



## Ohio Revised Code

### Section 3317.28

Effective: September 30, 2025

Legislation: House Bill 96

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Not later than the thirty-first day of December of each fiscal year, the department of education and workforce shall designate as a community school of quality each community school established under Chapter 3314. of the Revised Code that meets the criteria established in division (A), (B), (C), (D), or (E) of this section.

(A) A community school qualifies as a community school of quality if the school meets all of the following criteria:

(1) The school's sponsor was rated "exemplary" or "effective" on the sponsor's most recent evaluation conducted under section 3314.016 of the Revised Code.

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

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

(4) At least fifty per cent of the students enrolled in the school in the prior fiscal year were economically disadvantaged, as determined by the department.

(B) A community school qualifies as a community school of quality if the school meets all of the following criteria:

(1) The school's sponsor was rated "exemplary" or "effective" on the sponsor's most recent evaluation conducted under section 3314.016 of the Revised Code.



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

(3) The school received a performance rating of three stars or higher for the progress component on the most recent report card issued for the school under section 3302.03 of the Revised Code.

(4) The school received a performance rating of three stars or higher for the achievement component on the most recent report card issued for the school under section 3302.03 of the Revised Code.

(C) A community school qualifies as a community school of quality if the school meets all of the following criteria:

(1) The school's sponsor was rated "exemplary" or "effective" on the sponsor's most recent evaluation conducted under section 3314.016 of the Revised Code.

(2) The school is in its first year of operation or the school opened as a kindergarten school and has added one grade per year and has been in operation for less than four school years.

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

(4) If the school has an operator, the operator received a rating of three stars or better on its most recent performance report published under section 3314.031 of the Revised Code.

(D) A community school qualifies as a community school of quality if the school meets all of the following criteria:

(1) The school's sponsor was rated "exemplary" or "effective" on the sponsor's most recent evaluation conducted under section 3314.016 of the Revised Code.

(2) The school satisfies either of the following:



(a) The school contracts with an operator that operates schools in other states and meets at least one of the following criteria:

(i) Has operated a school that received a grant funded through the federal charter school program established under 20 U.S.C. 7221 within the five years prior to the date of application or received funding from the charter school growth fund;

(ii) Meets all of the following criteria:

(I) One of the operator's schools in another state performed better than the school district in which the school is located, as determined by the department.

(II) At least fifty per cent of the total number of students enrolled in all of the operator's schools are economically disadvantaged, as determined by the department.

(III) The operator is in good standing in all states where it operates schools, as determined by the department.

(IV) The department has determined that the operator does not have any financial viability issues that would prevent it from effectively operating a community school in Ohio.

(b) The school is replicating an operational and instructional model through an agreement with a college or university used by a community school or its equivalent in another state that performed better than the school district in which the school is located, as determined by the department.

(3) The school is in its first year of operation or, if not in its first year of operation and qualifying under division (D)(2)(b) of this section, meets either of the following conditions:

(a) The school opened on July 1, 2022, and has not previously been designated as a community school of quality under this section, in which case the first payment under section 3317.27 of the Revised Code shall be made on or before January 31, 2024, and shall be calculated based on the adjusted full-time equivalent number of students enrolled in the school for fiscal year 2024.



(b) The school opened on or after July 1, 2019, and has not previously been designated as a community school of quality under this section, in which case the first payment under section 3317.27 of the Revised Code shall be made within thirty days of the effective date of this section and shall be calculated based on the adjusted full-time equivalent number of students enrolled in the school for the fiscal year for which the payment is being made.

(E) A community school qualifies as a community school of quality if it meets all of the following criteria:

(1) The school is a dropout prevention and recovery school as defined under section 3314.02 of the Revised Code.

(2) The school's sponsor was rated "exemplary" or "effective" on the sponsor's most recent evaluation conducted under section 3314.016 of the Revised Code.

(3) The school received an "exceeds standards" on the performance indicator prescribed under division (C)(2) of section 3314.017 of the Revised Code on the two most recent report cards issued for the school under section 3314.017 of the Revised Code.

(4) The school is not an internet- or computer-based community school.

(F) A school designated as a community school of quality under division (A), (B), (C), or (E) of this section shall maintain that designation for the two fiscal years following the fiscal year in which the school was initially designated as a community school of quality. A school designated as a community school of quality under division (D) of this section shall maintain that designation for the four fiscal years following the fiscal year in which the school was initially designated as a community school of quality.

(G) A school designated a community school of quality may renew its designation each year that it satisfies the criteria under division (A) or (B) of this section. The school shall maintain that designation for the two fiscal years following each fiscal year in which the criteria under division (A) or (B) of this section are satisfied.



(H) A school that was designated as a community school of quality for the first time under division (C) of this section for the 2022-2023 school year shall be considered to have maintained that designation for the 2022-2023 school year, shall maintain that designation through the 2029-2030 school year, and may renew its designation under division (G) of this section after that year.

(I) If two or more community schools have merged or merge in accordance with division (B) of section 3314.0211 of the Revised Code on or after June 30, 2022, the surviving community school is eligible to receive funds under this program, provided it otherwise qualifies as a community school of quality under division (A), (B), (C), (D), or (E) of this section. In such a case, the payment for a fiscal year shall be calculated using the adjusted full-time equivalent number of students enrolled in the school for that fiscal year as of the date the payments are made, as reported by the surviving community school under section 3314.08 of the Revised Code, regardless of whether those students were previously enrolled in a community school that was dissolved as part of the merger. A community school qualified to receive funds under the program prior to merging on or after June 30, 2022, and was dissolved due to the merger, shall be considered to have been eligible for funds under the program prior to the effective date of this section and shall not be required to return any funds received prior to that date.