



## Ohio Revised Code

### Section 3313.413 Priority consideration of high-performing community schools in sale or lease of real property or school facilities.

Effective: September 30, 2025

Legislation: House Bill 96

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(A) As used in this section, "high-performing community school" means a community school established under Chapter 3314. of the Revised Code that meets any of the following conditions:

(1) Except as provided for in division (A)(2) or (3) of this section, the community school does both of the following:

(a) The school has a higher performance index score than the school district in which the school is located on the two most recent report cards issued under section 3302.03 of the Revised Code.

(b) The school either has a performance rating of four stars or higher for progress on the most recent report card issued under section 3302.03 of the Revised Code or is a school described under division (B)(1) of section 3314.35 of the Revised Code and did not receive a rating for progress on the most recent report card.

(2) If the community school serves only grades kindergarten through three, the school received a performance rating of four stars or higher for early literacy on its most recent report card issued under section 3302.03 of the Revised Code.

(3) If the community school has not commenced operations or has been in operation for less than one school year, the school meets the following conditions:

(a) The school is replicating an operational and instructional model used by a community school described in division (A)(1) or (2) of this section.

(b) The school either:

(i) Has an operator that received an overall rating of three stars or higher, or a "C" or higher, on its



most recent performance report published under section 3314.031 of the Revised Code;

(ii) Does not have an operator and is sponsored by a sponsor that was rated "exemplary" or "effective" on its most recent evaluation conducted under section 3314.016 of the Revised Code.

(B) When a school district board of education decides to dispose of real property it owns in its corporate capacity under section 3313.41 of the Revised Code, the board shall first offer that property to the governing authorities of all start-up community schools, the boards of trustees of any college-preparatory boarding schools, and the governing bodies of any STEM schools that are located within the territory of the district. Not later than sixty days after the district board makes the offer, interested governing authorities, boards of trustees, and governing bodies shall notify the district treasurer in writing of the intention to purchase the property.

The district board shall give priority to the governing authorities of high-performing community schools that are located within the territory of the district.

(1) If more than one governing authority of a high-performing community school notifies the district treasurer of its intention to purchase the property pursuant to division (B) of this section, the board shall conduct a public auction in the manner required for auctions of district property under division (A) of section 3313.41 of the Revised Code. Only the governing authorities of high-performing community schools that notified the district treasurer pursuant to division (B) of this section are eligible to bid at the auction.

(2) If no governing authority of a high-performing community school notifies the district treasurer of its intention to purchase the property pursuant to division (B) of this section, the board shall then proceed with the offers from all other start-up community schools, college-preparatory boarding schools, and STEM schools made pursuant to that division. If more than one such entity notifies the district treasurer of its intention to purchase the property pursuant to division (B) of this section, the board shall conduct a public auction in the manner required for auctions of district property under division (A) of section 3313.41 of the Revised Code. Only the entities that notified the district treasurer pursuant to division (B) of this section are eligible to bid at the auction.

(3) If no governing authority, board of trustees, or governing body notifies the district treasurer of its



intention to purchase the property pursuant to division (B) of this section, the district may then offer the property for sale in the manner prescribed under divisions (A) to (F) of section 3313.41 of the Revised Code.

(C) Notwithstanding anything to the contrary in sections 3313.41 and 3313.411 of the Revised Code, the purchase price of any real property sold to any of the entities in accordance with division (B) of this section shall not be more than the appraised fair market value of that property as determined in an appraisal of the property that is not more than one year old.

(D) Not later than the first day of October of each year, the department of education and workforce shall post in a prominent location on its web site a list of schools that qualify as high-performing community schools for purposes of this section and section 3313.411 of the Revised Code.