



John R. Kasich, Governor  
Dr. Lonny J. Rivera, Interim Superintendent of Public Instruction

June 23, 2016

RE: Sponsor Certification of Compliance for the Compliance Component of the 2015-2016  
Sponsor Evaluation

Dear Sponsors,

Under House Bill 2, the Ohio Department of Education is required to evaluate a sponsor's compliance with all applicable laws and administrative rules as part of the compliance component of the sponsor evaluation. The department recently provided sponsors with a copy of the draft spreadsheet, which outlines all applicable laws and administrative rules and highlights the laws and rules related to health and safety. In addition, the sponsors received the *Certification of Compliance with all Laws and Rules* that a sponsor needs to complete and file with the department as part of the sponsor evaluation process.

The following is additional guidance for sponsors on the compliance component of the 2015-2016 sponsor evaluation. The certification is split into two parts: sponsor compliance and community school compliance that the sponsor monitors and oversees.

#### Sponsor Compliance

1. First, sponsors should review the laws and rules spreadsheet provided.
2. Next, the sponsor must complete the *Certification of Compliance with all Laws and Rules*. In the first part of the certification, the sponsor must (1) identify the applicable laws or rules the sponsor complied with; (2) identify any laws or rules that the sponsor has not complied with; and (3) identify any laws or rules that do not apply to the sponsor. For example, under HB 2, most sponsors are prohibited from selling goods or services to sponsored community schools (item 3 on the compliance instrument). However, if a sponsor failed to follow this requirement and continued selling goods or services to sponsored community schools, the sponsor would be required to list item 3 in the first part of the certification document as a law or rule that it did not comply with.
3. The sponsor must then upload supporting documentation for some of the items to Epicenter. Please refer to the "Documentation" column on the laws and rules spreadsheet for guidance on what documentation may be required. Note that supporting documentation is not required for all items. Keep in mind for the items where documentation is required, Epicenter may require sponsors to upload documentation, even though an item does not apply to a particular sponsor or community school. In those situations, please upload a short memo describing why the particular item is not applicable to the sponsor.

For example, item 39 requires sponsors of closed community schools to complete the closing assurances and upload a copy of the assurances to Epicenter. If a sponsor did not close any community schools during the review period, a short memo outlining these facts should be uploaded to Epicenter in lieu of the copy of the closing assurances.

## Community School Compliance

4. In the second part of the *Certification of Compliance with all Laws and Rules*, the sponsor must certify that it both monitored and ensured its sponsored community schools have complied with all applicable laws and rules. The sponsor must complete the following three sections: (1) identify the applicable laws or rules the sponsor's community schools complied with; (2) identify any laws or rules that the sponsored community schools have not complied with; and (3) identify any laws or rules that do not apply to the sponsored community schools. Sponsors should complete section two of the *Certification of Compliance with all Laws and Rules* for each community school it sponsors. If additional space is needed, the form will need to be modified to accommodate the number of schools you sponsor. If a sponsored community school is out of compliance with an applicable law or rule, the sponsor should upload to Epicenter the supporting documentation of any corrective action taken, e.g. corrective action plan, probation, suspension, non-renewal or termination.
  
5. The sponsor must then upload supporting documentation for some of the items to Epicenter. Again, please refer to the "Documentation" column on the compliance instrument for guidance on what documentation may be required. Note that supporting documentation is not required for all items. Instead, sponsors will certify compliance or noncompliance with a particular item using the certification. Also keep in mind for the items where documentation is required, Epicenter may require sponsors to upload documentation, even though an item does not apply to a particular community school. In those situations, please upload a short memo describing why the particular item is not applicable to the community school.

For example, item 99 requires sponsors of community schools engaged in pupil transportation to upload records that students completed the required annual safety training. If a community school does not engage in pupil transportation and instead relies on the resident school district for transportation, a short memo outlining these facts should be uploaded to Epicenter in lieu of the training records.

Once the certification is complete and the sponsor has uploaded any required supporting documentation to Epicenter, the sponsor also must upload the completed *Certification of Compliance with all Laws and Rules*.

The department of education uses the certification of each sponsor to establish and initially score the compliance component. The department will then review a random sample of items from the compliance instrument to validate the sponsor's certification. This validation may include a review of documentation submitted to Epicenter, the department, or other third party documentation, as well as an onsite review at sponsored community schools.

The department may adjust a sponsor's initial score for the compliance component based on the results of the validation. Please note, if the department is unable to validate an item related to the health and safety of students, the sponsor's rating shall be reduced by one level and may weight health and safety issues. Further information on the weighting of health and safety items will be provided in the near future, as well as the deadline for the certification. These health and safety items are highlighted on the compliance instrument for easier identification.

If you have any questions regarding the compliance component of the sponsor evaluation process, please contact me at [deneice.cooper@education.ohio.gov](mailto:deneice.cooper@education.ohio.gov).