

**\*\*\*DRAFT - NOT FOR FILING\*\*\***

**3301-39-04 Oversight/revocation of charter.**

(A) A nonpublic school ~~issued~~ holding a charter ~~issued~~ by the ~~state board of education~~ department shall be subject to monitoring and oversight by the ~~department~~ department's office of nonpublic educational options, including periodic reviews through site-visit, desk audit, investigations of complaints and other means to determine if the nonpublic school is in compliance with rule 3301-35-09 of the Administrative Code and other applicable Ohio laws and rules. In fulfilling its obligation to provide monitoring and oversight, the department ~~shall~~ will consider evidence provided by an accrediting association if the school is accredited by an association whose standards have been reviewed by the ~~state superintendent's~~ department director's advisory committee on chartered nonpublic schools and approved by the ~~state board of education~~ department pursuant to paragraph (A)(1) of rule 3301-35-09 of the Administrative Code.

(B)(1) If a chartered nonpublic school leaves an accrediting association through which a ~~chartered nonpublic~~ the school has received its charter in accordance with rule 3301-35-09 of the Administrative Code, the ~~nonpublic~~ school ~~is required to~~ shall notify the department within thirty days and provide ~~evidence~~ assurances that ~~they are continuing~~ continues to meet the requirements of rule 3301-35-09 of the Administrative Code.

(2) The department will conduct a site visit of a chartered nonpublic school within six months of notice that the school is leaving an accrediting organization.

(C)(1) Should any dispute or complaint arise regarding a chartered nonpublic school's compliance with rule 3301-35-09 of the Administrative Code or other applicable Ohio laws and rules, the department is the final authority in the resolution of the dispute or complaint.

~~(1)(2)~~ (2) The department will review all complaints, including any evidence supporting the position of the complainant, ~~sent in writing~~ provided by the aggrieved party to the office of nonpublic education options. Prior to making a determination, the department will do all of the following:

(a) Notify the chartered nonpublic school's governing authority and accrediting organization and provide a description of the complaint and process for investigating complaints;

(b) Consider any evidence from the accrediting organization ~~and/or~~ and the governing authority of the school;

(c) Review all available evidence and make a ~~final~~ determination.

~~(2)~~ The (3) Upon completing its investigation, the department may permit the chartered nonpublic school to satisfactorily complete a corrective action plan in lieu of revocation under rule ~~3301-35-04~~ 3301-35-09 of the Administrative Code.

(D) If a chartered nonpublic school ceases K-12 operations, it shall notify the department within thirty days and may request a one-year suspension of its charter with the intention of re-opening within twelve months. If the school does not resume K-12 operations within one year of

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being issued the suspension of charter, the ~~chartered nonpublic~~ school is to shall notify the department that K-12 operations have permanently ceased under that charter.

(E) If a determination is made by the department that a chartered nonpublic school is not in compliance with rule 3301-35-09 of the Administrative Code or other applicable Ohio laws and rules and the ~~nonpublic~~ school does not fully address all compliance issues within the time period specified in a corrective active plan established by the department, the ~~department~~ office of nonpublic educational options will notify the chartered nonpublic school of its intent to recommend to the ~~state board of education~~ department director that its charter be revoked, and of the ~~nonpublic~~ school's right to a hearing pursuant to Chapter 119. of the Revised Code.

(F) ~~Upon~~ If a hearing is requested, upon conclusion of the hearing and consideration of a designated hearing officer's report and recommendation, the ~~state board~~ director may approve or deny the recommendation of the ~~department~~ office of nonpublic educational options and revoke the charter of the nonpublic school.

**Supplemental Information**

**Authorized By:** 3301.07(D)(2) and ~~(M)~~(N)

**Amplifies:** 3301.07(D)(2), 3301.16, 3317.024, 3317.06, 3327.01

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