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Bill Analysis

Version: As Introduced

Primary Sponsor: Sen. Brenner

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SUMMARY

- Revises public school closure law to require any school district-operated school building, community school, or STEM school that meets specified criteria for the three most recent school years to close or take other remedial action.
- Prohibits the Department of Education and Workforce from considering report cards issued prior to the 2024-2025 school year in determining whether a school is subject to closure or remedial action requirements established by the bill.
- Makes the bill's provisions effective on July 1, 2025.

DETAILED ANALYSIS

Public school closure requirements

Criteria

Beginning on July 1, 2025, the bill revises the public school closure law for school buildings operated by school districts, community schools, and STEM schools.¹ Under the bill, a school becomes subject to the closure or remedial action requirements if it meets all of the following criteria for the three most recent school years:²

1. The school offers a grade level higher than three;

¹ R.C. 3302.12, 3314.35, 3326.53, and Section 4; conforming changes in R.C. 3301.0712, 3302.03, 3302.034, 3302.036, 3313.413, 3314.012, 3314.016, 3314.017, 3314.0211, 3314.03, 3314.05, 3314.29, 3314.351, 3314.352, 3314.353, 3314.354, 3314.355, 3314.36, and Section 5.

² R.C. 3302.12(A)(1), 3314.35(A), and 3326.53(A).

2. The school has been ranked by the Department of Education and Workforce according to performance index score in the bottom 5% of all rated school buildings in the state; and
3. The school has been ranked by the Department according to effect size under the value-added progress dimension in the bottom 10% of all ranked school buildings in the state.

However, these criteria do not apply to a community school in which a majority of the students enrolled in the school are enrolled in a dropout prevention and recovery program (DOPR). A DOPR community school meets the criteria for closure or remedial action requirements if, for the three most recent school years, the school has received a designation of “does not meet standards” on its state report card. The bill also subjects a community school to closure or remedial action if it meets any combination of the regular or DOPR criteria for the three most recent school years.

The bill prohibits the Department of Education and Workforce from considering report cards issued prior to the 2024-2025 school year in determining whether a school meets the criteria established in the bill. It also expressly states that it does not prohibit a community school’s sponsor from exercising its option not to renew the school’s contract or to terminate that contract for any of the reasons specified in law.³

Closure or other remedial actions

The bill requires the Department to notify any school that becomes subject to closure or other remedial action requirements of that fact. The board of education, governing authority, or governing body of a school that becomes subject to closure or remedial action requirements must, at the conclusion of the school year in which the school first becomes subject to those requirements, do one of the following:⁴

1. Close the school;
2. Contract with one of the following to operate the school:
 - a. An education or charter management organization that is approved by the Department and either:
 - i. Has experience in school improvement; or
 - ii. Manages schools that received an average of at least three stars in the achievement and progress components ratings on the most recent state report card;
 - b. A school district that has received an overall rating of at least four stars at the most recent state report card, has experience in school improvement, and does not operate any school subject to the public school closure law;

³ R.C. 3302.12(F), 3314.35(D) and (F), and 3326.53(E).

⁴ R.C. 3302.12(A)(2), 3314.35(B), and 3326.53(B).

- c. Any of the following entities that have experience in school improvement and meet criteria established by the Department:
 - i. An educational service center;
 - ii. A private college;
 - iii. A state institution of higher education.
3. Replace the principal and at least a majority of licensed staff of the school, though this option only prevails over conflicting collective bargaining agreements or employment contracts entered into after the bill's effective date;
4. Work with a Department-approved external service provider with expertise in school improvement; or
5. In the case of a school building operated by a school district, consolidate the school district in control of the school building into another school district. If a district does so, the State Board of Education must approve any resulting territory transfer.

Closure due to continuing poor performance

If a school board, governing authority, or governing body in control of a school building meeting poor performance criteria implements an alternative to closure or any combination of alternatives to closure and the school building continues to meet the poor performance criteria for the next three consecutive school years, beginning with the school year in which an alternative to closure is first implemented, the board must close the school.⁵

Administrative rules

The bill authorizes the Department of Education and Workforce to adopt rules as necessary to implement the bill's requirements.⁶

Background

Under current law, school district-operated school buildings and community schools are subject to different closure requirements for poor academic performance. Current law does not set closure requirements for STEM schools.

School district school buildings

Under current law, a school building operated by a school district is subject to certain requirements if the building is ranked in the lowest 5% of public school buildings for performance index score for three consecutive years and, for three consecutive years has received on its state report card any combination of: (1) an "F" for the value-added progress dimension, (2) an overall grade of "F," (3) a performance rating of one star for progress, or (4) an overall performance rating of less than two stars on its state report card.

⁵ R.C. 3302.12(A)(3), 3314.35(C), and 3326.53(C).

⁶ R.C. 3302.12(E), 3314.35(E), and 3326.53(D).

Current law requires the board of education in control of a school building that meets these criteria to do one of the following:⁷

1. Close the school and reassign its students;
2. Contract with another school district or a nonprofit or for-profit entity with a demonstrated record of effectiveness to operate the school;
3. Replace the principal and all teaching staff; or
4. Reopen the school as a conversion community school.

Community schools

Under current law, a community school generally must close if it meets one of the following criteria:⁸

1. The school does not offer a grade level higher than three and, for the three most recent school years, has received either a performance rating of one star for early literacy or an overall performance rating of less than two stars on its state report card;
2. The school offers any of grades 4-8 but does not offer a grade level higher than nine and, for the three most recent school years, has received either a performance rating of one star for both achievement and progress or an overall performance rating of less than two stars and one star for progress on its state report card;
3. The school offers any of grade levels 10-12 and, for the three most recent school years, has received either a performance rating of one star for achievement and has not met annual measurable objectives for gap closing or an overall performance rating of less than two stars and one star for progress on its state report card.

However, a community school in which a majority of students are enrolled in a dropout prevention and recovery program is subject to different closure requirements. Such schools generally must close if the school receives a designation of “does not meet standards” on its state report card for the three most recent school years.⁹

HISTORY

Action	Date
Introduced	02-26-25

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⁷ R.C. 3302.12.

⁸ R.C. 3314.35, repealed and reenacted in the bill.

⁹ R.C. 3314.351, repealed in the bill.