

Legal Update

April 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
Becky Enz
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to arrange training either in conjunction with your board meeting or to receive connection information to one of the following Zoom training sessions she will be conducting:

April 11th 5:00 PM
April 13th 5:00 PM



This Edition

Revising DOPR Rules
Proposed Overhaul of ODE
Religious Expression Days Act

Education Related Bills

Currently numerous education-related bills are in various stages of the legislative process in Ohio's House and Senate.

Senate Bill 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. This would result in a transfer of most of Ohio's day-to-day education decision-making away from the State Board of Education. Currently, ODE is overseen by the state superintendent who answers to the 19-member body of elected and appointed members of the state Board of Education. Under SB 1 the state board and superintendent would still be responsible for some administrative functions, such as the adoption of requirements for educator licensure, disciplinary actions, and school district territory transfer determinations. This bill, now with the House to consider, is expected to pass into law.

Senate Bill 17 would enact the Interstate Teacher Mobility Act, which as the name suggests, would allow teachers to obtain licensed teaching jobs in other states included in the network.

SB 17 also would require that concepts of free market capitalism be incorporated into state academic standards and model curriculum.

Senate Bill 66 proposes requiring public and private schools to transmit a transferred student's records to the new school within five school days of receiving a request.

House Bill 48 would require school boards to adopt a policy declaring that in the performance of professional duties, a staff member shall not engage in political, partisan, ideological, or religious advocacy by compelling a student to adhere to a specific political, ideological, or religious belief; or unfairly evaluate a student's work because it does not reflect a specific belief.



Religious Expression Days “R.E.D.” Act

Senate Bill 49 dubbed the Religious Expression Days “R.E.D.” Act proposes requiring all kindergarten through 12th grade public schools to adopt a policy providing students with certain religious accommodations.

Specifically, the bill would require a policy that “reasonably accommodates the sincerely held religious beliefs and practices of individual students with regard to all examinations or other academic or

requirements and absences for reasons of faith or religious spiritual belief system.”

The policy must permit a student to be absent for up to three religious expression days each school year, to take holidays for reasons of faith or religious or spiritual belief system or participate in organized activities conducted under the auspices of a religious denomination, church, or other religious or spiritual organization. (But permit students to participate in athletics and other

extracurricular activities on days in which the student was otherwise absent for a religious expression day.)

The bill would prohibit schools from imposing an academic penalty as a result of a student being absent as permitted in the policy.

At the time of this publication, the bill had been introduced in the Senate and reported by committee; it had not yet passed and been sent on to the House.

DOPR Legislation

Senate Bill 79 proposes sweeping changes to Drop Out Prevention and Recovery School rules and regulations. The bill proposes to entirely eliminate existing Ohio Department of Education guidance documents regulating DOPRs. It would require ODE to establish a DOPR advisory council which would provide a forum for collaboration between ODE and parties involved in the establishment and operation of DOPRs, including sponsors and operators.

SB 79 would prohibit ODE from unilaterally developing guidelines that impose requirements on DOPRs and instead would require that all future rules be reviewed by the advisory council.

Q & A

Q: I heard there might be a change to student work permits. If so, what is changing?

A: Senate Bill 30 proposes to allow 14 and 15 year olds to work from 7:00 PM to 9:00 PM during the school year.

Current law requires that a minor be at least 16 years old to work past 7:00 PM September 1st through June 1st.

The bill, if enacted, would require parent/guardian consent by signing a work hour notification form for a minor to receive an “age and schooling certificate” (commonly called a “work permit”).

At the time of this publication SB 30 had passed in the Senate and was under consideration by House committee.

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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