



Ohio Administrative Code Rule 3301-102-04 Sponsorship agreement.

Effective: June 27, 2013

(A) The duties and responsibilities of a sponsor of a new start-up community school in a challenged school district shall be specified in a sponsorship agreement with the department. In addition to duties of the sponsor specified in the Revised Code and Administrative Code, duties and responsibilities include, but are not limited to, the following:

(1) Attend training sessions as required by the department, and assure that technical assistance is provided to the community school(s) that it sponsors;

(2) A sponsor shall not require a community school to purchase additional services from the sponsor. A community school's accepting, purchasing, subscribing to, or otherwise using any additional services and the associated fees offered by a sponsor shall be accompanied by the written assurances of the sponsor that the additional administrative services being provided:

(a) Pose no conflict of interest in accordance with Chapters 102. and 3301. of the Revised Code, and related statutory provisions, and;

(b) Shall be obtained at the lowest and best price at or below market value, as evidenced by two written price quotations from vendors not including that of the sponsor, or;

(c) If the community school accepts the sponsor's offer to provide the additional administrative services which was not the lowest written price quotation, the sponsor has received the community's school's justification, in writing, for not selecting the lowest written price quotation, which shall be approved and adopted by the community school's governing board by resolution.

All documentation required by paragraph (A)(3) of this rule shall be provided to the department upon request;

(3) Monitor and evaluate the community school's compliance with all laws and rules applicable to



the community school and with the terms of the preliminary agreement and the community school contract;

(a) Conduct comprehensive site visits to the community school as necessary, but at least twice annually while classes are in session; and

(b) Make written reports of all information obtained during site visits, and provide written reports of all site visits to the department upon request.

(4) Upon request of the department, provide current documentation of the sponsor's capacity to monitor and provide technical assistance to each community school that it sponsors concerning the community school's compliance with all laws and rules applicable to the community school's operations.

(B) The sponsorship agreement between the department and the sponsor shall include:

(1) The number of preliminary agreements and community school contracts into which a sponsor may enter;

(2) The geographic area in which the entity shall have authority to sponsor new start-up community schools; and

(3) The term of the agreement.

Initially, the conditions and term of the first sponsorship agreement entered into between the department and a newly approved applicant shall be based upon the entity's capacity as demonstrated in its sponsorship application. Sponsors may seek to modify their agreement with the department prior to the expiration of the term of the agreement as well as at the time of the agreement's renewal. The department's decisions regarding modification requests will be based upon the department's assessment of the sponsor performance review and sponsor metrics reported for all sponsors by the department and as specified in statute. The department shall consider such proposed modifications in a timely manner.



(C) The term of the sponsorship agreement shall be specified in the sponsorship agreement. At least one hundred eighty days prior to the expiration of the sponsorship agreement term, the sponsor shall notify the department as to its intent regarding the renewal of its sponsorship agreement, but nothing in the agreement precludes the sponsor from seeking an earlier sponsorship agreement renewal decision from the department. In any case when a sponsor becomes unwilling or unable to fulfill the obligations under the sponsorship agreement, a sponsor shall notify the department at least one hundred eighty days prior to any termination of the agreement.

(D) A sponsor shall not enter into any new or successor community school contract which has a term exceeding the term of the sponsorship agreement. If the sponsorship agreement is renewed, a new term shall be specified in the renewed sponsorship agreement based upon the entity's capacity and its effectiveness as a sponsor as assessed by the department's review of the sponsor's performance during the preceding term of the sponsorship agreement.

(E) The department may require actions of the sponsor to correct deficiencies in the sponsor's compliance with its obligations in rule and/or law and may impose restrictions on the conditions of the sponsorship agreement if such deficiencies are not remedied in a reasonable time based on the circumstances.