



## Ohio Revised Code

### Section 3302.103 Academic improvement plans for academic distress commission districts.

Effective: October 3, 2023

Legislation: House Bill 33

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(A) This section applies to any school district that meets one of the following conditions:

(1) An academic distress commission was established for the district in 2013 under former section 3302.10 of the Revised Code, as it existed prior to October 15, 2015, and a new academic distress commission was established for the district under division (A)(2) of section 3302.10 of the Revised Code.

(2) An academic distress commission was established for the district in 2010 under former section 3302.10 of the Revised Code, as it existed prior to October 15, 2015, and a new academic distress commission was established for the district under division (A)(2) of section 3302.10 of the Revised Code.

(3) An academic distress commission was established for the district in 2018 under division (A)(1) of section 3302.10 of the Revised Code.

(B) The auditor of state shall complete a performance audit of a school district to which this section applies one time during the three-year period of the plan implemented under division (D)(2) of this section and submit the results of the audit to the board of education of the school district and the academic distress commission established for the district. The performance audit shall be conducted in the same manner as prescribed by section 3316.042 of the Revised Code.

(C) Notwithstanding anything to the contrary in the Revised Code, the district board of a school district to which this section applies, in consultation with the appropriate stakeholders, the academic distress commission, and the chief executive officer appointed by that commission under section 3302.10 of the Revised Code, shall develop and submit an academic improvement plan for the district to the department of education and workforce.



The plan developed under division (C) of this section shall operate for a period of three school years and shall include annual and overall academic improvement benchmarks for the district and strategies for achieving those benchmarks.

(D)(1) The department shall review the plan submitted under division (C) of this section. Not later than thirty days after receiving the plan for review, the department shall approve the plan or suggest modifications to the plan. If the department suggests modifications, the district board shall revise the plan and resubmit it within fifteen days after receiving the suggested modifications. The department shall review and approve the plan within thirty days after receiving it.

(2) Upon approval of the plan by the department, the district board may begin to prepare to implement the plan, which shall be in effect from July 1, 2022, to June 30, 2025. The district's academic distress commission and chief executive officer shall work with the district in preparing to implement the plan.

(3) If the district board determines it necessary, it may submit a request to the department to modify the improvement plan during the period of time specified in division (D)(2) of this section. The improvement plan shall not be modified without the department's approval.

(E) During the school years that the district is implementing the plan approved by the department, the following apply:

(1) The district shall not be subject to section 3302.10 of the Revised Code.

(2) The district board shall reassume all powers granted to it under the Revised Code.

(3) The district's academic distress commission shall continue to exist and provide assistance to the district but shall not have any operational or managerial control of the district.

(4) The chief executive officer appointed by the academic distress commission shall relinquish all operational, managerial, and instructional control of the district and be removed from that position.

The district board may employ as district superintendent the individual who previously served as



chief executive officer. If the district board enters into a contract for district superintendent with that individual while the district is implementing the improvement plan, the department shall continue compensating the individual under the terms of the individual's chief executive officer contract until the district meets either of the conditions prescribed in division (F)(1)(b) or (F)(2) of this section. In either event, the district board shall begin compensating the individual under the terms of the district board's employment contract with the individual for district superintendent.

(5) The district board shall provide annual reports to the department on the district's progress toward achieving the academic benchmarks established in the district's improvement plan.

(F) At the end of three school years under the plan, the district shall be evaluated by the department based on the academic improvement benchmarks established in the plan.

(1)(a) If the district improves but does not meet at least a majority of the academic improvement benchmarks established in the improvement plan, the district board may apply to the department for an extension of one school year to continue implementing the plan, pending approval by the department. If the district does not meet at least a majority of the established benchmarks at the end of the extension, the district again may apply to the department for an extension of one school year to continue implementing the plan. The district shall not apply for an extension more than twice.

(b) If the district does not meet at least a majority of the academic improvement benchmarks at the end of five school years under the plan or if the department does not approve a district's application for an extension submitted under division (F)(1)(a) of this section, the district shall be subject to section 3302.10 of the Revised Code. The academic distress commission shall appoint a new chief executive officer for the district as prescribed in division (C) of that section, and the chief executive officer shall reassume the powers that were being exercised under that section prior to July 1, 2022.

(2) If the district meets at least a majority of the academic improvement benchmarks established in its improvement plan at the end of the initial evaluation or, if applicable, after an extension granted by the department under division (F)(1)(a) of this section, the academic distress commission shall be dissolved, and the district board shall continue exercising all powers granted to it under the Revised Code.