

As Introduced

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Regular Session

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H. B. No. 70

Representatives Driehaus, Brenner

**Cosponsors: Representatives Henne, Kuhns, Fedor, Strahorn, Lepore-Hagan,
Phillips, Patterson, Bishoff, Blessing, Reece, Curtin, Antonio**

A BILL

To enact sections 3302.16, 3302.17, and 3302.18 of
the Revised Code to authorize school districts
and community schools to initiate a community
learning center process to assist and guide
school restructuring.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3302.16, 3302.17, and 3302.18 of
the Revised Code be enacted to read as follows:

Sec. 3302.16. (A) (1) As used in sections 3302.17 and
3302.18 of the Revised Code, "community learning center" means a
school operated by a city, exempted village, or local school
district or community school established under Chapter 3314. of
the Revised Code that participates in a coordinated, community-
based effort with community partners to provide comprehensive
educational, developmental, family, and health services to
students, families, and community members during school hours
and hours in which school is not in session.

(2) For purposes of this section and sections 3302.17 and
3302.18 of the Revised Code, "community partner" means a

provider to students, families, or community members of health 19
care services, on-site resource coordinators, and any other 20
services or programs determined appropriate by a school action 21
team created under section 3302.18 of the Revised Code. 22

(B) Prior to providing health services to a student, a 23
community learning center shall obtain the written consent of 24
the student's parent, guardian, or custodian, if the student is 25
less than eighteen years old, or the written consent of the 26
student, if the student is at least eighteen years old. 27

(C) A community learning center and any employee, 28
contractor, or volunteer of a community learning center shall, 29
in accordance with all applicable state and federal laws, 30
maintain the confidentiality of patient-identifying information 31
obtained in the course of providing health services. 32

Sec. 3302.17. (A) This section applies to any school 33
building operated by a city, exempted village, or local school 34
district, or a community school established under Chapter 3314. 35
of the Revised Code, to which any of the following conditions 36
apply: 37

(1) The building is in improvement status as defined by 38
the "No Child Left Behind Act of 2001" or under an agreement 39
between the Ohio department of education and the United States 40
secretary of education. 41

(2) The building is a secondary school that is among the 42
lowest achieving fifteen per cent of secondary schools 43
statewide, as determined by the department. 44

(3) The building is a secondary school with a graduation 45
rate of sixty per cent or lower for three or more consecutive 46
years. 47

(4) The building is a school that the department 48
determines is persistently low performing. 49

(5) A school building that is not in improvement status 50
but for which the school district board of education or 51
community school governing authority approves the operation of 52
the school as a community learning center. If the board or 53
governing authority approves such operation, the requirements 54
prescribed by this section may apply to the building. 55

(B) Beginning with the 2015-2016 school year, each 56
district board of education or community school governing 57
authority may initiate a community learning center process for 58
any school building to which this section applies. 59

First, the board or governing authority shall conduct a 60
public information hearing at each school building to which this 61
section applies to inform the community of the community 62
learning center process. The board or governing authority may do 63
all of the following with regard to the public information 64
hearing: 65

(1) Announce the meeting not less than forty-five days in 66
advance at the school and on the school's or district's web 67
sites and using tools to ensure effective communication with 68
individuals with disabilities; 69

(2) Schedule the meeting for an evening or weekend time; 70

(3) Provide interpretation services and written materials 71
in all languages spoken by five per cent or more of the students 72
enrolled in the school; 73

(4) Provide child care services for parents attending the 74
meeting; 75

(5) Provide parents, students, teachers, nonteaching employees, and community members with the opportunity to speak at the meeting; 76
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(6) Comply with section 149.43 of the Revised Code. 79

In preparing for the public information hearing, the board or governing authority shall ensure that information about the hearing is broadly distributed throughout the community. 80
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The board or governing authority may enter into an agreement with any civic engagement organizations, community organizations, or employee organizations to support the implementation of the community learning center process. 83
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The board or governing authority shall conduct a follow-up hearing at least once annually until action is further taken under the section with respect to the school building or until the conditions described in division (A) of this section no longer apply to the school building. 87
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(C) Not sooner than forty-five days after the first public information hearing, the board or governing authority shall conduct an election, by paper ballot, to initiate the process to become a community learning center. Only parents or guardians of students enrolled in the school and students enrolled in a different school operated by a joint vocational school district but are otherwise entitled to attend the school, and teachers and nonteaching employees who are assigned to the school may vote in the election. 92
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The board or governing authority shall distribute the ballots by mail and shall make copies available at the school and on the web site of the school. The board or governing authority also may distribute the ballots by directly giving 101
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ballots to teachers and nonteaching employees and sending home 105
ballots with every student enrolled in the school building. 106

(D) The board or governing authority shall initiate the 107
transition of the building to a community learning center if the 108
results of the election held under division (C) of this section 109
are as follows: 110

(1) At least fifty per cent of parents and guardians of 111
students enrolled in the eligible school building and students 112
enrolled in a different building operated by a joint vocational 113
school district but who are entitled to attend the school cast 114
ballots by a date set by the board or governing authority, and 115
of those ballots at least sixty-seven per cent are in favor of 116
initiating the process; and 117

(2) At least fifty per cent of teachers and nonteaching 118
employees who are assigned to the school cast ballots by a date 119
set by the board or governing authority, and of those ballots at 120
least sixty-seven per cent are in favor of initiating the 121
process. 122

(E) If a community learning center process is initiated 123
under this section, the board or governing authority shall 124
create a school action team under section 3302.18 of the Revised 125
Code. Within four months upon selection, the school action team 126
shall conduct and complete, in consultation with community 127
partners, a performance audit of the school and review, with 128
parental input, the needs of the school with regard to 129
restructuring under section 3302.10, 3302.12, or 3302.042 of the 130
Revised Code, or federal law. 131

The school action team shall provide quarterly updates of 132
its work in a public hearing that complies with the same 133

specifications prescribed in division (B) of this section. 134

(F) Upon completion of the audit and review, the school 135
action team shall present its findings at a public hearing that 136
complies with the same specifications prescribed in division (B) 137
of this section. After the school action team presents its 138
findings at the public hearing, it shall create a community 139
learning center improvement plan that designates appropriate 140
interventions, which may be based on the recommendations 141
developed by the department under division (H) (1) (b) of this 142
section. 143

If there is a federally mandated school improvement 144
planning process, the team shall coordinate its work with that 145
plan. 146

The school action team shall approve the plan by a 147
majority vote. 148

(G) Upon approval of the plan by the school action team, 149
the team shall submit the community learning center improvement 150
plan to the same individuals described in division (C) of this 151
section. Ballots shall be distributed and an election shall be 152
conducted in the same manner as indicated under that division. 153

The school action team shall submit the plan to the 154
district board of education or community school governing 155
authority, if the results of the election under division (G) of 156
this section are as follows: 157

(1) At least thirty per cent of parents and guardians of 158
students enrolled in the eligible school building and students 159
enrolled in a different building operated by a joint vocational 160
school district but who are entitled to attend the school cast 161
ballots by a date set by the board or governing authority, and 162

of those ballots at least fifty per cent are in favor of 163
initiating the process; and 164

(2) At least thirty per cent of teachers and nonteaching 165
employees who are assigned to the school cast ballots by a date 166
set by the board or governing authority, and of those ballots at 167
least fifty per cent are in favor of initiating the process. 168

The board or governing authority shall evaluate the plan 169
and determine whether to adopt it. The board or governing 170
authority shall adopt the plan in full or adopt portions of the 171
plan. If the board or governing authority does not adopt the 172
plan in full, it shall provide a written explanation of why 173
portions of the plan were rejected. 174

(H) (1) The department shall do all of the following with 175
respect to this section: 176

(a) Adopt rules regarding the elections required under 177
this section; 178

(b) Develop appropriate interventions for a community 179
learning center improvement plan that may be used by a school 180
action team under division (F) of this section; 181

(c) Publish a menu of programs and services that may be 182
offered by community learning centers. The information shall be 183
posted on the department's web site. To compile this information 184
the department shall solicit input from resource coordinators of 185
existing community learning centers. 186

(2) The department may do the following with respect to 187
this section: 188

(a) Provide assistance, facilitation, and training to 189
school action teams in the conducting of the audit required 190

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| <u>under this section;</u> | 191 |
| <u>(b) Provide opportunities for members of school action teams from different schools to share school improvement strategies with parents, teachers, and other relevant stakeholders in higher performing schools;</u> | 192 193 194 195 |
| <u>(c) Provide financial support in a school action team's planning process and create a grant program to assist in the implementation of a qualified community learning center plan.</u> | 196 197 198 |
| <u>(I) Notwithstanding any provision to the contrary in Chapter 4117. of the Revised Code, the requirements of this section prevail over any conflicting provisions of a collective bargaining agreement entered into on or after the effective date of this section. However, the board or governing authority and the teachers' labor organization may negotiate additional factors to be considered in the adoption of a community learning center plan.</u> | 199 200 201 202 203 204 205 206 |
| <u>Sec. 3302.18. (A) (1) If a community learning center process is initiated under section 3302.17 of the Revised Code for any school building operated by a city, exempted village, or local school district or a community school established under Chapter 3314. of the Revised Code, the district board of education or community school governing authority shall create a school action team for the school building. The team shall consist of twelve members, as follows:</u> | 207 208 209 210 211 212 213 214 |
| <u>(a) Seven individuals, consisting of parents or guardians of students enrolled in the school and members of the community who are not teachers or nonteaching employees, as elected by their peers;</u> | 215 216 217 218 |
| <u>(b) Five teachers and nonteaching employees who are</u> | 219 |

assigned to the school building and are not parents or guardians 220
of students enrolled in the school, as elected by their peers. 221

(2) To assist a school action team initiated under section 222
3302.17 of the Revised Code, the district board, community 223
school governing authority, or community partner shall select an 224
individual who is employed by the district, school, or community 225
partner to serve as the resource coordinator for the community 226
learning center. The school action team shall make 227
recommendations to the board, governing authority, or community 228
partner on potential candidates. The resource coordinator shall 229
not be considered a member of a school action team. The resource 230
coordinator shall assist in the development and coordination of 231
programs and services for the community learning center. 232

(B) All members of a school action team shall serve as 233
voting members. Terms of office shall be for three years, and 234
vacancies shall be filled in the same manner as the original 235
appointment. 236

Members shall serve without compensation. 237

(C) In addition to the responsibilities listed in section 238
3302.17 of the Revised Code, the school action team shall do all 239
of the following: 240

(1) Monitor and assist in the implementation of the school 241
improvement plan, if adopted; 242

(2) Meet with candidates for principal and other 243
administrative positions and make recommendations to the 244
superintendent and board of education of the district or 245
governing authority of the community school; 246

(3) Advise on school budgets; 247

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| <u>(4) Establish ongoing mechanisms that engage students, parents, and community members in the school;</u> | 248 249 |
| <u>(5) Continue to collect feedback and information from parents using an annual survey;</u> | 250 251 |
| <u>(6) Develop and approve a written parent involvement policy that outlines the role of parents and guardians in the school;</u> | 252 253 254 |
| <u>(7) Monitor school progress on data related to academic achievement; attendance, suspensions, and expulsions; graduation rates; and reclassifications disaggregated by major racial and ethnic groups, limited English proficient students, economically disadvantaged students, and students with disabilities;</u> | 255 256 257 258 259 |
| <u>(8) Receive regular updates from the principal on policy matters affecting the school and provide advice on such matters;</u> | 260 261 |
| <u>(9) Meet regularly with parents and community members to discuss policy matters affecting the school.</u> | 262 263 |
| Section 2. It is not the intent of this act to impact or otherwise limit any provisions of state law relating to parental consent for an abortion. | 264 265 266 |