



Ohio Revised Code

Section 3314.35 Permanent closure; criteria.

Effective: [October 09, 2026](#)

Legislation: [House Bill 455 - 136th General Assembly](#)

(A) Except as provided in division (B) of this section and section 3314.355 of the Revised Code, this section applies to any community school that meets one of the following criteria as follows:

(1) The school offers at least grade three and no grade higher and, for the three most recent consecutive school years was ranked in the lowest five per cent of public schools in the state according to performance index score. The department of education and workforce shall exclude from performance index score rankings any school described in division (B) of this section and any school to which the performance index score does not apply and that instead receives a score through an alternative measure developed by the department under division (A)(1) of section 3302.21 of the Revised Code.

(2) The school offers any of grade levels four to twelve and any of the following apply:

(a) In the 2026-2027 school year, both of the following apply:

(i) The school met any of the criteria for closure established under former division (A)(2) or (3) of this section, as it existed prior to the effective date of this amendment, on the state report cards issued under section 3302.03 of the Revised Code for each of the 2023-2024, 2024-2025, and 2025-2026 school years.

(ii) The school met both of the following criteria for the 2025-2026 school year:

(I) The school was ranked in the lowest five per cent of public schools in the state according to performance index score. The department of education and workforce shall exclude from performance index score rankings any school described in division (B) of this section and any school to which the performance index score does not apply and that instead receives a score through an alternative measure developed by the department under division (A)(1) of section 3302.21 of the Revised Code.

(II) The school was ranked in the lowest sixty per cent of public schools in the state according to the value-added progress dimension gain index, as determined by the department.

(b) In the 2027-2028 school year, both of the following apply:



(i) The school met any of the criteria for closure established under former division (A)(2) or (3) of this section, as it existed prior to the effective date of this amendment, on the state report card issued under section 3302.03 of the Revised Code for the 2024-2025 school year.

(ii) The school met both of the following criteria for each of the 2025-2026 and 2026-2027 school years:

(I) The school was ranked in the lowest five per cent of public schools in the state according to performance index score. The department shall exclude from performance index score rankings any school described in division (B) of this section and any school to which the performance index score does not apply and that instead receives a score through an alternative measure developed by the department under division (A)(1) of section 3302.21 of the Revised Code.

(II) The school was ranked in the lowest sixty per cent of public schools in the state according to the value-added progress dimension gain index.

(c) In the 2028-2029 school year and any school year thereafter, the school met both of the following criteria for each of the three most recent consecutive school years:

(i) The school was ranked in the lowest five per cent of public schools in the state according to performance index score. The department shall exclude from performance index score rankings any school described in division (B) of this section and any school to which the performance index score does not apply and that instead receives a score through an alternative measure developed by the department under division (A)(1) of section 3302.21 of the Revised Code.

(ii) The school was ranked in the lowest sixty per cent of public schools in the state according to the value-added progress dimension gain index.

For purposes of division (A) of this section only, the department shall exclude from performance index score rankings any school described in division (B) of this section.

For purposes of division (A) of this section only, the department shall calculate the value-added progress dimension for a community school in the same manner as it is calculated under section 3302.03 of the Revised Code, except that in doing so the department shall use assessment scores for only those students to whom the school has administered the achievement assessments prescribed by section 3301.0710 of the Revised Code for at least the two most recent school years but using value-added data from only the most recent school year.

(B) This section does not apply to either of the following:



(1) Any dropout prevention and recovery community school. Rather, such schools shall be subject to closure only as provided in section 3314.351 of the Revised Code. However, prior to July 1, 2014, a community school in which a majority of the students are enrolled in a dropout prevention and recovery program shall be exempt from this section only if it has been granted a waiver under section 3314.36 of the Revised Code.

(2) Any community school in which a majority of the enrolled students are children with disabilities receiving special education and related services in accordance with Chapter 3323. of the Revised Code.

(C) Any community school to which this section applies shall permanently close at the conclusion of the school year in which the school first becomes subject to this section. The sponsor and governing authority of the school shall comply with all procedures for closing a community school adopted by the department under division (E) of section 3314.015 of the Revised Code. The governing authority of the school shall not enter into a contract with any other sponsor under section 3314.03 of the Revised Code after the school closes.

(D) Nothing in this section or in any other provision of the Revised Code prohibits the sponsor of a community school from exercising its option not to renew a contract for any reason or from terminating a contract prior to its expiration for any of the reasons set forth in section 3314.07 of the Revised Code.
