

Ohio Administrative Code
Chapter 3301-35
Standards for School Districts and Schools –
Kindergarten through Twelfth Grade

3301-35-01 Purpose and definitions.

(A) Under section 3301.07 of the Revised Code, the purpose for adopting operating standards for Ohio school districts and elementary and secondary schools is to assure that all students are provided a general education of high quality. The operating standards in this chapter of the Administrative Code establish specific expectations and provide additional guidelines for school districts and schools to use in creating the best learning conditions for meeting the personalized and individualized needs of each student ~~needs~~ and achieving state and local educational goals and objectives. The operating standards in this chapter incorporate principles of high-performing thinking and learning organizations to assist school districts and schools in focused continuous improvement planning for increased student academic achievement.

(B) The following terms are defined as they are used in ~~the rules of~~ this chapter:

- (1) “Adequate yearly progress (AYP)” means a measure of annual academic performance pursuant to section 3302.01 of the Revised Code.
- (2) “Assessment” means the measuring of student achievement of performance goals and objectives.
- (3) “Benchmark” means a higher performing school district or school, whether similar or not, used to compare performance.
- (4) “Board of education” means the locally elected, governing body of a school district or the governing body of a STEM school, nonpublic school, or municipal school district.
- (5) “Classified staff” means nonteaching school personnel who are assigned to positions that do not require a certificate, license, permit or other credentialing document under section 3317.12 of the Revised Code.
- (6) “Continuous improvement plan” means a document used to guide educators, students and their families, business people, and community members in the process of achieving and measuring substantial improvements in the school district’s or school’s performance. The continuous improvement plan is part of the strategic plan. All school continuous improvement plans must align with the school district’s ~~district~~ continuous improvement plans.
- (7) “Credentialed staff” means faculty or staff who hold a certificate, license, permit or other document issued under section 3301.071 or Chapter 3319. of the Revised Code. For non-

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chartered, non-tax supported schools, credentialed includes holding a bachelor's degree from a university or college; or certification of any administrator, supervisor, or teacher who has attended and received a diploma from a "bible college" or "bible institute" as described in division (E) of section 1713.02 of the Revised Code.

(8) "Credit flexibility" means that students may earn high school graduation credit by demonstrating subject area competency through the completion of traditional coursework, testing out or otherwise demonstrating mastery of course content and/or pursuing an approved educational option pursuant to the model for credit flexibility adopted by the state board of education (education.ohio.gov).

(9) "Dropout prevention and recovery program" means an approved program which has received a waiver from the department of education pursuant to section 3313.603 of the Revised Code, which may permit enrolled students to qualify for high school graduation by successfully completing a competency-based instructional program administered by the dropout prevention and recovery program in lieu of completing the Ohio core curriculum prescribed in division (C) of section 3313.603 of the Revised Code.

(10) "Educational options" means learning experiences or activities that are designed to extend, enhance, ~~or~~ supplement, or serve as an alternative to classroom instruction and meet the personalized and individualized needs of each individual student ~~needs~~. Educational options are offered in accordance with the model for credit flexibility adopted by the state board of education (education.ohio.gov), local board of education policy and with parental approval. Such options may include, but are not limited to:

(a) "Distance learning" - systematic instruction in which the instructor and/or student participate by mail or electronic media.

(b) "Educational travel" - an educational activity involving travel under the direction of a person approved by the board of education and parent.

(c) "Independent study" - an educational activity involving advanced or in-depth work that an individual student pursues under the direction of a credentialed member of the school staff.

(d) "Internship" means a work-based learning experience in which students are placed in a business or work/career related environment for a defined period of time to gain knowledge and experience.

~~(e)~~ (d) "Mentor program" means an educational activity including advanced or in-depth work by an individual student under direction of a non-credentialed individual. Mentors must meet criteria established by the board of education and are subject to parent approval.

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- (f) “Project portfolio” means a purposeful collection of student work based upon student goals and academic content standards (education.ohio.gov), completed over time, which demonstrates achievement and progress.
- (ge) “Study abroad program”- a school program in another country that is made available to Ohio students and which is comparable to programs offered in the state of Ohio.
- (hf) “Tutorial program”- an educational activity involving work by an individual student under the direction of a credentialed teacher.
- (i) “Other” means a combination of educational options approved by the local school district superintendent.
- (11) “Educational service personnel” means individuals employed by a school district in one or more of the following positions: counselor, library media specialist, school nurse, visiting teacher, social worker, or specialists in elementary art, music, or physical education.
- (12) “Extended learning opportunities” means a variety of initiatives that ensure students have access to a diverse array of content-rich, high-quality opportunities that expand the time they are actively engaged in learning. These opportunities provide students with structured opportunities for academic support and enrichment, extra-curricular activities, service learning, mentoring, recreation, character education, and other developmental activities. Such opportunities may include, but are not limited to, the following:
- (a) “Before- and after-school programs” means school or community-based programs that occur before the scheduled school day begins and/or after the scheduled school day ends on weekday afternoons. They may offer a range of diverse programming including academic support, homework help, mentoring, field trips, physical education, and arts and cultural enrichment.
- (b) “Saturday and weekend programs” means programs that offer the potential to engage students and families whose work-related commitments constrain their ability to participate in programs during the school week.
- (c) “Summer programs” include the following main categories:
- (i) “School-based remediation and credit-recovery programs” means programs that provide supplemental instruction and supports for students not performing at grade level.
- (ii) “Extracurricular, recreational, and enrichment programs” means programs offered by schools, community-based providers, youth-serving organizations, and for-profit companies.

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(d) “Extended day/year initiatives” means initiatives that explicitly modify the traditional school calendar by adding time to the school day, lengthening the school year, or otherwise modifying the school schedule. These initiatives may provide more time for core academic instruction, community-based enrichment activities, and teacher professional development.

(13) “Intervention” means alternative or supplemental instruction designed to help students meet performance objectives.

(14) “Model curriculum program” means a non-binding curriculum provided by the department of education which includes lessons, units, and assessments that are aligned with academic content standards.

(15) “Parent” means a parent, custodial parent or legal guardian as defined by section 3321.01 of the Revised Code.

(16) “Policies” means general principles governing the operation of a school. Policies shall be established and adopted by the board of education.

(17) “Performance index score” means the average of the totals derived from calculations for each subject area of reading, writing, mathematics, science, and social studies of the weighted proportions of untested students and students scoring at each level of skill and defined by section 3302.01 of the Revised Code.

(18) “Procedures” means detailed rules, regulations and courses of action, specified in writing, for carrying out school district and school policies.

(19) “Professional learning community” means a collaborative process in which educators engage in continuous dialogue and examination of practice, focused on student learning and student performance. Professional learning communities are characterized by a consistent and articulated commitment to improving student learning by incorporating coordinated strategies to respond to the learning needs of students including, but not limited to, development and implementation of effective instructional practices and strategies, setting high expectations for student learning, development of appropriate intervention and support strategies, analysis of student data, engagement in reflective professional inquiry and professional development, and utilization of opportunities to meet and plan on a regular basis.

(20) “School,” with the exception of the term “school” as used in rule 3301-35-08 of the Administrative Code, means an environment organized for learning and chartered pursuant to this chapter and section 3301.16 of the Revised Code to provide a community of students with the opportunity to acquire skills and knowledge necessary to meet state and local performance objectives.

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- (21) “School district” means a local, exempted village, city or joint vocational school district as defined in Chapter 3311. of the Revised Code. For chartered, nonpublic schools, “school district” means a school or schools under the jurisdiction of the governing authority of the chartered, nonpublic school.
- (22) “School year” means the year beginning the first day of July and ending on the thirtieth day of June of the next succeeding calendar year.
- (23) “Site evaluation” means an evaluation the Ohio department of education conducts in accordance with section 3302.04 of the Revised Code to determine whether a school district or school meets the operating standards in this chapter. Among other things, a site evaluation shall determine:
- (a) Whether teachers are assigned to subject areas for which they are licensed or certified;
 - (b) Student-teacher ratios;
 - (c) Minimum instruction time in the school district for each school day and each school year;
 - (d) The availability of materials and equipment aligned with, and promoting skills expected under, the statewide academic content standards (education.ohio.gov) and necessary to implement the curriculum as approved by the board of education; and
 - (e) Whether the school district’s vision, mission, goals and objectives, and strategic plan are properly aligned;
 - (f) How the school district addresses academic and performance issues for underperforming students and student subgroups; and
 - (g) How the school district uses data sources in the planning, implementation and monitoring of improvement programs.
- (24) “Stakeholder” means those who directly affect or are affected by the educational success of a school district and school. Stakeholders may include, but are not limited to, colleges and universities, school district and school staff, employers, parents, students, and other individuals or groups in the community. For nonpublic schools, the governing authority of the school identifies “stakeholders.”
- (25) “Strategic plan” means a plan used to guide the school district or school and key stakeholders in the on-going measurement of school district and school performance to assure adequate progress is being made toward strategic goals and objectives. Strategic planning identifies short- and long-range goals and the strategies necessary to achieve them. Strategic planning is the responsibility of the board of education, the superintendent and key stakeholders. All school strategic plans must align with the school district strategic plan.

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- (26) “Superintendent” means the chief administrative officer of a school district or the chief administrative officer of a nonpublic school.
- (27) “Value-added progress dimension” means a measure of academic gain for a student or group of students over a specific period of time that is calculated by applying a statistical methodology to individual student achievement data derived from the state achievement assessment test as defined by section 3302.01 of the Revised Code.
- (C) This chapter shall not be exempted under the provisions of rule 3301-15-02 of the Administrative Code for school districts designated as “excellent” or “effective” pursuant to section 3302.03 of the Revised Code.

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3301-35-02 Governance, leadership, organization, administration and supervision organizational leadership.

- (A) The board of education, superintendent, ~~and~~ treasurer, ~~faculty and staff develop establish~~ and communicate the school district's vision, mission, guiding principles, ~~philosophy, direction,~~ priorities, and strategies for addressing stakeholder needs, especially those of students. To assure that the school district operates as a successful thinking and learning organization, the board, superintendent, treasurer, faculty and staff should serve as positive role models, reinforce best practices and provide strong leadership, including a commitment to the development and implementation of professional learning communities pursuant to division (D)(3)(a) of section 3301.07 of the Revised Code. The board of education shall be responsible for developing policies governing the school districts' operations and educational programs, which are consistent with applicable local, state and federal law and regulations.
- (B) The elements of a leadership system that will guide a high-performing school district or school include:
- (1) A student-centered educational ~~student-focused~~ environment that includes a focus on the personalized and individualized needs of each student;
 - (2) High expectations for every student and organizational performance, individual student, ~~and~~ faculty, and staff development, initiative, innovation, and a commitment to continuous improvement and closing the achievement gap;
 - (3) A commitment to the implementation of effective teaching and learning strategies that utilize technological tools and emphasize inter-disciplinary, real world, project-based, and technology-oriented learning experiences ~~An educational environment that supports students' developmental needs~~;
 - (4) Effective management strategies that allow administrators reasonable access to classrooms for observation and professional development experiences;
 - (5) Ongoing monitoring and analysis by the school district or school of both student and organizational performance; and
 - (6) The use of findings from ongoing reviews of student and organizational performance, including state and local assessment data, to improve system operations; promote innovation; align the school district's vision, mission, goals, ~~and~~ objectives, strategic plan, and stakeholder needs; ~~and~~ allocate fiscal and human resources; and to diagnose the learning needs of each student.
- (C) To be responsible to the stakeholders they serve, the board of education, ~~and~~ superintendent, and treasurer shall:
- (1) Assure that the vision, mission and educational goals of the school district and/or school reflect the educational needs identified by a broad representation of stakeholders;

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- (2) Assure that the board of education policies and the school district's educational goals are available to all stakeholders;
- (3) Engage in a process of collective inquiry, action orientation, and experimentation to ensure the academic success of all students;
- (4) Construct effective connections and relationships with families and other stakeholders to support student success;
- (53) Listen to and respond appropriately ~~respond~~ to stakeholder concerns about current and future school operations in a timely manner; and
- (64) Model and promote ethical behavior among all stakeholders.

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3301-35-03 Strategic planning and continuous improvement.

(A) The proper governance, leadership, organization, administration and supervision of a school district or school require effective and focused strategic planning. A strategic plan guides the school district or school and key stakeholders in the ongoing measurement of school district or school performance to assure adequate progress is being made toward strategic goals and objectives. Strategic planning identifies short- and long-range goals and the strategies necessary to achieve them. Strategic planning is the responsibility of the board of education, the superintendent and other key stakeholders.

(1) Effective strategic planning is:

(a) Based on the personalized and individualized needs of current and future students and other stakeholders of the school district or school; and

(b) Used to develop strategic goals and objectives for the school district or school that are focused, well-defined and have a specific timetable for being met.

(2) School districts and schools shall develop short-and long-term strategies that align with their goals and objectives. If school district or school policy requires work plans to be developed for any units or individuals within the school district or school, all such work plans shall align with school district and school goals.

(3) School districts and schools shall identify and use key internal performance targets, performance index score, value-added progress dimension, performance of similar school districts and schools, benchmarks, and other specific measures to track performance on work plans and strategic goals and objectives.

(4) Strategic goals and objectives, short- and long-term strategies, performance targets, internal performance targets, performance index score, value-added progress dimension, benchmarks and other measures shall be communicated to all stakeholders.

(B) School districts and schools that have failed to meet adequate yearly progress for two consecutive years pursuant to section 3302.03 of the Revised Code shall develop strategic plans that meet the requirements of paragraph (A) of this rule and include a focused a three-year continuous improvement plan pursuant to sections 3302.04 and 3302.041 of the Revised Code.

(1) School districts and schools that have failed to meet adequate yearly progress for two consecutive years shall be subject to intervention procedures specified in rule 3301-56-01 of the Administrative Code.

~~(a) Adopt and implement a continuous improvement plan as specified in rule 3301-56-01 of the Administrative Code; and~~

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~~(b) Be subject to intervention procedures specified in rule 3301-56-01 of the Administrative Code.~~

- (2) School districts and schools that have failed to meet adequate yearly progress for two consecutive years shall set ~~achieve~~ certain minimum performance improvement goals as specified in rule 3301-56-01 of the Administrative Code.
- (3) The Ohio department of education shall evaluate school districts and schools that have failed to meet adequate yearly progress for two consecutive years on their progress toward achieving the minimum performance improvement goals pursuant to rule 3301-56-01 of the Administrative Code.
- (4) The department of education shall provide technical support and assistance to school districts and schools that have failed to meet adequate yearly progress for two consecutive years in the development and implementation of their continuous improvement plans.

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3301-35-04 Student and other stakeholder focus.

(A) To ensure that student and other stakeholder needs are understood and addressed, the school district or school shall:

- (1) Establish and communicate clear, high expectations for academic performance, attendance and conduct for all students regardless of gender, race, ethnicity, English proficiency or disability;
- (2) ~~Diagnose and assess~~ Assess the needs of students and other stakeholders and use assessment results and the value-added progress dimension to make informed decisions about curriculum, instruction, assessment, and goals;
- (3) Monitor and analyze its performance index score, educational offerings, facilities, services and instructional materials to determine their effectiveness in helping students meet performance objectives; ~~and~~
- (4) Continually improve programs and policies to better meet student needs by:
 - (a) Considering input from stakeholders;
 - (b) Monitoring and considering the changing needs and expectations of stakeholders;
 - (c) Regularly conducting stakeholder satisfaction evaluations using objective, reliable methods; and
 - (d) Comparing the results of stakeholder evaluations to those of benchmark school districts or schools.
- (5) Communicate ~~to parents on a regular basis~~ information about student attendance, conduct, academic performance and progress to parents on a regular basis.

(B) The school district or school shall implement a district-wide curriculum and instructional program that is characterized by systematic planning, articulation, and evaluation. The school district's curriculum shall be developed with input from and dialogue with parents, community members, and other stakeholders.

- (1) Pursuant to sections 3301.07 and 3313.60 of the Revised Code, any such curriculum shall include study of the following subjects:
 - (a) The language arts, including reading, writing, spelling, oral and written English, and literature;
 - (b) Geography, the history of the United States and Ohio, and national, state, and local government in the United States, including a balanced presentation of the relevant contributions to society of men and women of African, Mexican, Puerto Rican, and

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American Indian descent as well as other ethnic and racial groups in Ohio and the United States;

- (c) Mathematics;
 - (d) Natural science, including instruction in the conservation of energy and natural resources;
 - (e) Health education;
 - (f) Personal safety and assault prevention in grades kindergarten through six;
 - (g) Physical education;
 - (h) The fine arts, including music; and
 - (i) First aid.
- (2) School districts ~~shall~~ also shall provide for study of the following subjects:
- (a) Foreign language~~;~~;
 - (b) Technology~~;~~;
 - (c) Family and consumer sciences~~;~~ and
 - (d) Business education/economics.
- (3) In accordance with section 3313.602 of the Revised Code, school districts and schools shall:
- (a) Develop policies and procedures to ensure that the principles of democracy and ethics will be emphasized and discussed wherever appropriate in all parts of the curriculum for grades kindergarten through twelve~~;~~;
 - (b) Adopt a policy regarding the pledge of allegiance to the flag of the United States of America; and
 - (c) Devote time to the observance of Veterans' day that conveys the meaning and significance of that day.
- (5) In accordance with section 3313.90 of the Revised Code, school districts shall make career and technical education available to their students.
- (6) Courses of study shall define the key components of a school district's curriculum and instruction.

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- (a) A course of study shall be adopted for each subject taught. Each course of study shall:
- (i) Comply with the provisions of section 3313.60 of the Revised Code;
 - (ii) Align with the school district vision, mission, philosophy educational goals and strategic plan;
 - (iii) Specify learning and performance expectations;
 - (iv) Establish a scope and sequence of knowledge and skills to be learned;
 - (v) Provide a way to assess student progress and the need for intervention;
 - (vi) Address the various developmental needs of early childhood, middle childhood and adolescent through young adult students;
 - (vii) Use technological tools and emphasize inter-disciplinary, real world, project-based, and technology-oriented learning experiences;
 - (viii) Be guided by Ohio's state-adopted academic content standards; and
 - (~~ix~~viii) For career and technical courses, be guided by state board approved career and technical core standards and performance measures.
- (b) Courses of study shall be reviewed and updated as needed.
- (C) The school district or school shall provide every student with opportunities to acquire the knowledge and skills required to:
- (1) Meet local course of study objectives.
 - (2) Receive a diploma or an honors diploma in accordance with section 3313.61 of the Revised Code; and
 - (3) Receive credits for graduation in compliance with section 3313.603 of the Revised Code.
- (a) Beginning September 30, 2003, the requirements for graduation from every high school shall include twenty units earned in grades nine through twelve and shall be distributed as follows:
- (i) English language arts, four units;
 - (ii) Health, one-half unit;
 - (iii) Mathematics, three units;

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- (iv) Physical education, one-half unit;
 - (v) Science, three units, which at all times shall include both of the following:
 - (a) Biological sciences, one unit;
 - (b) Physical sciences, one unit.
 - (vi) Social studies, three units, which shall include both of the following:
 - (a) American history, one-half unit.
 - (b) American government, one-half unit.
 - (vii) Elective units, six units.
 - (~~a~~b) Each student's electives shall include at least one unit, or two half-units, chosen from among the areas of business/technology, fine arts, and/or foreign language.
- (b) Beginning with students who enter the ninth grade for the first time on or after July 1, 2010, except as provided in divisions (D), (E), and (F) of section 3313.603 of the Revised Code, the requirements for graduation from every high school shall include twenty units designed to prepare students for the workforce or college and shall be distributed as follows:
- (i) English language arts, four units;
 - (ii) Health, one-half unit;
 - (iii) Mathematics, four units, which shall include one unit of algebra II or the equivalent of algebra II;
 - (iv) Physical education, one-half unit;
 - (v) Science, three units with inquiry-based laboratory experience, which at all times shall include the following:
 - (a) Physical sciences, one unit;
 - (b) Life sciences, one unit;
 - (c) Advanced study in one or more of the following sciences, one unit:
 - (i) Chemistry, physics, or physical sciences;

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(ii) Advanced biology or other life science;

(iii) Astronomy, physical geology, or other earth science or space science.

(vi) Social studies, three units, which shall include both of the following:

(a) American history, one-half unit;

(b) American government, one-half unit.

(vii) Five elective units, consisting of one or any combination of the following: foreign language, fine arts, business, career-technical education, family and consumer sciences, technology; agricultural education, a junior reserve officer training corps (JROTC) program approved by the congress of the United States, or English language arts, mathematics, science or social studies courses not otherwise required for graduation.

(viii) Each school shall integrate the study of economics and financial literacy into one or more courses so that every student receives instruction in those concepts.

(ix) Each student shall complete two semesters or the equivalent of fine arts in grades seven to twelve to graduate from high school pursuant to division (K) section 3313.603 of the Revised Code.

(D) A student enrolled in an approved dropout prevention and recovery program that has received a waiver from the department of education may qualify for graduation by successfully completing a competency-based instructional program pursuant to section 3313.603 of the Revised Code in lieu of completing the curriculum prescribed in paragraph (C) of this rule.

(E) School districts shall not charge a fee to a student who is eligible for a free lunch for any materials needed to enable the student to participate fully in a course of instruction pursuant to section 3313.642 of the Revised Code.

~~(F)~~ School districts ~~shall~~ and chartered nonpublic schools ~~shall~~ may provide students with the opportunity to acquire knowledge and skills and earn credits toward graduation through a variety of methods that shall include, but are not limited to, the following: ~~postsecondary enrollment options in accordance with the provisions of Chapter 3365. of the Revised Code and Chapter 3301-44 of the Administrative Code.~~

(1) Dual enrollment programs in accordance with section 3313.6013 of the Revised Code;

(2) Credit flexibility, including educational options, in accordance with rules 3301-35-01 and 3301-35-06 of the Administrative Code.

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~~(GE)~~ School districts shall provide for an assessment system that aligns with their courses of study and includes:

(1) Regular assessment of student performance;

~~(2)~~ A policy governing the provision of academic prevention/intervention services for all grades and all schools through the school district pursuant to section 3313.6013 of the Revised Code;

~~(32)~~ Guidelines for using assessment results and the value-added progress dimension for instruction, evaluation, intervention, guidance, and grade-promotion decisions;

~~(43)~~ Written policies and procedures regarding the participation of students with disabilities;

~~(54)~~ Ongoing professional staff development that teaches accepted standards of practice in the selection, administration, interpretation, and use of assessments;

~~(65)~~ Multiple and appropriate assessments that shall be used to measure student progress;

~~(76)~~ Assessment practices that, when used to qualify students for graduation, promotion or special programs or services, conform to current professional standards for validity and reliability; and

~~(87)~~ Sharing information with parents, students, and the community regarding assessment purposes and results.

~~(HF)~~ Student achievement shall be monitored according to established procedures.

(1) Student progress reports shall be provided to parents on a regular basis. Parents shall be notified of problems with student achievement, conduct or attendance in a timely manner. Parent-teacher conferences may be one method of providing this information to parents.

(2) Student cumulative records shall be maintained, and student records shall be safeguarded according to sections 1347.99 and 3319.321 of the Revised Code and the Family Educational Rights and Privacy Act ~~(December 2008)~~, 20 USC section 1232g.

(3) Criteria for decisions on student promotion and retention shall be in accordance with sections 3301.0711, 3313.60, 3313.608, 3313.609, and 3319.01 of the Revised Code.

(5) Student admission, placement, and withdrawal shall be processed according to established procedures.

(a) Admission of students to kindergarten and grade one shall be in accordance with sections 3321.01 and 3324.10 of the Revised Code.

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- (b) Grade placement and units of credit shall be accepted for students transferring from any school in the state of Ohio that meets the requirements of rules 3301-35-01 to 3301-35-07, 3301-35-10 and 3301-35-13 ~~Chapter 3301-35~~ of the Administrative Code; and from any out-of-state school approved by a state department of education or the equivalent for schools attended in another country.

- (7) Requirements for awarding credit, including credit for study abroad, to students who successfully complete courses in grades nine through twelve or have demonstrated competency through the successful completion of approved credit flexibility options shall be in accordance with section 3313.603 of the Revised Code; and
 - (a) Shall specify that a fractional unit of credit be awarded on a proportionate basis for a course that meets less than the minimum one hundred twenty hours required for one credit unit;
 - (b) May permit more than one unit of credit to be awarded on proportionate basis for a course that meets more than one hundred twenty hours;
 - (c) May permit students below the ninth grade to take advanced work for credit; and
 - (d) Shall specify that units earned in English language arts, mathematics, science, and social studies that are delivered through integrated academic and technical instruction are eligible to meet the graduation requirements of section 3313.603 of the Revised Code.

- (8) Diplomas shall be issued to students who complete graduation requirements in accordance with sections 3313.603, 3313.61, 3313.611 and 3313.612 of the Revised Code.

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3301-35-05 Faculty and staff focus.

(A) Credentialed and classified staff shall be recruited, employed, assigned, evaluated and provided professional development without discrimination on the basis of age, color, ancestry, national origin, race, gender, religion, disability or veteran status.

- (1) Each credentialed staff member shall hold the appropriate credentials for his/her assigned position in accordance with section 3301.071 or Chapter 3319. of the Revised Code and rules adopted ~~thereunder~~ by the state board of education for teacher preparation and licensure. Copies of credentials appropriate to staff assignments shall be on file in the school district's administrative office.
- (2) As part of the employment process, a school district or school shall conduct criminal records checks on applicants pursuant to sections section 3319.39 and 3310.391 of the Revised Code and rules rule 3301-20-01 and 3301-20-03 of the Administrative Code.
- (3) The ratio of teachers to students school district-wide shall be at least one full-time equivalent classroom teacher for each twenty-five students in the regular student population as defined in section 3317.023 of the Revised Code. School districts receiving funds under section 3317.029 of the Revised Code must comply with the teacher-student pupil ratios and other requirements of that statute.

The ratio of teachers to students in kindergarten through fourth grade on a school district-wide basis shall be at least one full-time equivalent classroom teacher per twenty-five students in the regular student population. Said ratio shall be calculated in accordance with sections 3317.02 and 3317.023 of the Revised Code.

- (4) A minimum of five full-time equivalent educational service personnel shall be employed school district-wide for each one thousand students in the regular student population as defined in section 3317.023 of the Revised Code. Educational service personnel shall be assigned to at least five of the eight following areas: counselor, library media specialist, school nurse, visiting teacher, social worker and elementary art, music and physical education. Educational service personnel assigned to elementary art, music and physical education shall hold the special teaching certificate or multi-age license in the subject to which they are assigned. School districts receiving the school nurse wellness coordinator factor and school district health professional factor funds pursuant to section 3306.06 of the Revised Code shall give preference to hiring licensed school nurses.
- (6) Every school shall be provided the services of a principal, and every school with fifteen or more full-time equivalent classroom teachers shall be assigned the services of a full-time principal. No principal shall be assigned to more than two schools.
- (6) Credentialed staff shall be evaluated in accordance with law applicable to their positions, including, but not limited to, sections 3319.01, 3319.02, 3319.11 and 3319.111 of the Revised Code. Evaluation systems should align with state models and the Ohio educator standards (education.ohio.gov).

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- (7) Classified staff shall be evaluated at regular intervals. Evaluation results shall be discussed with the classified staff in evaluation conferences.
 - (8) Data shall be used to determine the amount and nature of faculty and staff professional development necessary to implement the school district's vision, mission and strategic plan. Professional development planning may include the identification of observable and measurable staff learning outcomes, the individual or group needs of faculty and staff to develop or improve the knowledge and skills necessary to address personalized and individualized student learning needs, a focus on closing the gap between student performance and the expectations for student performance, and identification of the resources necessary to support the professional learning outcomes, follow-up and evaluation. Professional development for all faculty and staff shall continually be ~~continually monitored~~, evaluated and improved to align with school district goals and objectives and to meet the changing needs of students. Professional development for credentialed staff shall be provided pursuant to sections 3319.22 ~~and 3319.222~~ of the Revised Code and rules 3301-24-06, 3301-24-07 and 3301-24-08, and Chapter 3301-25 of the Administrative Code.
 - (9) Teachers shall be provided sufficient time for designing their work, evaluating student progress, conferencing, and team planning. Time shall be established for teachers to pursue collaborative planning for the development of lesson plans, professional development, and shared learning. The schedule of full-time equivalent classroom teachers assigned to a school with a teacher day of six hours or longer, excluding the lunch period, shall include two hundred minutes per week for these purposes.
- (B) The school district or school shall maintain an environment that supports personal and organizational performance excellence by allowing credentialed and classified staff the opportunity to develop and use their full potential to achieve school district and school objectives.
- (1) The organizational design of the school district or school shall promote communication, cooperation, and the sharing of knowledge and skills across work functions, units and locations.
 - (2) All staff shall know and demonstrate knowledge of and commitment to the school district and school vision, mission, philosophy, goals, objectives, strategic and continuous improvement plans, and performance expectations and results.
 - (3) The school district or school shall continually evaluate its work environment and improve it to support school district, school and student goals.
 - (4) All licensed educators and other school district staff shall engage in professional development that aligns with the Ohio educator standards. (education.ohio.gov)

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- (54) Faculty and staff shall strive to create and maintain an environment of encouragement, trust and mutual commitment to school district and school goals.
- (65) Faculty and staff shall work within a healthy, safe environment and help maintain and improve a healthy, safe environment conducive to student learning and performance excellence.

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3301-35-06 Educational programs and support.

- (A) Educational programs and experiences shall be designed and implemented to provide a general education of high quality for all students. Students shall be provided sufficient time and opportunity to achieve local school district performance requirements and objectives measured by required state achievement ~~assessments and proficiency tests~~. Instruction shall be focused on the personalized and individualized needs of each student and include intervention that is designed to meet student needs. Instruction and instructional activities shall be:
- (1) Consistent with educational research and proven practices;
 - (2) Appropriate to student ages, developmental needs, learning styles, abilities, and English proficiency; and
 - (3) Designed to ease the transition of students from one educational environment to another.
 - (4) In accordance with division (M) of section 3301.07 of the Revised Code and rule 3301-33-01 of the Administrative Code, phonics shall be used as a technique to teach reading in kindergarten through third grade.
- (B) Each building shall be open for instruction with students in attendance in accordance with section 3313.48 of the Revised Code; the board of education may operate its schools under an alternate schedule if it complies with section 3313.481 of the Revised Code. The school calendar may be modified to make up days in accordance with the school district's contingency plan pursuant to section 3313.482 of the Revised Code.
- (C) Students in kindergarten shall be offered at least two and one-half hours per day of classes, supervised activities or approved educational options, excluding the lunch period. School districts that receive funds under division (D) or (J) of section 3317.029 of the Revised Code for all-day kindergarten shall offer five hours per day, excluding the lunch period. Beginning July 1, 2010 each school district shall provide kindergarten to each student enrolled in accordance with section 3321.05 of the Revised Code.
- (D) The school day for students in grades one through six shall include scheduled classes, supervised activities or approved educational options for at least five hours, excluding the lunch period. Instruction shall be provided in those curricular areas identified in sections 3301.07, 3313.60, and 3313.602 of the Revised Code that are appropriate for the student's age and ability level, and that reflect the vision, mission, and strategic plan of the school district and school.
- (E) The school day for students in grades seven and eight shall consist of scheduled classes, supervised activities (excluding interscholastic athletics), or approved educational options for at least five and one-half hours, excluding the lunch period. Instruction shall be provided in curricular areas identified in sections 3301.07, 3313.60 and 3313.602 of the Revised Code

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that are appropriate for the student's age and ability level, and that reflect the vision, mission and strategic plan of the school district and school.

(F) The school day for students in grades nine through twelve shall consist of scheduled classes, supervised activities (excluding interscholastic athletics), or approved educational options for at least five and one-half hours excluding the lunch period. Instruction shall be provided in those curricular areas identified in sections 3301.07, 3313.60, 3313.602, and 3313.90 of the Revised Code that are appropriate for the student's age and ability level, that meet the graduation requirements specified in section 3313.603 of the Revised Code, and that reflect the vision, mission, and strategic plan of the school district and school.

(G) All When made available, educational options shall require:

(1) An instructional and performance plan that is based on individual student needs and shall include:

(a) Instructional and performance objectives that align with the school district's curriculum requirements;

(b) An outline that specifies instructional activities, materials, and learning environments; and

(c) A description of the criteria and methods for assessing student performance.

(2) Parental permission for students under age eighteen;

(3) Superintendent approval prior to student participation;

(4) Involvement of a credentialed teacher in reviewing the instructional plan, which may include providing, or supervising, or reviewing instruction or learning experiences, and the evaluation of evaluating student performance; and

(5) Credit for approved educational options shall be assigned according to student performance relative to stated objectives of the approved instructional and performance plan educational option and in accordance with local board policy and established procedures.

(6) Each school district shall communicate information and procedures related to credit flexibility and educational options available in the school district to students, parents and all interested stakeholders.

(H) Innovations and waivers

Any school district or chartered nonpublic school may ask that an innovative pilot program be exempted from specific laws or rules pursuant to section 3302.07 of the Revised Code and

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rule-3301-46-01 of the Administrative Code. Any school district may ask to be exempted from specific laws and rules pursuant to section 3306.40 of the Revised Code.

(I) Educational support services

(1) Student support services should be designed to support student progress toward meeting educational performance objectives contained in Ohio law, all applicable federal laws and locally developed course objectives. Student support services may include screening, assessment, intervention, monitoring of student progress, counseling, consultation, and access to library media and information technology programs designed to support student achievement. Instructional materials and equipment, including library media materials, technology, and other student support services shall:

(a) Support the school district's vision, mission, educational goals, and strategic plan;

(b) Promote skills expected under the statewide academic content standards adopted under section 3301.079 of the Revised Code (education.ohio.gov);

~~(c)~~ Support the objectives specified in the course of study and the learning needs of students;

~~(d)~~ Be current; and

~~(e)~~ Be selected according to adopted policies and with the involvement of credentialed staff.

(2) Operational support services should be designed to create an educational environment conducive to effective teaching and learning. Examples of such services include:

(a) Administrative staff, including principals as provided in paragraph (A)(5) of rule 3301-35-05 of the Administrative Code;

(b) Management of buildings and grounds to accommodate student enrollment, and to meet faculty and staff work space and private conference space needs as appropriate;

(c) Services that identify student health and safety concerns and opportunities for access to appropriate related resources. These services shall be consistent with the Revised Code as stated below and determined by the local board of education and school district in collaboration with stakeholders, and shall include:

(i) Compliance with immunization requirements of section 3313.67 of the Revised Code;

(ii) Compliance with emergency medical authorization requirements of section 3313.712 of the Revised Code;

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- (iii) Vision and hearing screenings, referrals and follow up;
- (iv) Emergency preparedness, including fire drills, rapid dismissal, and tornado drills in accordance with section 3737.73 of the Revised Code;
- (v) The posting of emergency procedures and telephone numbers in classrooms for use by parents, students, and school personnel;
- (vi) A safety plan, for each school district building, which complies with section 3313.536 of the Revised Code; ~~and~~
- (vii) A local policy governing administration of medicines in accordance with section 3313.713 of the Revised Code;~~;~~
- (viii) A local policy protecting students with peanut or other food allergies in accordance with section 3313.719 of the Revised Code; and
- (ix) Compliance with staff training requirements of sections 3319.073, 3313.815 and Chapter 4167. of the Revised Code and Executive Order 2009-13S (ohio.gov).
- (d) Positive behavior intervention supports to ensure a safe and secure learning environment;
- (e) Student attendance strategies in accordance with section 3321.04 of the Revised Code;
- ~~(fe)~~ A comprehensive student conduct code that is in accordance with sections 3313.66, 3313.661 and 3313.662 of the Revised Code; and
- ~~(gf)~~ Financial management strategies that align expenditure of resources with the school district strategic plan and, if applicable, its continuous improvement plan.

(J) Stakeholder partnerships

- (1) The school district or school through its board of education, superintendent, and staff shall work with key stakeholders, including, but not limited to, the following:
 - (a) Parents, in part through the adoption of a policy on parental involvement in the schools, as provided by section 3313.472 of the Revised Code;~~;~~
 - (b) Business advisory councils, as provided by sections 3313.82, 3313.821 and 3313.822 ~~3313.174~~ of the Revised Code.
 - (c) Family and civic engagement teams, as provided by sections 3313.82, 3313.821 and 3313.822 of the Revised Code;

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~~(de)~~ School-parent or school-business partnerships as referenced in section 3301.131 of the Revised Code; and

~~(ee)~~ Other schools, social services, and organizations that impact educational programs for students.

(2) In addition to its regular budget process, the school district shall work with key stakeholders to review the school district's allocation of educational resources. This evaluation shall be conducted at least once every three years to ensure that the school district's resources are allocated in an effective and equitable manner. Allocation and expenditure of school district resources must be aligned with the school district's strategic plan and reflect best practices in financial management.

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3301-35-07 Using data to improve performance results.

- (A) To provide a foundation for measuring and improving operational and educational performance, each school district or school shall:
- (1) Collect and analyze information about key areas of school operations and educational performance and areas of needed improvement identified in its strategic plan, and if applicable, in its continuous improvement plan pursuant to rule 3301-56-01 of the Administrative Code;
 - (2) Ensure that information collected is accessible, valid and reliable; and
 - (3) Monitor, evaluate, improve, and update the information to meet changing educational needs.
- (B) For key operational and educational areas, school districts and schools should determine their baseline performance levels, evaluate and compare their performance levels with similar school districts and schools, benchmarks and generally accepted best practices. The school district or school shall use the comparative information, performance index score and other data to promote innovation, improve instruction and learning, improve school district and school performance, and set higher goals for future achievement. The analysis of performance data, including disaggregated data, may be used to:
- (1) Determine progress, identify areas for improvement, and develop corrective action plans under rule 3301-56-01 of the Administrative Code;
 - (2) Measure year-to-year improvement of various student populations including the value-added progress dimension; and
 - (3) Communicate student performance results to staff, parents, and other stakeholders.
- (C) The state's education management information system (EMIS) under section 3301.0714 of the Revised Code and rule 3301-14-01 of the Administrative Code provides an integrated system of statewide collecting, reporting and compiling of school district and school information in a manner that complies with federal laws protecting student privacy.
- (1) The performance measures a school district uses shall reflect the major categories of data collected under EMIS relating to students, staff, and financial status.
 - (2) The school district shall work with the department of education to submit timely and accurate data under EMIS, and the school district shall minimize the time it takes to verify the accuracy of its data.
- (D) To ensure continuous improvement of its information system, the school district or school shall regularly evaluate the system to ensure that the information it collects is:

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- (1) Appropriate and collected in a manner that complies with state and federal laws protecting student privacy;
 - (2) Shared with parents, staff, students, and other stakeholders; and
 - (3) Used to improve the school district's performance.
- (E) The school district or school shall evaluate organizational effectiveness by analyzing key

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3301-35-08 Non-chartered, non-tax supported school.

A school, which is not chartered or seeking a charter from the state board of education because of truly held religious beliefs, shall annually certify in a report to the parents of its pupils that the school meets Ohio minimum standards for non-chartered, non-tax supported schools cited in paragraphs (A) to (H) of this rule. A copy of said report shall be filed with the Ohio department of education on or before the thirtieth of September of each year.

(A) School year. The school shall be open for instruction with pupils in attendance for not less than one hundred eighty-two days each school year according to section 3313.48 of the Revised Code.

(B) School day. The school day for pupils in grades one through twelve shall be no less than five hours exclusive of the noon recess according to section 3313.48 of the Revised Code.

(C) Pupil attendance. Pupil attendance shall be reported to facilitate administration of laws relating to compulsory education and the employment of minors. Parents shall be responsible for reporting their child's school enrollment or withdrawal. An individual in charge of the non-chartered, non-tax supported school may, as a matter of convenience, provide the report for the parent.

(1) The attendance report shall include the name, age, and place of residence of each pupil below eighteen years of age.

(2) The report shall be made to the treasurer of the board of education of the city, exempted village, or local school district in which the pupil resides.

(3) The report shall be made within the first two weeks of the beginning of each school year. In the case of pupil withdrawal or entrance during the school year, notice shall be given to the treasurer of the appropriate board(s) of education. Such notice shall be given within the first week of the next school month.

(D) Teacher and administrator qualifications. Teachers and administrators shall have received a bachelor's degree or the equivalent thereof from a recognized college or university.

(E) Courses of study. Each non-chartered, non-tax supported school shall have courses of study for the following subjects:

(1) Language arts;

(2) Geography, the history of the United States and Ohio, and national, state, and local government;

(3) Mathematics;

(4) Science;

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- (5) Health;
 - (6) Physical education;
 - (7) The fine arts, including music;
 - (8) First aid, safety, and fire prevention;
 - (9) Other subjects as prescribed by the non-chartered, non-tax supported school.
- (F) Pupil promotion. Each non-chartered, non-tax supported school shall follow regular procedures for promotion from grade to grade of pupils who have met the school's educational requirements.
- (G) Pupil health and safety. Each non-chartered, non-tax supported school shall comply with state and local health, fire, and safety laws.
- (H) Pupils attending a non-chartered, non-tax supported school are not entitled to pupil transportation as provided pursuant to section 3327.01 of the Revised Code, and pupils attending a non-chartered, non-tax supported school are not entitled to auxiliary services as provided pursuant to section 3317.06 of the Revised Code.

A non-chartered, non-tax supported school is not entitled to nonpublic administrative cost reimbursement provided pursuant to section 3317.063 of the Revised Code.

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3301-35-09 School district contracts for academic remediation and intervention.

School districts may contract with public and private providers of academic remediation and intervention in mathematics, science, reading, writing, and social studies to assist students in grades one through six outside of regular school hours.

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3301-35-10 Site-based management council.

- (A) The purpose of this rule is to prescribe conditions for establishing and operating site-based management councils under section 3314.20 of the Revised Code. This section provides that all school districts with an average daily membership (ADM) over five thousand, except those designated excellent or effective shall identify at least one school to be operated by a site-based management council (SBMC).
- (B) Immediately following performance designations (sometime after July 1, 1999) of Ohio school districts, boards of education in those school districts not designated excellent or effective, and with ADM over five thousand, shall identify at least one school to be operated by a SBMC.
- (C) Additionally, those boards of education must:
- (1) Specify the composition of the SBMC, which must include, but not be limited to:
 - (a) The building principal;
 - (b) Teachers assigned to the school;
 - (c) Nonteaching staff;
 - (d) A number (equal to the number of teachers serving on the SBMC) of parents, each with at least one child enrolled in the school;
 - (e) Up to three community representatives;
 - (f) As an option: a member of the student body, with or without voting rights.
 - (2) Assure that any change in the number of teacher, nonteaching staff, or parent members of the SBMC results in any other changes necessary to achieve parity of membership among these three groups.
 - (3) Adopt provisions for selecting council members. Such provisions shall provide that:
 - (a) Teachers, nonteaching staff, parent groups, and students, if applicable, shall each select their own representatives, who in turn, shall be responsible for reporting back to the group they represent and for soliciting that group's views and assistance;
 - (b) The teacher, nonteaching staff, and parent representative groups elected to the SBMC shall each appoint one community representative to serve on the SBMC.
 - (4) Adopt provisions for removing council members, recognizing that the SBMC will establish procedures for the removal of members of the SBMC. Such provisions shall specify that:

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- (a) Removal of a teacher or nonteaching staff member of the SBMC shall result from an action by the school district superintendent, with the concurrence of the constituency represented, and shall be in accordance with school district board of education policies and procedures.
 - (b) Removal of a parent member of the SBMC shall result from an action by the SBMC, with the concurrence of the parent constituency represented, and in accordance with its own established policies and procedures.
 - (c) Removal of a community member of the SBMC shall result from an action by the SBMC, with the concurrence of seventy-five percent of the SBMC representatives, and in accordance with its own established policies and procedures.
- (5) Delineate the powers, duties, functions, and responsibilities to be exercised by the SBMC, including, but not limited to:
- (a) Providing input for the implementation of guidelines, processes, and procedures established by the school district board of education for selecting the principal;
 - (b) Recommending to the superintendent, for cause, as established by school district board of education policy, the removal from the school of the principal, teachers, and/or other professional and para-professional staff;
 - (c) Recognizing the building principal as chair and facilitator of the initial organizational meeting of the SBMC, during which a temporary chair will be selected to serve until provisions are made to select a permanent chair;
 - (d) Facilitating the development of a continuous improvement plan for the school;
 - (e) Monitoring and evaluating the school's progress with continuous improvement;
 - (f) Preparing annually, for submission to the school district superintendent and board of education, a budget for the operation of the school;
 - (g) Monitoring the budget;
 - (h) Preparing and communicating financial progress reports at least annually to the school district board of education and the community.
- (6) Meet and agree with the SBMC on procedures for resolving any disagreements as to their respective powers, duties, functions, and responsibilities. Such procedures will include provisions for an independent, local mediator to be used to help resolve such disagreements, and if necessary, provide binding resolution. No member of the state board of education or the Ohio department of education shall be eligible to serve as a mediator.

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(D) In lieu of following the specifications provided in paragraphs (A) to (C) of this rule, boards of education in those school districts required to establish a SBMC-governed school may file with the Ohio department of education, an alternative structure for a site-based management program. Such proposals must specify:

- (1) The composition of the SBMC, including an equal number of parents and teachers, as well as the principal;
- (2) The method of selection and removal of SBMC members;
- (3) Clear delineation of the respective powers, duties, functions, and responsibilities of the school district board of education and the SBMC.

(E) The alternative proposal filed with the Ohio department of education must comply substantively with paragraphs (A) to (C) of this rule as determined by the Ohio department of education.

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3301-35-11 Procedures for evaluation and intervention.

(A) A school district or school shall be evaluated in accordance with section 3302.04 of the Revised Code and rule 3301-56-01 of the Administrative Code.

- (1) When the department of education conducts a site evaluation of a school district or school, the superintendent shall be informed in advance of the site evaluation dates and procedures.
- (2) A written report of the results of the school district site evaluation shall be mailed to the superintendent and the president of the board of education. The state superintendent shall also be informed of the results. The site evaluation report may include recommendations for revision of the school district's continuous improvement plan and implementation process. The school district shall schedule a public meeting to be held within ninety days of the report's receipt to discuss the report's recommendations with the public. The superintendent shall notify parents and other stakeholders of the meeting's place, date and time.
- (3) The school district shall prepare a written plan for responding to the report's recommendations and submit it to the department of education.
- (4) The department of education may conduct additional on-site verification to review progress.

(B) All school districts and schools shall conduct a comprehensive review of their educational programs and organizational effectiveness to determine whether they are aligned with Ohio law, all applicable federal laws, and the school district's locally defined mission statement, goals, objectives and strategic plan.

- (1) Educational program reviews shall be conducted periodically and scheduled to generate timely data. The department of education may help school districts conduct the review.
- (2) School districts that have developed and implemented a continuous improvement plan shall use that plan as a framework for conducting the review. School districts shall also be guided by:
 - (a) The most recent school district local report card and performance index score generated in accordance with section 3302.03 of the Revised Code;
 - (b) The five-year projection of revenue and expenditures, generated in accordance with rule 3301-92-04 of the Administrative Code; and
 - (c) Other pertinent information.

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- (3) School districts shall incorporate the results of the educational program review within their educational goals, and where applicable, modify their strategic plans or continuous improvement plans accordingly.
- (C) Failure to comply with applicable rules in this chapter and rule 3301-56-01 of the Administrative Code shall be cause for initiating efforts to revoke the school district's charter in accordance with section 3301.16 of the Revised Code and Chapter 119. of the Revised Code. The department of education may investigate allegations of noncompliance with the rules in this chapter, as it deems necessary.
- (D) Exceptions to the provisions of rules 3301-35-01 to 3301-35-07 and 3301-35-12 to 3301-35-14 of the Administrative Code may be granted by the state board of education upon evidence of good and sufficient reason and recommendation by the superintendent of public instruction.

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3301-35-12 Chartered nonpublic schools.

A nonpublic school chartered by the state board of education shall assure that its students receive a general education of high quality.

(A) A nonpublic school shall assure that students are provided a general education of high quality by either:

(1) Being accredited by an association whose standards have been reviewed by the state superintendent's advisory committee on chartered nonpublic schools and approved by the state board of education; or

(2) Showing compliance with rules 3301-35-01 to 3301-35-07 and rule 3301-35-11 of the Administrative Code except that:

(a) Paragraph (C)(1) of rule 3301-35-02 of the Administrative Code concerning the mission and goals of the school district or school shall not apply.

(b) Notwithstanding paragraph (A) of rule 3301-35-05 of the Administrative Code, chartered nonpublic schools may consider religious affiliation in hiring and employment decisions to the extent permitted by law.

(c) Paragraphs (A)(3) and (A)(4) of rule 3301-35-05 of the Administrative Code regarding student-teacher ratios and educational service personnel shall not apply;

(d) Chartered nonpublic schools may use fulltime equivalent principals to comply with paragraph (A)(5) of rule 3301-35-05 of the Administrative Code; and

(e) The length of the school day as described in paragraphs (E) and (F) of rule 3301-35-06 of the Administrative Code, for grades seven through twelve, shall be at least five hours excluding the lunch period.

(B) A chartered nonpublic school that does not meet the requirements set forth in paragraph (A) of this rule shall be subject to the provisions of paragraphs (C) and (D) of rule 3301-35-11 of the Administrative Code.

(C) The superintendent of public instruction shall establish an advisory committee on chartered nonpublic schools to make recommendations to the state board of education concerning development and administration of regulations for chartered nonpublic schools. Committee membership shall represent chartered nonpublic school constituency groups including the Association of Christian Schools International; the Catholic Conference of Ohio; the Government Affairs Committee of Ohio Jewish Communities, Inc.; the Lutheran Schools of Ohio; the Ohio Association of Independent Schools; and the Seventh Day Adventist Schools, Ohio Conference. Each group shall have representation on the committee, and these groups shall constitute no less than two-thirds of the committee's membership.

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3301-35-13 Special purpose schools.

- (A) A special purpose school chartered by the state board of education shall assure that its students are provided a general education of high quality.
- (B) A charter to operate a special purpose school may be granted to:
- (1) A school district;
 - (2) A chartered nonpublic school;
 - (3) A school operated by a state, county or local government agency; or
 - (4) A school within a state institution.
- (C) Special purpose schools shall be chartered to operate in accordance with applicable rules of this chapter. Such schools may focus on:
- (1) Programs for at-risk students;
 - (2) Magnet programs or those with special emphasis;
 - (3) Adult education programs;
 - (4) Programs for students with disabilities, providing that the programs comply with the federal Individuals with Disabilities Education Improvement Act;
 - (5) College preparation programs, if at least ninety-five percent of the school district's or school's graduates for the last three years were admitted to degree-granting institutions; and
 - (6) Other programs as identified by a school district or school.
- (D) The governing authority of a special purpose school may submit a written exemption request to the superintendent of public instruction for approval to operate outside the provisions of certain education statutes and rules. Any such request shall be in accordance with section 3302.07 of the Revised Code and rule 3301-46-01 of the Administrative Code.

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3301-35-14 Procedures for beginning a new school and for changing location or ownership of a school.

- (A) A new school may be established and operated for a specified period in accordance with sections 3301.16 and 3313.48 of the Revised Code and the following procedures, provided the school has at least three grade levels or fifteen students.
- (1) The superintendent shall contact the Ohio department of education about beginning a school and shall attend the “beginning a chartered nonpublic school” workshop conducted by the department of education.
 - (2) The Ohio department of education shall provide copies of these operating standards and procedures for beginning a school.
 - (3) The superintendent shall submit to the Ohio department of education a plan for meeting operating standards. The plan shall include:
 - (a) Objectives related to operating standards; and
 - (b) A timeline for meeting operating standards. Nonpublic schools shall also comply with rules 3301-39-01 to 3301-39-04 of the Administrative Code, entitled approval of nonpublic schools.
 - (4) A new school may operate under a letter of approval issued by the Ohio department of education subsequent to an on-site evaluation and approval of an operations plan. A new school may be approved to operate for a period not to exceed four years.
 - (5) The state superintendent of public instruction may recommend that the state board of education grant a charter when an on-site evaluation indicates that a school is meeting operating standards.
- (B) A change in location or ownership of any school shall comply with section 3313.48 of the Revised Code and be reported to the Ohio department of education. A change in location or ownership shall render a charter null and void.