

# Legal Update

March 2023

## Sunshine Law Training

All board members, fiscal officers, the chief administrative officer and other administrative employees of each community school must complete training on Ohio's Open Meetings and Public Records laws by June 30, 2023 (if not sooner as required by your specific sponsor contract).

Please contact board counsel to arrange to have this training conducted in conjunction with one of your board meetings or a separate Zoom.

If your board or any individual board member still needs training, please reach Becky Enz

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## This Edition

State Budget Proposal

Transportation Reminders

## New Education Related Bills

Last month the Ohio House introduced the following education bills:

**House Bill 8:**  
To enact the "Parents' Bill of Rights" requiring all public schools (including charters) to adopt a policy on parental notification on student health and well-being and instructional materials with sexually explicit content.

**House Bill 9:**  
To establish the "Grow Your Own Teacher Program", to establish a loan repayment program for eligible teachers, to make changes to teacher licensing and professional development, and to make an appropriation for such.

**House Bill 10:**  
To express the intent of the General Assembly to continue phasing-in the school funding system established in H.B. 110 of the 134th General Assembly (the Fair School Funding Plan) and, if practicable, fully phase it in.

**House Bill 11:**  
To repeal Ohio's current school voucher programs and replace them with the "Backpack Scholarship Program" to begin operating for the 2023-2024 school year. This legislation would provide state education funding directly to families in the form of an Education Savings Account which could be used for private school tuition.

**House Bill 12 -** To rename the Department of Education as the Department of Education and Workforce; to create the position of Director of Education and Workforce; and to reform the functions and responsibilities of the State Board of Education and the Superintendent of Public Instruction.

This House Bill is the companion bill to Senate Bill discussed on the reverse of this publication.



## Transportation Update & Reminders

School transportation difficulties have plagued the state this year due to bus driver shortages and numerous problems at traditional districts. Unfortunately, there have been many situations in which district buses arrive hours late to pick-up community school students and in some cases, buses have not shown up at all.

While these problems persist, there are several things your school can do to help avoid or mitigate issues in the future.

One important step to help your students receive transportation from their resident districts in the 2023-2024 school year, is ensuring that your school provides those districts with your 2023-2024 school year daily start and end times by April 1st.

After timely receiving your school's information, districts develop a plan with schedules and routes. This transportation plan must be provided to your school within sixty days of receiving your start and end times.

If your school does not meet the April 1st deadline, district responsibility falls from an obligation to simply making an attempt to make a plan. Thus, it is important that your school submits the required information timely.

Keep in mind if a district determines that transporting certain students is impractical (based on legal criteria), the affected families may be entitled to payments from their resident district in lieu of transportation.

## Governor's Budget Proposal

The governor's budget proposal includes the following education items:

- Additional \$3,000 for each economically disadvantaged student attending a "quality" charter school
- Increase in funding for charter school facilities from \$500 to \$1,000 per pupil
- \$300 million for capital improvements and equipment for career tech education.
- Provision of school resources officers at state expense
- Funding to pay for curriculum based on the Science of Reading

## Q & A

### Q: What is Senate Bill 1?

A: Hearings continue over SB1, which proposes to transfer most of Ohio's day-to-day education decision-making power from the State Board of Education to a new Department of Education and Workforce under the governor's control.

Currently, ODE is overseen by the state superintendent who answers to the 19-member body of elected and appointed members of the state BOE.

SB 1 proposes to replace ODE with a new agency - the Department of Education and Workforce. The new DEW would be operated by two directors appointed by the governor. One division would focus on elementary and secondary education, the other on career-technical education.

Under SB 1 the state board and the state superintendent would still be responsible for a few administrative functions, such as the adoption of requirements for educator licensure, disciplinary actions, and school district territory transfer determinations.

This publication is provided for informational purposes only.

The information contained herein does not constitute legal advice nor does it create an attorney-client relationship.

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