

Legal Update

January 2024

National School Choice Week

~

January 13-27,
2024

National School Choice Week takes place each January with the purpose of raising public awareness about the numerous education options available to families.

The week celebrates all types of K-12 education including traditional schools, charter schools, magnet schools, private schools, online learning, and homeschooling.

National School Choice Week's aim is to inform, inspire, and empower parents to discover the K-12 education options available for their children, while generating widespread public awareness of the importance of school choice.

This year, National School Choice Week is January 21st – 27th

More information:
schoolchoiceweek.com



This Edition

Training
DEW Update

Sunshine Law Training Requirements Fy24 - Update

In the fall of 2021 the Ohio Auditor of State issued a Bulletin 2021-007 stating the annual public records and open meetings laws training for community school officers and administrative employees must be training that is certified by the Ohio Attorney General. The Bulletin initially stated that auditors would audit for compliance with this “requirement” beginning last fiscal year - FY2023.

Our firm collaborated with other charter school attorneys across Ohio to request that the AOS not implement this auditing standard because it was erroneous. We explained that the Bulletin’s interpretation of the law is inaccurate, unequally applied as compared to other public officials, and highly confusing. We argued that the law referenced in the Bulletin pertains to “elected” officials, which community school board members are not. We explained that Ohio law has a separate training requirement applicable to community school officials which includes the identical topics and is, in fact, more demanding in nature as it requires training annually.

In response to our letter, the AOS delayed implementation of the interpretation until this fiscal year. While several sponsors across the state worked to change the law to clarify what training is required of community school officials and to implement a fair and reasoned approach, as of now the law remains unchanged and auditors are being instructed to audit this year for the “certified” training.

The only “certified” trainings can be found:

on the AOS website [here](https://www.ohioattorneygeneral.gov/Legal/Sunshine-Laws/Sunshine-Law-Training).
and the Attorney General’s website:
<https://www.ohioattorneygeneral.gov/Legal/Sunshine-Laws/Sunshine-Law-Training>

While our firm still highly disagrees with the AOS interpretation, because your school will be audited for compliance, we suggest you begin the training sooner rather than later as it takes 3 or more hours to complete.





Reading Achievement Plan v. Reading Improvement Plan

Two often confused items a community school board may hear about this time of year is a Reading Achievement Plan and/or a Reading Improvement Plan. (No wonder with the very similar terminology!)

Reading Achievement Plans are required to be submitted to the Department of Education and Workforce by December 31st each year if for two consecutive years:

(1) the school received a performance rating of less than three stars for the early literacy component on the LRC;

and

(2) 50% or less of the school's students scored proficient on Ohio's State Test for grade 3 English Language Arts.

Your school will have been notified by DEW if it is required to submit a plan, but the list of school's required to do so can be found [here](#).

DEW provides a template for Reading Achievement Plans and advised that the recommended length for Reading Achievement Plans for K-3 should be around 25 pages in length and pre-K through grade 12 plans should exceed 25 pages.

Reading Improvement Plans are required when fewer than 80% of a school's students score proficient or higher on Ohio's State Test for grade 3 English Language Arts.

Reading Improvement Plans are not required to be submitted to the state. However, a school's board must approve the plan before beginning implementation.

Boards determine the deadlines, format, and approval criteria for Reading Improvement Plans. Boards also determine the parameters for previous plan updates.

Q & A

Q: What is the latest on educational leadership at the state level?

A: In December the Ohio Senate confirmed Governor DeWine's appointee Steve Dackin as the first Director of the Department of Education and Workforce (DEW). Dackin will appoint two deputy directors to serve who will oversee the divisions of Primary and Secondary Education and Workforce Readiness.

Even after the changeover from ODE to DEW, the State Board of Education continues to have the power to appoint the State Superintendent of Public Instruction. In December, the State Board appointed Paul Craft to that position effective January 1st.

Craft was most recently the superintendent of Buckeye Valley Local Schools. Prior to that, he was the superintendent of Delaware City Schools for nine years and previously worked in Upper Arlington City Schools.

Happy New Year!

The team at Amy Goodson Co. wishes you very happy holidays!

We are grateful for the opportunity to have worked with you this past year.

We look forward to our continued work together in 2024.

Our best,
Becky
Amy
Carlena
Angelina



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.

For more information about the contents of this publication or for legal services contact:

amy@amygoodsonlaw.com

330.962.6776

www.amygoodsonlaw.com