

Legal Update

July-August 2023

Transportation Improvements

The budget bill makes several changes to law in an effort to alleviate the struggles schools have been experiencing with transportation.

New law will loosen the existing restrictions on use of smaller vehicles, such as 9-passenger vans to transport students.

The bill strengthens the non-compliance process used when districts are not meeting their legal obligations to transport students either in failing to do so altogether or by requiring excessively long bus rides, getting students to school late, etc.

The bill also establishes a pilot program through which certain Educational Service Centers may transport charter students in lieu of transportation from their resident district.



This Edition

Budget Bill

HB 33 - The State Budget Bill – Education Funding

At the end of June, the Ohio House and Senate passed the state's budget bill for the biennium 2024–2025. Governor DeWine signed the bill into law on July 3rd.

The new budget increases foundation payments for all Ohio public schools, but makes particularly big strides in increasing charter funding.

Charter schools that demonstrate strong performance on certain local report cards measures will receive an additional \$3,000 annually for each economically disadvantaged student and \$2,250 for each non-disadvantaged student. (These amounts are an increase from last fiscal year of \$1,416 and \$809 respectively.)

Facility funding is also increased from \$500 to \$1,000 per student for brick and mortar charter schools. Additionally the budget provides e-schools \$25 per student annually for facilities.

Brick and mortars will also receive an additional \$650 per student as an equity supplement to minimize the funding gap between charters and districts.

Together with the increased foundation aid the average high-quality charter will see a nearly 40% increase in state aid, receiving approximately \$4,000 more per student in Fiscal Year 25 as compared to FY 23.

High quality charters will receive 92% of what traditional districts receive in the next biennium and the average brick-and-mortar charter is projected to receive 86 percent.

In addition to the financial allocations, the budget bill made numerous substantive legal changes, including many education related ones, some of which are highlighted in other sections of this publication.



Budget Bill – Education Related Legal Changes

In addition to the financial aspects, the budget bill also made numerous changes and additions to education related laws, some of which are as follows:

DOPR:

Creates a Dropout Prevention and Recovery Advisory Council which will review existing DOPR rules and guidance previously developed by the Department. Requires the Department to only adopt rules regarding DOPRs through the Administrative Procedures Act (rather than unilaterally) and only after Council review.

Teacher Shortage Issues:

Reduces some licensing requirements making educator licensing less burdensome for alternative licenses, out-of-state teachers, pre-services teachers, etc. Made permanent the law allowing individual who do not have post-secondary degrees to work as substitute teachers.

Online Instruction:

Repeals blizzard bag process and replaces it with a requirement that all brick and mortar schools adopt a plan to provide online instruction to make up hours for school closures up to three school days.

State Board & DEW:

Changes the name of ODE to the Department of Education and Workforce. Creates a governor-appointed Director as head who will oversee most of the duties that formerly were held by the State Board of Education and State Superintendent.

Student Records:

Requires schools to transmit a transferring student's records to the new school within 5 days of receiving a request. Provides an exception if the student owes \$2,500 or more to the school.

Q & A

Q: Did the budget bill ultimately remove the 3rd grade reading guarantee retention requirement?

A: The budget bill requires schools that retained in 3rd grade students for the 2023-2024 school year based on the student's third-grade reading achievement assessment in 22-23 to promote those students to 4th grade unless the student's parents request retention.

Moving forward, beginning with scores earned in 23-24, schools will retain students in 3rd grade unless parents, after consultation with the reading teacher and principal, request promotion to 4th grade.

Under all circumstances, schools will be required to provide intensive instruction until the student reads on grade level.

Our Newest Team Member



Angelina Rutherford

We are excited to announce Angelina joining the firm as an assistant legal and compliance analyst. Staying true to our focus on education, Angelina brings experience as a high school English teacher, a preschool teacher, and instructor of dance to children and adults of all ages.

Angelina earned her Bachelor of Arts degree, with honors, in AYA Language Arts Education from The University of Akron.

Angelina recently transitioned out of the classroom setting to pursue a new career, but that does not mean her heart has left education. She is very excited to be working with the Amy Goodson team in a new role that will continue to foster her love of learning, advocating, and educating.

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