

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

- (A) A nonpublic school issued a charter by the state board of education shall be subject to monitoring and oversight by the department, 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 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 advisory committee on chartered nonpublic schools and approved by the state board of education pursuant to paragraph (A)(1) of 3301-35-09 of the Administrative Code.
- (B) If a nonpublic school leaves an accrediting association through which a chartered nonpublic school has received its charter in accordance with rule 3301-35-09 of the Administrative Code, the nonpublic school is required to notify the department within thirty days and provide evidence that they are continuing to meet the requirements of rule 3301-35-09 of the Administrative Code.
- (C) Should any dispute or complaint arise regarding a 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) The department will review all complaints, including any evidence supporting the position of the complainant, sent in writing by the aggrieved party to the office of nonpublic education options. Prior to making a determination, the department will do the following:
- (a) Notify the school's governing authority;
 - (b) Consider any evidence from the accrediting organization and/or the governing authority of the school;
 - (c) Review all available evidence and make a final determination.
- (2) The department may permit the nonpublic school to satisfactorily complete a corrective action in lieu revocation under rule 3301-35-04 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 being issued the suspension of charter, the chartered

nonpublic school is to notify the department that K-12 operations have permanently ceased under that charter.

- (E) If a determination is made by the department that a 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 will notify the chartered nonpublic school of its intent to recommend to the state board of education 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 conclusion of the hearing and consideration of a designated hearing officer's report and recommendation, the state board may approve or deny the recommendation of the department and revoke the charter of the nonpublic school.

Replaces: 3301-39-04

Effective:

Five Year Review (FYR) Dates:

Certification

Date

Promulgated Under: 119.03
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