalent of up to three school days for school closure on calamity days
3313.50	Recordkeeping requirements relating to student hearing and vision testing
3313.539	Requirements related to the removal of athletes who suffer concussions or head injuries in interscholastic athletics and their return to practice or competition (see also R.C. 3314.142)
3313.5310	Requirement to hold an informational meeting regarding the symptoms and warning signs of sudden cardiac arrest prior to the start of each athletic season; requirement that an athlete be evaluated and cleared before participation
3313.5314	Prohibition against denying students participating in College Credit Plus the opportunity to participate in interscholastic athletics
3313.5315	Foreign student participation in student athletics (to the extent a community school participates in sanctioned interscholastic athletics)
3313.5317	General prohibition against obstructing the wearing of religious apparel in interscholastic athletics or extracurricular activities
3313.5318 and 3319.303	Prohibition against coaching an athletic activity at a school unless the individual has completed a student mental health training course approved by the Department of Mental Health and Addiction Services
3313.5319	Requirement to accept cash payments for tickets and concessions at school-affiliated events
3313.5320	Requirement that each school that participates in athletic competitions or events administered by an organization that regulates interscholastic athletic conferences or events designate athletic teams based on the sex of participants
3313.5321	Requirement to adopt a policy that permits a student enrolled in a neighboring public high school that does not offer an extracurricular activity to petition to participate in that extracurricular activity at its high school
3313.602(D)	Requirement that each school devote at least one hour or class period to observance of Veterans Day

Citation (R.C.)	Description
3313.603(C), (D) and (F)	Curriculum requirements for graduation (the state minimum high school curriculum); requirements relating to students who opt to complete an alternative curriculum or are enrolled in dropout prevention and recovery programs exempt from the state minimum high school curriculum; requirement to notify the Department of Education and Workforce of the number of students who choose to complete the alternative curriculum and the number of students who complete a student success plan and graduate from high school; requirement to incorporate study of economics and financial literacy into a social studies class that is part of the state minimum high school curriculum or another class; requirement to "integrate technology into learning experiences whenever practicable"[10]
3313.603(J)	Requirement to comply with the state plans for awarding high school credit based on demonstration of subject area competency
3313.608	Third grade reading guarantee provisions
3313.609	Requirement to adopt a promotion and retention policy that, at a minimum, prohibits the promotion of a student who both has been truant for 10% of the school year and has failed at least two required subjects
3313.6012	Requirement to have a policy on academic "prevention/intervention" services
3313.6013	Requirement to offer students in grades 9-12 the opportunity to participate in an advanced standing program
3313.6014	Requirement to adopt a procedure for notifying parents, guardians, or custodians of the state minimum high school curriculum
3313.6020	Student career advising requirements

[10] The following other provisions in R.C. 3313.603 may apply to community schools, but it is not clear: (1) the requirement for students who are subject to the state minimum high school curriculum, except for students pursuing a career-technical track, to complete two semesters of fine arts in any of grades 7-12 to graduate from high school (R.C. 3313.603(K)); (2) authorization to require a more rigorous minimum curriculum than otherwise prescribed by statute (R.C. 3313.603(E)); (3) requirements relating to excusing from high school physical education students who have participated in interscholastic athletics, marching band, show choir, or cheerleading for at least two full seasons or in the Junior Reserve Officer Training Corps (JROTC) for at least two full school years (R.C. 3313.603(L)); (4) requirements relating to awarding high school credit for coursework taken prior to ninth grade (R.C. 3313.603(G)); and (5) eligibility of coursework delivered through integrated academic and career-technical instruction to count toward the state minimum high school curriculum requirements (R.C. 3313.603(I)).

Citation (R.C.)	Description
3313.6021	Requirement to provide instruction in cardiopulmonary resuscitation (CPR) and use of an automated external defibrillator (AED)(does not apply to e-schools and community schools that primarily serve students with disabilities)
3313.6023, 3313.717, and 3314.16	Requirement that each school district board and administrative authority (1) place automated external defibrillator (AED) in each school under its control, (2) provide AED training to specified school employees, and (3) adopt an emergency action plan for the use of AEDs (does not apply to an e-school)
3313.6024	Annual report to the Department of Education and Workforce on prevention-focused programs, service, and supports (especially with regard to substance abuse and bullying)
3313.6026	Requirement to enter into a data sharing agreement with the Chancellor of Higher Education for purposes of operating the FAFSA data system
3313.6027 and 3314.03(A)(29)(f)	Requirement to integrate the study of economics and financial literacy into the curriculum for high school students
3313.6028	Requirement to use core curriculum, instructional materials, and intervention programs only from lists compiled by the Department of Education and Workforce and prohibition against using the "three-cueing approach"
3313.6029	Requirement to provide parents via mail, email, or posting on web site a student's score on state assessments by June 30 of each school year
3313.6031	Requirement to adopt a policy, if it has students enrolled in Career-Technical Assurance Guides (CTAG) aligned courses, for grading and calculating class standings for those courses in a manner that is equivalent to its policy for CCP, AP, IB, or honors courses
3313.6032	Requirements regarding advanced learning opportunities in math
3313.6034	Requirement to provide evidence-based academic intervention services to students who demonstrate a limited level of skill in math, English language arts, or both subjects
3313.61, 3313.611, 3313.614, and 3313.618	High school diploma provisions[11]
3313.617	Policy for students at risk of not graduating (including support and graduation plans)
3313.6111	Provisions for participating in assigning the State Seal of Biliteracy to diplomas or transcripts
3313.6112	Provisions for participating in assigning the OhioMeansJobs-Readiness Seal to diplomas or transcripts

[11] R.C. 3313.616 permits school districts and nonpublic schools to grant diplomas to certain veterans. Since the statute does not mention community schools, presumably they *cannot* award diplomas to veterans.

Citation (R.C.)	Description
3313.6114	State diploma seals
3313.643	Requirement that students and teachers wear industrial eye protection in certain industrial courses or activities
3313.648	Prohibition on offering monetary payment or other in-kind gift to a student or a student's parent or guardian as an incentive for that student to enroll in a school (does not apply to books, supplies, equipment, or other goods necessary for student to fully participate)
3313.6411	Requirement to provide the parent of a student, during the admissions process, with a copy of the school's most recent report card
3313.6413	Requirement to provide free feminine hygiene products to girls in grades 6-12
3313.66, 3313.661, 3313.662, and 3313.668	Due process for student suspension, expulsion, removal, and permanent exclusion; phased-in prohibition on suspension and expulsion of pre-K to grade 3 students for all but specified serious offenses
3313.66	Extended expulsion for actions that pose "imminent and severe endangerment" to the health and safety of other students or school employees
3313.666 and 3313.667	Requirements to establish a policy prohibiting bullying and dating violence, to annually send a written notice describing the policy to parents or guardians, and, if funds are appropriated, to provide education and training about the policy to employees, volunteers, and students
3313.669	Threat assessment team for each building serving grades 6-12
3313.6610	Registration with the SaferOH tip line operated by the Department of Public Safety or another anonymous reporting program
3313.67	Requirement to keep records of student immunizations
3313.671	Prohibition against allowing a student to remain in school longer than 14 days without submitting immunization records or evidence that immunization is in progress (except that the parental right to excuse a child from immunization for religious reasons applies)
3313.672	Requirement to request records from a child's previous school
3313.673	Screening requirements for new kindergartners and first-graders in hearing, vision, speech and communication, and health
3313.69	Requirement to include hearing and vision screening if a school opts to have any dental and medical screening
3313.716	Requirement that schools permit students to self-administer asthma medication
3313.718	Requirement that schools permit students to self-administer epinephrine; requirement to contact emergency medical service providers whenever a student is administered epinephrine at school or at a school activity

Citation (R.C.)	Description
3313.719	Requirement to have a policy on protecting students with peanut or other food allergies and authority to create food allergy training for all staff members and age-appropriate instruction for students in grades K-12
3313.7112	Requirements related to the care of students with diabetes in school
3313.7117	Requirement to create an individualized seizure action plan for each enrolled student who has an active seizure disorder diagnosis and to provide training to at least one employee on the implementation of the plans, including storage and administration of seizure disorder drugs
3313.7118	Requirement to distribute informational materials on Type 1 diabetes to each student's parent or guardian upon the student's enrollment in elementary school
3313.753	Requirement to adopt a policy governing the use of cellular telephones by students during school hours
3313.80	Requirement to display the national flag
3313.801	Requirement to accept and display donated copies of the national and state mottoes (does not apply to an e-school)
3313.814, 3313.816, and 3313.817	Requirement to adopt and enforce nutrition standards, and restrictions on foods and beverages that may be sold in schools
3313.818	Requirement for higher poverty public schools to offer breakfast to all enrolled students before or during the school day
3313.819	Requirement to provide students eligible for a reduced-priced breakfast or lunch a breakfast or lunch at no cost to the student
3313.8110	Requirement to adopt a policy to prevent the purchase of certain imitation meat and egg products
3313.848	Requirements related to the expenditure of unexpended and unobligated funds that were paid to an educational service center in the previous fiscal year
3313.86	Requirement to periodically review policies and procedures to ensure the safety of students, employees, and others from any known hazards in the school building or on building grounds and to ensure compliance with all federal laws and regulations
3313.89	Requirement that a school that serves any of grades 9-12 distribute to parents and students information on the online education and career planning tool developed by the Director of Job and Family Services to assist students in developing education and career plans
3314.101	Requirement to immediately suspend a school employee from all duties that require the care, custody, or control of a child if the employee is arrested, summoned, or indicted for specified offenses

Citation (R.C.)	Description
3314.103	Prohibition against a teacher terminating a contract without consent of the community school's governing authority
3314.11	Requirement for a community school to verify to the Department, upon enrollment of the student and annually, the school district in which the student is entitled to attend school
3314.15	Requirement that, if a community school elects to screen students for body mass index and weight status category, it must comply with parental opt-out, implementation, and reporting requirements
3314.18	Requirements to implement federally subsidized free and reduced-price breakfast and lunch programs (similar to R.C. 3313.813, which applies to school districts; does not apply to an e-school, and other community schools may opt out for financial reasons; see also R.C. 3313.818)
3314.26	Requirement to withdraw from an e-school, students who fail to take required achievement assessments for two consecutive years – similar to R.C. 3313.6410, which applies to school district-operated schools that primarily use an internet- or computer-based instructional method
3314.40 and 3314.99(A)	Requirement to report to the Superintendent of Public Instruction misconduct committed by any employee – failure to report misconduct is a fourth degree misdemeanor and, in some instances, a first degree misdemeanor
3314.401	Requirement to keep investigation reports of misconduct in a licensed employee's personnel file unless no license disciplinary action is taken against the employee
3314.402	Requirement that employee misconduct reporting and retention of misconduct reports provisions prevail over any collective bargaining agreements
3314.403 and 3314.99(B)	Prohibition against false reporting of school employee misconduct (false report is a first degree misdemeanor); immunity from civil liability for a report made in good faith; award of attorney fees and costs incurred because of false report
3314.41	Requirements for criminal records checks of private contractors providing essential school services
3314.44	Requirement that the chief administrative officer of a community school submit all education records of a past or current student to that student's district of residence if the school closes
3314.52	Requirements governing use of credit card accounts

Citation (R.C.)	Description
Chapter 3317	Public school financing system, including spending accountability provisions and spending requirements
3317.141	Requirement for a performance-based teacher salary schedule, but only if the community school accepts federal Race to the Top grant money (see R.C. 3314.03(A)(11)(i)). However, since that federal program is no longer funded, it is not clear whether community schools still need to comply with this provision
3317.161	Requirement that a school's career-technical education program be approved in order to receive state funding for the students enrolled in the program (see R.C. 3314.08(C)(1)(g))
3319.073	Requirement for teacher in-service training in prevention of child abuse, violence, substance abuse, and dating violence; in suicide awareness and prevention; in promotion of positive youth development; in school safety and violence prevention (including human trafficking content); and on the policy against harassment, intimidation, or bullying
3319.077 and 3323.251	Dyslexia screening and intervention services
3319.078	Multi-sensory structured literacy certificate process for teachers providing instruction in grades K-3
3319.111 and 3319.112	Requirement for a "standards-based" policy for annual teacher evaluations, but only if the community school accepts federal Race to the Top grant money (see R.C. 3314.03(A)(11)(i)); not required for substitute teachers. However, since that federal program is no longer funded, it is not clear whether community schools still need to comply with this provision.
3319.22 to 3319.31 and 3319.361	Teacher licensing requirements (except the requirement in R.C. 3319.076 that teachers hired to provide physical education hold a license for teaching physical education)
3319.238	Requirement to ensure anyone providing financial literacy instruction have an appropriate educator license, validation, or endorsement
3319.2310	Requirement for each teacher, administrator, school psychologist, and speech-language pathologist to complete training in the science of reading
3319.24	Requirement for educator license applicants to complete coursework in the teaching of reading, including the teaching of phonics
3319.321	Student information confidentiality requirements
3319.324	Requirement to transmit a transferred students records within five days of receiving a request unless there is $2,500 or more of debt attributed to the student
3319.39, 3319.391, and 3319.393	Requirements for criminal records checks of job applicants
3319.41	Prohibition against corporal punishment in public schools

Citation (R.C.)	Description
3319.46	Requirement to comply with the Department of Education and Workforce's policy and standards for the implementation of positive behavior intervention supports and the use of physical restraint or seclusion on students
3319.614	Requirement to adopt and post a policy against using statements of commitment to, or soliciting or requiring specified individuals to affirmatively ascribe to, specific beliefs, affiliations, ideals, or principles concerning political movements or ideology
3319.90	Requirement to designate specified facilities for the exclusive use of students of either the male or female biological sex and prohibition against permitting members of one biological sex to use a restroom, locker room, changing room, or shower that is designated for the other biological sex or to share overnight accommodations
3320.01 to 3320.03	Student religious expression rights
3320.04	Requirement to adopt a policy that reasonably accommodates the sincerely held religious beliefs and practices of students, including permitting up to three excused absences for religious expression days
3321.01	Requirements relating to admittance of children to kindergarten and first grade, including requirements for early admission to kindergarten and first grade[12]
3321.041	Requirement that schools excuse up to four days of student absences due to out-of-state travel for enrichment programs
3321.12	Requirement to report information on students to board of education treasurer to carry out laws on compulsory education and employment of minors
3321.13	Reporting requirements related to a child withdrawing from school
3321.14, 3321.16, 3321.17, 3321.18, 3321.19, 3321.191, and 3321.20,	Compulsory school attendance enforcement requirements, except that an e-school is not required to comply with R.C. 3321.191
3321.141	Requirement to notify parents if their children do not arrive at school within 120 minutes of the start of the school day
3322.20 and 3322.24	Requirement for public secondary schools to participate in the Ohio Computer Science Promise Program

[12] The law generally permits admission of underage students to grades K and 1 only if done in accordance with a state-approved grade acceleration policy adopted under R.C. 3324.10. That restriction applies to community schools but, unlike school districts, the requirement to have grade acceleration policies does not. (R.C. 3314.06(A), 3314.08(B), and 3321.01(A)(2).) It may not be clear whether a community school must have a grade acceleration policy (which otherwise it does not) if it intends to admit a student early. (A community school may admit individuals younger than age five if it operates a licensed preschool program. These individuals must be offered at least 455 hours of learning opportunities per school year.)

Citation (R.C.)	Description
Chapter 3323	Requirements related to special education, including requirement for comprehensive eye examination prior to receiving special education and related services for the first time
3327.01 and 3327.02	If a community school assumes responsibility for student transportation (under R.C. 3314.091), it must comply with laws regarding who must be transported and standards for payments in lieu of transportation as if it were a school district. It also generally must comply with all laws pertaining to the construction, design, equipment, and operation of school buses, including those pertaining to drivers and mechanics.
3327.09	Motor vehicle insurance requirement (if the community school assumes responsibility for student transportation)[13]
3327.10	School bus driver qualifications; requirement to obtain driving records of school bus drivers (applies to a community school regardless of whether it has assumed responsibility for student transportation); criminal records check requirements[14]
3327.16(B)	Requirement to provide school bus rider instruction programs to all students in grades K-3, if the community school assumes responsibility for student transportation
Chapter 3331	Requirements related to the issuing and administration of age and schooling certificates
Chapter 3365	Requirement to participate in the College Credit Plus Program and all of its requirements; requirement to notify the higher education institution a student attends under the program if the school expels that student
3737.07	Minimum standards and annual inspections for protective door assemblies in school buildings
3737.73	Conduct of fire, tornado, and school safety drills
Chapter 3742	Requirements to take actions to prevent lead poisoning and to control lead hazard in schools
3781.106	Requirements regarding in-service training on using devices used to regulate door entry in emergency situations and during active shooter drills
3792.04	Prohibition against both mandatory vaccination if the vaccine does not have full approval of the U.S. Food and Drug Administration and discrimination against individuals who have not received a vaccine without full approval
4111.17	Ohio Equal Pay Law (anti-discrimination related to wages)

[13] The general liability insurance provision of R.C. 3313.201 also applies to a community school if it has assumed responsibility for student transportation.

[14] Presumably, the direct application of the statutory bus driver qualifications and driver record requirements to all community schools, regardless of whether a school has assumed responsibility for student transportation, also includes independent contractors hired by a community school.

Citation (R.C.)	Description
Chapter 4112	Ohio Civil Rights Act
4113.52	Ohio Whistleblower Law
Chapter 4117	The state Collective Bargaining Law (as prescribed in R.C. 3314.10(A)(2) and (3) and 3314.102)
Chapter 4123	Workers' Compensation Law
Chapter 4141	Unemployment Compensation Law
Chapter 4167	State Occupational Safety and Health Law
5502.703(D)	Requirement that a school provide the Ohio School Safety and Crisis Center a current list of qualified personnel authorized to convey deadly weapons or dangerous ordnance into a school safety zone under the control of the school
5505.262	Requirement to adopt a comprehensive emergency management plan for each school building
5705.391	Requirements for five-year projections of revenues and expenditures

Community school requirements if it elects to participate

Table 3 lists optional programs and other provisions that include statutory requirements with which community schools must comply if they opt to participate in the program. If a community school opts to establish a program or implement another provision, then it must comply with the requirements under statute.

Table 3. Community School Requirements if it Elects to Participate

Citation (R.C.)	Description
9.90 and 9.91	Provisions regarding insurance benefits for educational employees
3302.07	Innovative education pilot program requirements
3302.121	School Turnaround Pilot Program requirements
3302.41 and 3314.03(A)(29)	Requirement that, if a community school voluntarily chooses to use the blended learning model and then ceases operation, the superintendent or director must notify the Department of Education and Workforce
3313.375	Authorization and procedures for entering into lease-purchase contracts for the acquisition of facilities
3313.5313	Requirements related to permitting a home-educated student who was subject to certain qualifying offenses to participate in interscholastic athletics at a different school without extra fees, rules, penalties, or restrictions
3313.605	Implementation requirements for schools electing to offer community service education programs

Citation (R.C.)	Description
3313.6611	Authority for student-led violence prevention club for each of its schools serving grades 6 to 12
3313.71	Tuberculin testing requirements
3314.143	Requirement that, if a school elects to procure epinephrine delivery systems for emergency situations, it adopt a policy governing their maintenance and use in accordance with specified criteria (see also R.C. 3313.7110)
3314.144	Requirement that, if a school elects to procure asthma inhalers for emergency situations, it adopt a policy governing their maintenance and use in accordance with specified criteria (see also R.C. 3313.7113)
3314.147	Requirement that, if a school elects to procure glucagon for emergency situations, it adopt a policy governing their maintenance and use in accordance with specified criteria (see also R.C. 3313.7115)
3314.148	Requirement that, if a school elects to procure overdose reversal drugs for emergency situations, it adopt a policy governing their maintenance and use in accordance with specified criteria (see also R.C. 3313.7119)
3313.721	Provisions for contracting with hospitals and certain health centers for student health services
3313.849	Requirements regarding educational service center shared service agreements that may be entered into by two or more school districts, community schools, or STEM schools
3333.81 to 3333.88	Requirements relating to student participation in distance learning courses offered by school districts (although authorized in statute, it appears that the clearinghouse is no longer operating)

Parental rights and health and safety standards

In addition, community schools must comply with any laws or rules that "grant certain rights to parents"[15] and with "health and safety standards established by law for school buildings."[16] These might include:

Table 4. Parental Rights and Health and Safety Standards to Which Community Schools may be Subject

Citation (R.C.)	Description
3313.205	Requirement to adopt a policy on notification of a parent when the parent's child is absent from school (see also R.C. 3321.141)
3313.712	Requirement to provide the parent of every enrolled student a statutorily prescribed blank emergency medical authorization form

[15] R.C. 3314.04.

[16] R.C. 3314.05(B)(5). See also R.C. 3314.03(A)(22) and 3314.072(B).

Citation (R.C.)	Description
3313.751	Prohibition against students smoking in any area controlled by a school board; requirement that a school board have a disciplinary policy to enforce the smoking prohibition; prohibition against students using or possessing any substance containing betel nut in any area controlled by a school board
3313.815	Requirement to have an employee trained in the Heimlich Maneuver during periods food is being served to students
3707.03	Requirement to abate nuisances or unsanitary conditions on school property
3707.48 and 3707.99	Prohibition of violating any order of a local health board
3707.50	Requirement that a warning about anabolic steroids be posted in school locker rooms
Chapter 3794	Statewide ban on smoking in public places