

**FIRST AMENDMENT TO THE  
RENEWAL COMMUNITY SCHOOL SPONSORSHIP CONTRACT  
FOR THE  
FINDLAY DIGITAL ACADEMY**

WHEREAS, the Findlay City School District Board of Education (“Sponsor”) and the Governing Authority of the Findlay Digital Academy (“Governing Authority” or “School”) (collectively the “Parties”) are parties to a Renewal School Sponsorship Contract and any amendments thereto (“Contract”) in effect through June 30, 2024.

WHEREAS, the Parties have reviewed federal and state law and determined that the current Contract requires modification to reflect changes to federal and state law.

WHEREAS, the Parties desire to amend the Contract to reflect best practices and to further the School’s educational mission.

NOW, THEREFORE, the Governing Authority and the Sponsor enter this Amendment with the following terms and conditions:

1. Article IV, Section (F) of the Contract is amended and restated as follows:

Compliance with State Laws. As required by Chapter 3314 of the Ohio Revised Code, the SCHOOL shall comply with the following sections and chapters of the Ohio Revised Code as if it were a school district: sections 9.90 (Purchase or procurement of insurance), 9.91 (Placement or purchase of tax-sheltered annuity for educational employees), 109.65 (Missing children clearinghouse – missing children fund), 121.22 (Public Meetings), 149.43 (Availability of public records for inspection and copying), 2151.357, (Institution receiving children required to make report), 2151.421 (Reporting child abuse or neglect), 2313.19 (Employees summoned for jury duty), 3301.0710 (Ohio Graduation Tests), 3301.0711 (Administration and grading of tests), 3301.0712 (College and work ready assessments), 3301.0715 (District board to administer diagnostic assessments – intervention services), 3301.0729 (Time spent on assessments), 3301.948 (Restriction against providing student names/addresses to multi-state consortium offering summative assessments), 3302.037 (Notification of Report Card Results), 3313.472 (Policy on parental and foster caregiver involvement in schools), 3313.50 (Record of tests – statistical data – individual records), 3313.5310 (Information and training regarding cardiac arrest), 3313.539 (Concussion and head injuries), 3313.608 (Fourth grade reading capability), 3313.609 (Grade promotion and retention policy, effect of truancy), 3313.6012 (Policy governing conduct of academic prevention/intervention services), 3313.6013 (Dual enrollment program for college credit), 3313.6014 (Parental notification of core curriculum requirements), 3313.6015 (Resolution describing how district will address college and career readiness and financial literacy), 3313.6020 (Policy on career advising), 3313.6024 (reporting of programs), 3313.6025 (Peace officer instruction), 3313.6026 (FAFSA data sharing agreement), 3313.643 (Eye protective devices),

3313.6411 (School report card provided to parent upon enrollment of student); 3313.648 (Prohibiting incentives to enroll in district), 3313.66 (Suspension, expulsion or permanent exclusion- removal from curricular or extracurricular activities), 3313.661 (Policy regarding suspension, removal, expulsion and permanent exclusion), 3313.662 (Adjudication order permanently excluding pupil from public schools), 3313.666 (District policy prohibiting harassment required), 3313.667 (District bullying prevention initiatives), 3313.668 (Prohibition on suspension, expulsion, or removal solely on basis of absences), 3313.669 (Threat assessment teams), 3313.6610 (anonymous reporting programs), 3313.67 (Immunization of pupils – immunization records – annual summary), 3313.671 (Proof of required immunizations – exceptions), 3313.672 (Presenting school records, custody order if applicable and certification of birth by new pupil), 3313.673 (Screening of beginning pupils for special learning needs), 3313.69 (Hearing and visual tests of school children – exemptions), 3313.71 (Examinations and diagnoses by school physician), 3313.7112 (Diabetes), 3313.716 (Possession and use metered dose inhaler or dry powder inhaler to alleviate asthmatic symptoms), 3313.718 (Possession and use of epinephrine auto-injector to treat anaphylaxis), 3313.719 (Food allergy protection policy), 3313.721 (Health care for students), 3313.80 (Display of national flag), 3313.814 (Standards governing types of food sold on school premises), 3313.816 (Sale of a la carte beverage items), 3313.817 (A la carte foods; determination of nutritional value; software), 3313.818 (Breakfast Programs), 3313.86 (Health and safety review), 3313.89 (Online education and career planning tool), 3313.96 (Informational programs relative to missing children – fingerprinting program), 3319.073 (In-service training in child abuse prevention programs), 3319.074 (Professional Qualifications), 3319.313 (Information concerning improper conduct by licensed employee), 3319.077 (Teacher professional development on in dyslexia), 3319.078 (Multi-sensory structured literacy certification), 3319.238 (Financial literacy license verification), 3319.318 (Illegally assisting a sex offender in attaining school employment), 3319.314 (Report of improper conduct of employee kept in personnel file), 3319.315 (RC 3319.313 and RC 3319.314 prevail over contractual provisions), 3319.321 (Confidentiality), 3319.39 (Criminal records check), 3319.391 (Applicants and new hires subject to criminal records check provisions), 3319.393 (Educator profile database consultation), 3319.41 (Corporal punishment policy), 3319.46 (Behavior supports, restraint, and seclusion), 3320.01 (Religious expression), 3320.02 (Religious expression and access to facilities), 3320.03 (Religious expression in completion of assignments), 3321.041 (Excused absences for certain extracurricular activities), 3321.01 (Compulsory school age – requirements for admission to kindergarten or first grade – pupil personnel services committee), 3321.13 (Duties of teacher or superintendent upon withdrawal or habitual absence of child from school – forms), 3321.14 (Attendance officer – pupil-personnel workers), 3321.141 (Notification of Unexcused Absences), 3321.17 (Attendance officer and assistants – powers), 3321.18 (Enforcement proceedings), 3321.19 (Examination into cases of truancy – failure of parent, guardian or responsible person to cause child’s attendance at school), 3323.251 (Dyslexia Screening), 3327.10 (Qualifications of drivers), 4111.17 (Prohibiting

discrimination in payment of wages), 4113.52 (Reporting violation of law by employer or fellow employee), 5502.262 (School emergency management plans), 5502.703 (Safety and crisis center), and 5705.391 (Board of education spending plan), Chapters 117. (Auditor of State), 1347. (Personal Information Systems), 1702. (Non-Profit Corporation Law), 2744. (Political Subdivision Tort Liability), 3365. (Post-Secondary Enrollment Options Program), 3742. (Lead Abatement), 4112. (Civil Rights Commission), 4123. (Workers' Compensation), 4141. (Unemployment Compensation), and 4167. (Public Employment Risk Reduction Program) of the Ohio Revised Code as if it were a school district. The SCHOOL also shall comply with Section 3301.0714 [EMIS] of the Ohio Revised Code in the manner specified in Section 3314.17 of the Ohio Revised Code.

2. Article IV, Section (J) of the Contract is amended and restated as follows:

The SCHOOL will comply with sections 3313.61, 3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the Revised Code, except that for students who enter ninth grade for the first time before July 1, 2010, the requirement in sections 3313.61 and 3313.611 of the Revised Code that a person must successfully complete the curriculum in any high school prior to receiving a high school diploma may be met by completing the curriculum adopted by the SCHOOL rather than the curriculum specified in Title XXXIII of the Revised Code or any rules of the state board of education. Beginning with students who enter ninth grade for the first time on or after July 1, 2010, the requirement in sections 3313.61 and 3313.611 of the Revised Code that a person must successfully complete the curriculum of a high school prior to receiving a high school diploma shall be met by completing the requirements prescribed in section 3313.6027 and division (C) of section 3313.603 of the Revised Code, unless the person qualifies under division (D) or (F) of that section. The SCHOOL shall comply with the plan for awarding high school credit based on demonstration of subject area competency, and beginning with the 2016-2017 school year, with the updated plan that permits students enrolled in seventh and eighth grade to meet curriculum requirements based on subject area competency adopted by the state board of education under divisions (J)(1) and (2) of section 3313.603 of the Revised Code. Beginning with the 2018-2019 school year, the school shall comply with the framework for granting units of high school credit to students who demonstrate subject area competency through work-based learning experiences, internships, or cooperative education developed by the department under division (J)(3) of section 3313.603 of the Revised Code. Notwithstanding the foregoing, the School shall comply with alternative graduation requirements mandated by Section 3 of H.B. 491 for students entering ninth grade for the first time between July 1, 2014 and July 1, 2017.

3. Article IV, Section (K) of the Contract is amended and restated as follows:

The SCHOOL as an internet- or computer-based **community school** is not required to comply with Sections 3313.6021, 3313.6023, and 3313.801 of the Revised Code and so long as it is subject to 3314.261 is not required to comply with section 3321.191 of the Revised Code.

4. Article IV, Section (N)(3) of the Contract is amended and restated as follows:

Classroom teachers shall be certified/licensed in accordance with Sections 3319.22 to 3319.31 of the Ohio Revised Code, except that non-certified/non-licensed persons may be engaged to teach up to twelve hours or forty hours per week pursuant to Section 3319.301 of the Ohio Revised Code. The requirement of certification or licensure may be fulfilled by either a teaching certificate/license or temporary or interim teaching certificate/license as issued by the Ohio Department of Education.

5. Article VIII, Section (B)(3) of the Contract is amended and restated as follows:

(B) The SPONSOR shall be allowed to observe the SCHOOL in operation at site visits and shall have open access for such visits.

\* \* \*

(3) Following each site visit, the SPONSOR shall provide a report.

\* \* \*

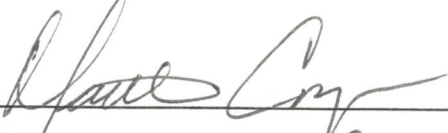
6. The Parties agree that the terms of this Amendment will be incorporated into the Contract between the Parties. All other terms and conditions of the Contract shall remain in full force and effect. This Amendment represents the entire agreement between the Parties with respect to its subject matter and shall only be amended by a signed writing.

*[SIGNATURES ON FOLLOWING PAGE]*

Executed this 2~~nd~~ day of October, 2022 in Hancock County, Ohio.

**SPONSOR**

ON BEHALF OF THE FINDLAY  
CITY SCHOOL DISTRICT  
BOARD OF EDUCATION

By: 

Print Name: MATTHEW COOPER

Title: FCS Board President

Date: 10/22/2022

**COMMUNITY SCHOOL**

ON BEHALF OF THE FINDLAY  
DIGITAL ACADEMY

By: 

Print Name: Kimberly Bash

Title: FDA Board President

Date: 10-6-22