

3301-102-02**Definitions.**

If not defined in Chapter 3314 of the Ohio Revised Code, the following terms are defined as they are used in the rules in this chapter:

- (A) "Capacity" means an organization's capability of providing sufficient monitoring, oversight, and technical assistance, consistent with sponsor duties defined in division (D) of section 3314.03 of the Revised Code and as verified by the rating issued for a sponsor for the evaluation conducted pursuant to section 3314.016 of the Revised Code, which includes taking steps to intervene in a school's operations to ensure that the community schools it sponsors will meet all legally mandated fiscal, academic, and operational requirements.
- (B) "Chief administrative officer" means the individual assigned the role of superintendent in the Ohio educational directory system-redesign (OEDS-R) or its successor system.
- (C) "Community school" means a public school created under Chapter 3314. of the Revised Code, independent of any school district and part of the state's program of education.
- (D) "Community school contract" means a written agreement and any amendments thereto, between the sponsor and the governing authority of a community school that establishes the duties, rights and responsibilities of both parties in accordance with all sections of the Revised Code and all rules of the Administrative Code that are applicable to sponsors and community schools.
- (E) "Conversion school" means a community school created by converting all or a portion of an existing traditional public school or building operated by an educational service center or joint vocational school district to a community school.
- (F) "Department" means the Ohio department of education.
- (G) For the purposes of sections 3314.015(B)(4) and 3314.02(C)(1)(f)(iii) of the Revised Code, an "education-oriented entity" is one that has been:
- (1) Granted tax-exempt status under section 501(c)(3) of the Internal Revenue Code;
 - (2) Is organized for one or more of the following purposes:
 - (a) Supporting and/or directly providing educational services and/or programs aimed at the ultimate goal of obtaining a diploma or GED; or
 - (b) Promoting career and college readiness among persons eligible to attend a K-12 program.

- (3) The department has determined that the applicant has a demonstrated record of successfully implementing educational programs. Demonstration of the applicant's successful implementation of educational programs shall be supported by outcome data related to the goals of the applicant's educational programs and may also include process measures, financial measures and other indicators of added value to the program participants and others;and
- (4) The applicant entity is not a community school.
- (5) Pursuant to sections 3314.015(B)(4) 3314.02(C)(1)(f)(iii) of the Revised Code and for the purposes of paragraph (G)(2) of this rule, the department will determine on a case-by-case basis whether an applicant is organized for one of the purposes stated in that paragraph. In making this determination, the department shall consider, but not be limited to, the following criteria:
- (a) Applicant's mission, organizational goals and strategic plan, in the event the applicant has a strategic plan;
 - (b) Activities that the applicant routinely engages in and/or that routinely take place in the course of a typical business day;
 - (c) Applicant's historical record of providing or supporting academic and/or vocational programs; and
 - (d) Applicant's agreements with third-party service providers regarding the provision of academic and/or vocational programs.
- (6) An applicant may meet the requirement regarding its status as a tax-exempt entity by successfully showing that it falls under a parent organization that has obtained tax-exempt status under section 501(c) of the Internal Revenue Code for itself and its affiliated entities; however, all other eligibility criteria in this chapter must be met by the applicant itself and not the parent organization
- (H) "Eligible entity" means any of the following:
- (1) Any of the entities listed in division (C)(1) of section 3314.02 of the Revised Code;
 - (2) An entity that is known as a grandfathered sponsor and described in section 3314.021 or 3314.027 of the Revised Code that received a rating below "effective" under division (B) of section 3314.016 of the Revised Code for two or more consecutive years.
- (I) "EMIS" (education management information system). The education management information system provides the architecture and standards for reporting data to the

Ohio department of education. EMIS is the statewide data collection system for Ohio's primary and secondary education system. Staff, student, district, building, and financial data are collected through this system. The source data for Ohio's accountability and funding systems are the EMIS data files. In addition, these files are utilized for many other state and federal requirements.

(J) "Governing authority" means for both conversion and new start-up community schools, a board of not less than five individuals who are charged with the responsibility of establishing policies and procedures for the operation and management of a community school and responsible for carrying out all of the provisions of a community school contract.

(K) "Learning opportunity" means classroom-based or non-classroom-based supervised instructional and educational activities that are defined in the community school's contract and are:

(1) Provided by or supervised by a licensed teacher;

(2) Goal oriented; and

(3) Certified by a licensed teacher as meeting the criteria established for completing the learning opportunity.

(L) "Preliminary agreement" means a written agreement and any amendments thereto, between a proposing person or group and a sponsor that sets forth the intention of both parties to negotiate in good faith towards the execution of a community school contract in accordance with Chapter 3314. of the Revised Code. A preliminary agreement between a proposing person or group and a sponsor must be entered into under section 3314.02 of the Revised Code after the sponsor has obtained approval from the department to be a sponsor and prior to the adoption of a community school contract.

(M) "Site visit" means a visit in person by a representative of the sponsor, or of the department, on-site at the location of the school with the school administrator, fiscal officer, and/or member(s) of the governing authority to review and verify contractual, local, state and federal compliance as to the following matters, including, but not limited to: health and safety, educational program, including provision of student learning opportunities as referenced in division (A)(23) of section 3314.03 of the Revised Code and as defined in paragraph (K) of this rule, student state-required academic assessment(s), fiscal operations, governance and administration, and other assessment and accountability measures, as defined in the community school's contract.

(N) "SOES" means the school options enrollment system or its successor system, which is the EMIS subsystem that drives funding for students in community schools and STEM Schools. This Web application is used to enter and review student enrollment and demographic data to form the basis for the flow of funds to community schools and STEM schools. School personnel enter data in the SOES and traditional public school personnel review, verify, or challenge that data.

(O) "Sponsor" means any of the following:

- (1) An eligible entity that has been approved by the department to sponsor new start-up community schools and that has entered into a sponsorship agreement with the department regarding the manner in which it will conduct its sponsorship;
- (2) An entity that is exempted by section 3314.021 or 3314.027 of the Revised Code from obtaining approval;
- (3) Prior to July 1, 2017, a city, local, or exempted village school district, educational service center, or joint vocational school district that has entered into a community school contract to sponsor a conversion community school; or
- (4) On and after July 1, 2017, a city, local, or exempted village school district, educational service center, or joint vocational school district that has been approved by the department to be a sponsor and has entered into a community school contract to sponsor a community school.

(P) "Sponsor monitoring, oversight, and technical assistance" includes the following:

- (1) Monitoring a community school's compliance with all laws applicable to the school and with the terms of the school's contract;
- (2) Monitoring and evaluating the academic and fiscal performance and the organization and operation of the school on at least an annual basis;
- (3) Reporting on an annual basis the results of the evaluation conducted under division (D)(2) of section 3314.03 of the Revised Code to the department and to the parents of students enrolled in the school;
- (4) Providing technical assistance to the school in complying with laws applicable to the school and terms of the contract;
- (5) Taking steps to intervene in the school's operation to correct problems in the school's overall performance, declaring the school to be on probationary status pursuant to section 3314.073 of the Revised Code, suspending the operation of the school pursuant to section 3314.072 of the Revised Code, or terminating

the contract of the school pursuant to section 3314.07 of the Revised Code as determined necessary by the sponsor;

(6) Having in place a plan of action to be undertaken in the event the school experiences financial difficulties or closes prior to the end of a school year; and

(7) Other activities designed to specifically benefit the school the entity sponsors.

(Q) "Sponsorship agreement" means a written agreement, and any amendments thereto, between the department and a sponsor which establishes the duties, rights and responsibilities of both parties in accordance with all sections of the Revised Code and all rules of the Administrative Code that are applicable to sponsors and community schools.

(R) "State board" means the state board of education.

(S) "Technical assistance" means the provision of targeted and customized supports by professionals with subject matter expertise relevant to the operations of a community school toward successfully fulfilling its obligations under applicable rules, laws and the terms of its community school contract.

Replaces: 3301-102-02

Effective:

Five Year Review (FYR) Dates:

WITHDRAWN ELECTRONICALLY

Certification

11/16/2022

Date

Promulgated Under: 119.03
Statutory Authority: 3301.07, 3314.015, 3314.016, 3314.08, Section 7 of
Am. Sub HB 364 of the 124th General Assembly
Rule Amplifies: Chapter 3314. of the Revised Code, Section 7 Am.
Sub HB 364 of 124th General Assembly
Prior Effective Dates: 07/07/2003, 05/19/2006, 04/19/2008, 07/24/2010,
06/27/2013