



Ohio Administrative Code

Rule 3318:1-8-04 Classroom facilities acquisition agreement.

Effective: December 26, 2011

(A) Once a proposal has been recommended for approval by the review committee and has received formal approval from the commission, the commission shall submit the proposal to the controlling board for the approval of funding for the acquisition of classroom facilities.

(B) The commission shall then enter into an agreement with the selected board of trustees that shall include, but is not limited to, the following:

(1) A provision that the commission shall choose, in consultation with the board of trustees, the construction delivery method for the acquisition of classroom facilities;

(2) A provision that stipulates that the commission shall be the contracting authority for all professional services and construction contracts required for the acquisition of classroom facilities;

(3) A provision that the board of trustees must own the property or have an appropriate lease on the property upon which the classroom facilities are proposed;

(4) A provision for the lease of the classroom facilities to the selected operator as long as the operator has a signed contract with the Ohio department of education to be the operator of a college-preparatory boarding school established under Chapter 3328. of the Revised Code;

(5) A provision that throughout the term of the lease the selected operator provide proof of property insurance of the classroom facilities in an amount equal to the full value of the classroom facilities;

(6) A provision for the establishment and funding of a maintenance fund by the selected operator for the routine maintenance of the classroom facilities;

(7) A provision for the selected operator to have on staff one or more staff members who have obtained building operator certification;



(8) A provision for the selected operator to develop and follow a maintenance plan approved by the commission;

(9) A provision to terminate the lease with the selected operator if the operator fails to maintain its contract with the Ohio department of education to operate a college-preparatory boarding school established under Chapter 3328. of the Revised Code or fails to adequately maintain the classroom facilities; and

(10) A provision that in the event the board of trustees dissolves at any time, ownership of the classroom facilities must first be offered to the school district in which the facilities are located, then to any community school operating within the district and then to the state.