

How to Develop a Community School – Guidance for New Developers

Objective

To provide information about developing a community school in Ohio.

Definitions

- **Community School:** means a public school created under Chapter 3314. of the Revised Code, independent of any school district and part of the state’s program of education. Community Schools (often called “Charter Schools” in other states) are part of the state’s system of public education, offering an education that is regarded as equivalent to that of Ohio’s traditional public schools and private schools approved by the state department of education. Community schools are public nonprofit, nonsectarian schools that operate independently of any school district but under a contract with an authorized sponsoring entity that is established by statute or approved by the Ohio Department of Education. Community Schools are public schools of choice and are state and federally funded. There are two types of community schools: new start-up community schools and conversion community schools.
- **Contract:** A community school contract is a legally binding document signed by both the governing authority and the sponsor agreeing to fulfill all requirements as stated in the Ohio Revised Code (ORC) Section 3314.03, Specifications of contract between sponsor and governing authority. Per ORC Section 3314.02 contracts must be **adopted** by March 15 and **signed** by May 15 in the year prior to the proposed school opening by the sponsor board and the community school governing authority.
 - Contract adoption means the majority voting members of the sponsor and the community school governing authority vote to convert or establish a new start-up school.
 - Contract signing means the majority voting members of the sponsor and the community school governing authority agree to sign a legally binding document which fulfills all requirements as stated in ORC Section 3314.03.
- **Conversion community schools:** Community schools that are created by converting all or a portion of an existing traditional public school, including a joint vocational school, or building operated by an educational service center (ESC) to a community school. Conversion community schools may be opened by any school district in the state, and they are considered to be districts for many purposes. Because community schools are by law “independent of any school district” (O.R.C. 3314.01 (B)), once created, conversion community schools operate independently from the sponsoring school district or ESC.

- **District conversion community schools** are created by converting all or a portion of an existing traditional public school to a community school. Conversion community schools may be opened by any school district in the state. Conversion community schools operate independently of the sponsoring district and are considered their own district for many purposes.
- **ESC conversion community schools** are created when an ESC converts all or part of a building that it operates into a community school. ESC-sponsored conversion community schools may be opened in any district in the state in which the ESC owns or operates a facility.
- **Joint Vocational School District (JVSD) conversion community schools** are created when a joint vocational school district converts all or part of its school into a community school. Joint vocational school district-sponsored conversion community schools may be opened in any district in the state in which the joint vocational school district has a school.
- **Governing authority:** A group comprised of at least five individuals for new start-up community schools and at least three individuals for conversion community schools. Typically the Trustees, those who developed the school, become the Governing authority through the execution of the community school contract. Governing authority members of new start-up community schools may be on up to five such community schools at the same time.
- **Highly Qualified Teacher (HQT):** For community schools, HQT is a federally required designation given to Ohio teachers who have at least a bachelor's degree, a teaching certificate/license other than a short-term substitute or non-tax, and the ability to demonstrate their subject area expertise in the core academic subjects they teach (English, language arts, reading, science, mathematics, government and civics, history, economics, geography, music, visual arts, dance, drama, foreign language). This definition will be revised when the new ESEA (Elementary and Secondary Education Act) waiver is implemented.
- **Internet- or Computer-based Community Schools:** Community schools established under the Ohio Revised Code, Chapter 3314, in which the enrolled students work primarily from their residences on assignments in non-classroom-based learning opportunities provided via an Internet- or other computer-based instructional method that does not rely on regular classroom instruction or via comprehensive instructional methods that include Internet-based, other computer-based and non-computer-based learning opportunities. Since 2003, there has been a moratorium on e-schools. Until the state legislature adopts e-school guidelines, no new e-school may open.
- **Local Report Card (LRC):** A report detailing indicators based on students' performance on achievement tests, rates of improvement on those tests, and student attendance and graduation rates. For more information on the LRC, visit education.ohio.gov, keyword search: *LRC*.

New start-up community schools are established in a contract between a sponsoring entity established by statute or approved by ODE and the governing body of the community school. New start-up community schools are limited in their location to what are referred to as “challenged school districts.” “Challenged school district” means any of the following:

- (1) A school district that is part of the pilot project area;
- (2) A school district that is in a state of academic emergency under section 3302.03 of the Revised Code;
- (3) A school district that is in a state of academic watch under section 3302.03 of the Revised Code;
- (4) A school district ranked in the lowest five per cent of school districts according to performance index score under section 3302.21 of the Revised Code.
- (5) An Ohio Eight school district, which includes the following districts: Akron, Canton, Cincinnati, Cleveland, Columbus, Dayton, Toledo, Youngstown.

- **Preliminary Agreement (PA):** A preliminary agreement describes the intention of the sponsor and the developer/founder to pursue in good faith the execution of a contract between the two parties.
- [PA Template for Start-Up Community School](#) (Word)
- [PA Template for Conversion Community School](#) (Word)

Sponsor: An entity able to establish a community school. A sponsor has legal obligations to provide sufficient technical assistance, oversight and monitoring, including taking steps to intervene in a school’s operations, to ensure that the community schools it sponsors meet all legally mandated fiscal, academic and operational requirements. Sponsors are called authorizers in other states, as their entering into contracts legally authorizes the establishment of the charter or community school. A sponsor must meet the following criteria:

- (1) An entity that has been approved by the department to sponsor new start-up community schools and that has entered into a sponsorship agreement with the department regarding the manner in which it will conduct its sponsorship;
- (2) An entity that is exempted by section 3314.021 or 3314.027 of the Revised Code from obtaining approval; or
- (3) A city, local, or exempted village school district, educational service center, or joint vocational school district that has entered into a community school contract to sponsor a conversion community school.

- **Trustees:** Per the ORC Section 1702 (K), “Directors” means the persons vested with the authority to conduct the affairs of the corporation irrespective of the name, such as trustees, by which they are designated. Trustees are the developers of the school as a public benefit corporation under Chapter 1702. They work with the sponsor to develop a preliminary agreement and to adopt a contract for the new start up community school. They also recruit and select, as needed, any additional members for the Governing Authority (GA) for the community school. If the Trustees of the public benefit corporation are **not** the same as the governing

authority listed in the Articles of Incorporation, the Articles should be amended for consistency of membership.

Policy

The Office of Community Schools provides training and technical assistance to assist new and prospective developers to establish community schools that comply with all applicable state and federal rules and regulations.

Guidance

Community schools are generally created to provide a unique educational program or meet the needs of an underserved subgroup of students. Currently, there are two types of community schools: new start-ups and conversions. There are three kinds of conversions: district-sponsored; ESC-sponsored; and JVSD-sponsored conversion community schools.

While each community school may target different populations and use different curriculum models, all will face challenges. In establishing a new school, it is important to work closely with the sponsor to ensure the school starts properly and is successful. This guidance document provides key dates and important information for developers need to help in designing and operating community schools.

New start-up community schools are limited in location to *challenged* school districts. These districts include the eight largest urban school districts, as well as districts in academic emergency, academic watch; districts in the original pilot project area, Lucas County; and a school district ranked in the lowest five per cent of school districts according to performance index score under section 3302.21 of the Revised Code. (See ODE's website for a list of the 2010-2011 challenged school districts.)

Community schools must enroll a minimum of 25 students and provide a minimum of 920 hours of instruction annually. They may operate year-round.

Four Critical First Steps

A community school is created when an authorized sponsor enters into a community school contract with a governing authority. There is a statutory sequence for certain actions:

1. The developers must enter into a **Preliminary Agreement** with the sponsors. The Preliminary Agreement is a legally recognized declaration that both the sponsor and the developers agree to work in good faith toward the successful execution of a community school contract. A Preliminary Agreement is a required step; it precedes the community school contract. The term of the Preliminary Agreement may begin in a year prior to the school's proposed opening year and should extend past the anticipated contract execution date. **The Preliminary Agreement does not replace the contract adoption for the March 15th contract adoption requirement.**

2. A **contract adoption** must occur by March 15th in the year the school is to open. The contract adoption is represented by a sponsor's approved board resolution, stating the sponsor's intent to enter into the community school contract or a sponsor's signed board minutes summarizing that action.

At least a draft version of the community school contract should exist at the time the sponsor and school take action to formally adopt the contract. The contract adoption must be completed by March 15th of the year the school is to open.

For ESC's authorizing conversion community schools, documentation that the ESC owns or operates the building proposed to be converted should be in place by March 15th of the year the school is to open, as well.

The following items must be submitted to the Office of Community Schools within ten days of such action:

- a signed preliminary agreement; and
 - a sponsor's approved board resolution, stating the sponsor's intent to enter into the community school contract; or
 - a sponsor's signed board minutes summarizing the above action.
3. A **contract execution** occurs when the community school contract is signed by both the governing authority and the sponsor. A contract must be signed (executed) by both parties no later than May 15th of the calendar year prior to the school's planned opening.

For a new community school contracts to remain valid, unless the mission of the school is to solely to serve dropouts, the community school must open for operation by September 30th of the calendar year in which the contract is executed. If school has not opened by September 30th in the calendar year in which the contract is signed, the contract becomes void by operation of law. If the contract is for a drop-out recovery school the contract remains valid for twelve months after it is signed and school may open later in the school year.

If a contract is adopted for a new start-up school proposed to open in a school district which meets the definition of *challenged* by March 15th the contract is considered valid and the school can open even if the district's academic LRC rating improves to Continuous Improvement or better, and thus removes it from the *challenged* district.

Important Note: final preparations for opening the school:

- Ensure all necessary permits and inspections required by health and safety agencies are complete.
- Submit change of address, grade levels, name, etc. documentation to the Office of Community Schools, if the school's address, grade levels, name, etc. are different from information initially submitted to the Office of Community Schools in order to obtain an IRN.

- Make appropriate changes in OEDS, SOES, etc. to match the changes in address, grade levels, etc. if these are different from information initially entered to obtain an IRN.
- Make arrangements for the sponsor to conduct a final site visit based in part on all necessary permits being in place and municipal and county inspections completed.
- Request that the sponsor submit an Opening and Annual Sponsor Assurances Form to the Office of Community Schools no later than 10 days prior to the school's opening date, verifying that the school is ready to open.

Funding and Accountability

Funding for Community Schools – All community schools receive state per-pupil funding from ODE. Community Schools receive funding from the state through the per-pupil foundation allocation. All community schools are eligible for grants and federal title funds, the same as traditional school districts. Unlike city, local, exempted village and joint vocational school districts, community schools have no tax base from which to draw funds for buildings and investments in infrastructure. For more community school funding information, click [here](#).

Community School Payments – Community schools are paid monthly by ODE based upon the equivalent of the number of full-time students enrolled in the school as reported through the School Options Enrollment System (SOES). Community schools receive the state per-pupil formula amount, plus any funds that students are eligible to receive by virtue of characteristics such as special needs conditions, participation in career-technical programs or family low-income status. For fiscal year 2013, the per-pupil formula amount is \$5,653.

For new community schools, the first three months of foundation payments are made based upon the school's estimated enrollment, but no more than 100 students. For example, if a community school estimates that it will serve 30 students, the first three months of payments will be based upon revenue generated by 15 fulltime students. If a new community school estimates that it will serve 500 students, the first three months of payments will be based upon revenue generated by 100 students. In October, and for all subsequent months, the payment will be based upon actual student enrollment, adjusted for any fluctuations up or down in the previous month.

Transportation for Community School Students – Typically, community school students are transported by their resident districts following the same policies that are in place for students attending the traditional public school as long as the student's ride is not greater than 30 minutes. Community schools should check with the resident district's transportation director as soon as possible before school opens to ensure that policies are correctly understood and routes are established for students enrolled in the community school. A community school also may choose to arrange for its own transportation services. This option should be discussed with the school's governing authority and sponsor to be sure that all implications of this decision are clearly understood.

Accountability for Community Schools – Each community school receives a local report card issued by ODE at the end of the school's first year of operation and each year thereafter. The

community school receives a rating based upon its performance, the same as traditional public schools. Proposed legislation intends that dropout recovery community schools have additional measures appropriate to the students served. Community schools must maintain a rating of Academic Watch or higher to avoid possible closure.

To access more information about school accountability and local report cards, click [here](#). The AYP and accountability question line is available during regular work hours (8 a.m. to 5 p.m.) at (614) 995-0098. In addition, accountability questions may be e-mailed directly to accountability@ode.state.oh.us.

Licensure and HQT Requirements for Community School Teachers – Community school teachers, including special education teachers, intervention specialists and Title I teachers are required to meet ODE licensure and HQT requirements (see Definitions). Although Ohio’s community school law allows some flexibility in meeting teacher licensure requirements, ODE requires all community school teachers to meet HQT requirements for the core academic classes they are assigned to teach in a community school. For more information, visit ODE’s website at education.ohio.gov, keyword search: *Licensure and HQT requirements for Community School Teachers*.

Required Special Education Services in Community Schools – Community schools are required to provide special education services for students with disabilities and follow proper procedures as required by state and federal special education statutes, rules and regulations.

Consultants from the Office of Community Schools (OCS) and the Office for Exceptional Children (OEC) can provide guidance to developers, community schools and sponsors to help ensure that the required identification and service provision requirements are met for all students who may have or may be suspected of having a disability.

Persons with complaints regarding the implementation of the Individuals with Disabilities Education Act (IDEA) should contact OEC at (614) 466-2650 or click [here](#) to visit the OEC website. For detailed information on services and supports to students with disabilities, go to the ODE Web page <http://www.edresourcesohio.org/>

Career-Technical Programs in Community Schools – Community schools serving secondary students may decide to add career-technical programs to their subject offerings for students. Once the community school contract is approved, school leaders can develop an educational plan, allowing up to three months for the approval process. When the educational plan is approved, community schools can submit their programs of study. Resources to guide and direct application for these programs are available on ODE’s website at education.ohio.gov ([click on *Career-Tech*, then *CTE in Community Schools*](#)).

In addition, community school students have access to career-technical programs through their home school districts. Students may attend the community school for a portion of the day and the career-technical school for a portion of the day under certain circumstances. For more information, see [Community School Students Participating in Career-Technical \(CT\) Programs](#).

Involvement of Parents – Given that community schools are schools of choice, each community school is expected to encourage significant parent involvement in all aspects of the school. Community schools are required to adopt a policy on parental involvement that is designed to build consistent and effective communication between the parents and foster caregivers of students enrolled in the community school. For more information and resources, go to ODE’s website, www.ode.state.oh.us and enter the key words *parent involvement*.

Data and Information

New Community Schools Need an EIN and IRN – An Employer Identification Number (EIN) is a number assigned by the Internal Revenue Service. For instructions on obtaining an EIN, click [here](#).

An Internal Retrieval Number (IRN) is a unique number assigned by ODE to each school. To obtain an IRN, the following forms need to be completed. The IRN is needed to enter a PCSP grant application into the Comprehensive Continuous Improvement Plan (CCIP), ODE’s unified application process that handles all aspects of the federal grant process within a single system.

- [W-9](#)
- [New Vendor Information and Form](#)
- [OEDS-R Administrator Form](#)

Accounts that Need to be Created – Community schools must create accounts in the following Web applications:

- [Security Application for Enterprise \(SAFE\)](#) Web portal, a "single sign on" software security solution for ODE customers.
- [Ohio Educational Directory System Redesign \(OEDS-R\)](#), a decentralized data system that allows organizations (public schools, JVSDs, community schools, ESCs, nonpublic schools, etc.) to maintain their own data that can be searched by the general public.
- [School Options Enrollment System \(SOES\)](#), the EMIS subsystem that drives funding for students in community and STEM schools, used to enter and review student enrollment and demographic data, forming the basis for the flow of funds to community and STEM schools.
- [Education Monetary Assistance Distribution \(EMAD\)](#), a database accessible through a secure website in which school districts and community schools identify students in poverty based on family participation in the Ohio Works First Program, used to determine district and non-Internet-based community school Poverty-Based Assistance funding.

Contracting with an Information Technology Center – All schools must contract with an Information Technology Center (ITC) to submit school data to ODE. The ITC also is the point of contact for gaining access to the Statewide Student Identifier Database (SSID).

- [Information on SSIDs](#)
- [Information on ITC sites](#)

Important Sources of Information – ODE communicates through a number of listservs. Community schools are advised to sign up for each of the following listservs:

- **The Superintendent weekly communication:** *To **subscribe** to the weekly EdConnection newsletter, please send an email to Superintendent@education.ohio.gov with “**EdConnection Subscribe**” in the subject line*
- **Accountability Listserv:**
http://listserv.ode.state.oh.us/read/all_forums/subscribe?name=ls_accountability
- **Curriculum Coordinators Listserv:**
http://listserv.ode.state.oh.us/read/all_forums/subscribe?name=curriculum_coord
- **Test Coordinators Listserv:** http://listserv.ode.state.oh.us/read/all_forums/subscribe?name=test-adm-coor
- **Community School Newsletter:**
http://listserv.ode.state.oh.us/read/all_forums/subscribe?name=ls_cs-newsletter

Please note that these are the links for people to subscribe to that list.

Signing Up For Newsletters – There are a number of newsletters that provide all schools with important information on a variety of topics. Testing and assessments monthly communications are *Ides of ODE*, *District Test Coordinator Newsletter*, *K-8 Assessments* and *Ohio Graduation Tests (OGT) Monthly Newsletter*. Other newsletters can be found on ODE’s website at education.ohio.gov, keyword search: *newsletters*.

References

[Contract Elements](#) (PDF)

Ohio Revised Code 3314, 3314.014, 3314.02 (B), 3314.03.

Contacts

Please see the OCS homepage, [office directory](#) for office contact.