

3301-102-02 **Definitions.**

The following terms are defined as they are used in the rules in this chapter:

(A) "Administrative office" means the primary center as designated by the community school that houses the following items, including, but not limited to:

- (1) student records;
- (2) personnel files;
- (3) financial records;
- (4) school policies and procedures; and
- (5) the school's main telephone line.

(B) "Base of operation" means a central facility where an internet- or computer-based community school maintains its administrative office.

(C) "Challenged school district" means any of the following:

- (1) a school district that is part of the pilot project area;
- (2) a school district that is in a state of academic emergency under section 3302.03 of the Revised Code;
- (3) a school district that is in a state of academic watch under section 3302.03 of the Revised Code;
- (4) a big eight school district (Akron, Canton, Cincinnati, Cleveland, Columbus, Dayton, Toledo and Youngstown); or
- (5) an urban twenty-one school district (Akron, Canton, Cincinnati, Cleveland, Cleveland Heights, Columbus, Dayton, East Cleveland, Elyria, Euclid, Hamilton, Lima, Lorain, Mansfield, Middletown, Parma, South-Western, Springfield, Toledo, Warren and Youngstown).

(D) "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.

(E) "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.

(F) "Conversion school" means a community school created by converting all or a portion of an existing traditional public school to a community school.

(G) "Department" means the Ohio Department of Education.

(H) "Eligible entity" means any of the following:

(1) The board of education of the district in which the school is proposed to be located;

(2) The board of education of any joint vocational school district with territory in the county in which is located the majority of the territory of the district in which the school is proposed to be located;

(3) The board of education of any other city, local, or exempted village school district having territory in the same county where the district in which the school is proposed to be located has the major portion of its territory;

(4) The governing board of any educational service center as long as the proposed school will be located in a county within the territory of the educational service center or in a county contiguous to such county;

(5) The board of trustees of any of the thirteen state universities listed in section 3345.011 of the Revised Code [University of Akron, Bowling Green State University, Central State University, University of Cincinnati, Cleveland State University, Kent State University, Miami University, Ohio University, The Ohio State University, Shawnee State University, University of Toledo, Wright State University, and Youngstown State University], or a sponsoring authority designated by any such board of trustees, as long as a contractually specified mission of the proposed community school will be the practical demonstration of teaching methods, educational technology, or other teaching practices that are included in the university's teacher preparation program approved by the state board;

(6) Any qualified tax-exempt entity under section 501(c)(3) of the Internal Revenue Code, 26 U.S.C. 501(c)(3), if all of the following conditions are satisfied:

(a) The entity has been in operation for at least five years prior to the application date;

(b) The entity has assets of at least five hundred thousand dollars; and

(c) The department has determined that the entity is an education-oriented entity whose mission or operations demonstrate that it fosters education.

Until July 1, 2005, any community schools sponsored by any entity under paragraph (H) (6) of this rule shall have been previously sponsored by the state board.

(I) "Fiscal year" means July 1 through June 30.

(J) "Governing authority" means a board of not less than five individuals (who are not owners or employees, or immediate relatives of owners or employees, of any for-profit firm that operates or manages a school for the governing authority) 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) "Internet- or computer-based school" means a community school in which the enrolled students work primarily from their residences on assignments provided via an internet- or other computer-based instructional method that does not rely on traditional classroom-based instruction and where the students and teachers may be in separate locations.

(L) "New start-up school" means a new community school other than one created by converting all or a portion of an existing traditional public school.

(M) "Office of Community Schools" means the office in the department established to provide advice and services for the community schools program established pursuant to Chapter 3314 of the Revised Code.

(N) "Pilot project area" means the school districts included in the territory of the former community school pilot project established by former section 50.52 of Am. Sub. H.B. No. 215 of the 122nd general assembly. This "pilot project area" includes the entire territory of any school district having the majority of its territory in Lucas County.

(O) "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.

(P) "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 student academic assessment, fiscal operations, governance and administration, and assessment and accountability.

(Q) "Sponsor" means an eligible entity which has been approved by the department to

sponsor community schools and which has entered into a sponsorship agreement with the department regarding the manner in which it will conduct its sponsorship, or an entity other than the state board of education that has entered into a community school contract to sponsor a community school on or before April 8, 2003. The state board shall continue to sponsor any community school for which it has entered into a community school contract on or before April 8, 2003 until the earlier of the expiration of July 1, 2005 or until a new sponsor is secured by the school's governing authority.

(R) "Sponsorship agreement" means a written agreement, and any amendments thereto, between the department and an entity approved by the department to be 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.

(S) "State board" means the State Board of Education.

(T) "Technical assistance" means providing relevant knowledge and/or expertise and/or assuring the provision of the following resources to assist the community school in fulfilling its mission, including, but not limited to: training, information, written materials and manuals.

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Certification

06/26/2003

Date

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