

Legal Update

October 2021

Blended Option

SB 229 introduced in September may offer a blended learning option to Ohio community schools this school year.

Recognizing that charters are in need of options to keep students learning while balancing safety needs, SB 229 would allow boards to declare and implement a blended learning model for 2021-2022. In addition to sponsor approval, the implementation would require that schools:

1. Provide internet access and devices to each student participating in blended learning
2. Monitor and assess student achievement and provide additional services as necessary
3. Communicate with parents periodically regarding student progress
4. Reporting to ODE regarding the number of students engaged in blended learning



This Edition

Senate Bill 229

House Bill 123

Masks in Schools

Masking practices and policies continue to be one of the main considerations for schools as the school year is well underway.

Currently, no law or governmental order in Ohio requires schools to mandate masks. To the contrary, Senate Bill 209 introduced in the Ohio General Assembly in July proposes to prevent schools from requiring masks. That bill has not been passed into law, so at this time individual school districts and community schools can make their own determination regarding masks.

The American Academy of Pediatrics recommends masking this fall for all school employees and students ages three and older.

The CDC's recent guidance encouraged the return to full-time in-person learning in the fall with layered prevention strategies, including masking, maintaining at least 3 feet of physical distance, screening testing, ventilation, handwashing, contact tracing, quarantine and isolation, and facility cleaning.

Recently in light of new evidence on the Delta variant, the CDC updated its guidance to recommend universal indoor masking for all employees, students, and visitors to K-12 schools, regardless of vaccination status.

Toward the end of September, Governor DeWine sent a message to all school leaders stating that 61% of students in Ohio public schools are covered by a local school masking requirement. DeWine commented on the positive direction of increased masking in schools.

The governor's communication also included the following link to additional information about the effectiveness of masks. [This link](#) provides talking points that Dr. Bruce Vanderhoff, Director of the Ohio Department of Health, developed based on the most recent scientific studies about how masks work and why they are an effective way to mitigate the spread of COVID-19.



HB 123 – Safer Schools Reporting Requirements

Beginning with the 2021-2022 school year Ohio schools are required to adopt an anonymous safety reporting system which allows students and adults to anonymously share information with school officials and law enforcement about threats to student safety. These threats might involve a mass incident or harm to a single student.

Examples include:

- Bullying incidents
- Verbal or written threats
- Weapon/suspicious devices
- Gang related activities
- Odd/suspicious behavior
- Self-harm/suicidal ideas

Your school may already have an existing tip line with local law enforcement or a private provider. However, under HB 123 your school must now ensure numerous requirements exist within that system.

The new law requires that the reporting system operate 24 hours per day, 7 days a week. The system must forward reported information to and coordinate with the school and law enforcement and public safety agencies.

Schools are required to promote the reporting program to students in order that they be informed about ways of reporting.

If your school does not already have a compliant reporting system, you can register with the Ohio School Safety Center to use their free Safer Ohio School Tip Line and be provided the required promotional materials.

More information and registration can be found at: [Safer Ohio School Tip Line | Ohio School Safety Center](#)

HB 123 imposes additional requirements in future years, such as requiring schools serving grades 6 – 12 to establish threat assessment teams by March 2023.

Statewide Charter Conference

Buckeye Charter School Boards will be hosting its first ever statewide conference in October. Sessions will include best practices of charter school boards, recent changes in Ohio law, contracts, sessions exclusively for board chairs, sunshine law training, and more.

Keynote speaker will be Lt. Governor Jon Husted

October 15th & 16th

Quest Conference Center
9200 Worthington Road
Westerville, OH 43082

Registration for individuals is \$129 and groups can also provide sponsorship.

For more information, including discounted hotel information and to register visit:

BuckeyeCharterBoards.org

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Q & A

Q: What is this that I keep hearing about school bus driver shortages?

A: All across the state, and in fact all across the country, school bus drivers are in high demand. The shortage of qualified bus drivers is said to be due to general pandemic labor shortages and drivers switching to higher paying jobs (some are said to have been instead driving for ride share services such as Uber and Lyft.)

Governor DeWine recently made a public plea, after hearing from school districts across the state about the shortage of bus drivers. He asked that any Ohioan with a CDL license and a bus driver certification, who are not employed, to contact school districts, to help drive school busses.

He also spoke with Attorney General Dave Yost who agreed that, moving forward, the Bureau of Criminal Investigation would prioritize required background checks for school bus drivers, educators, nurses, and other health care professionals.