

Legal Update

February 2024

Ohio Community Schools Annual Report

Each year, the Ohio Department of Education and Workforce's Office of Community Schools releases a report on the state's community schools' performance in five key areas:

1. Academics
2. School operations
3. Sponsor performance
4. Legal compliance
5. Finances

During the 2022-23 school year:
19 sponsoring organizations authorized 334 community schools that enrolled more than 116,000 students.

71% of nondropout recovery schools met or exceed standards for student progress.

95% of dropout recovery community schools met or exceeded overall standards.

The full report can be found [here](#).



This Edition

Sunshine Law Training & Stipends
Virtual Meetings

Senate Bill 168 – Education Regulation Reform

In December the Ohio Senate passed SB 168 easing a variety of education regulations.

If passed into law, the bill would remove the requirement that community schools review the residency records of students on a monthly basis. Annual review would still be required.

To address educator shortage issues, the bill proposes reducing the requirements for certain teacher certificates and licenses. For example, the new law would require only a bachelor's degree, rather than a master's degree, for senior professional educator licenses and lead professional educator licenses. Similarly, the bill would reduce degree requirements to a bachelor's for administrator licenses and alternative superintendent licenses.

The bill would make permanent the temporary law permitting the issuance of one-year nonrenewable out-of-state educator licenses upon the request of an employing school.

The bill would also allow individuals to be employed as teachers without a teaching license if they have a master's degree, pass a state board of education exam in their subject matter, and have satisfactory background checks.

SB 168 proposes allowing e-schools to administer state assessments remotely. Currently law requires students enrolled in internet-based schools to take states tests in-person. (This is often difficult for families and students due to the reasons that they are opting for remote schooling. In person testing is also expensive for e-schools, because they don't regularly maintain facilities large enough to fit students at one time on the specified testing dates, so they must rent large spaces, ensure technology is prepared at these sites, and staff the sites.)

As of the date of this publication, the bill was in House Committee.





Sunshine Law Training - FY 2024

This fiscal year auditors across the state will be testing community schools for compliance with the Auditor of State Bulletin 2021-007. The Bulletin states that the annual public records and open meetings laws training for community school officers and certain employees must be training that is “certified” by the Ohio Attorney General.

This requirement applies to board members, the fiscal officer, chief administrative officer and other administrative employees, and all individuals performing supervisory or administrative services for the school under a contract with the operator.

While not statutorily due until June 30th, because the only compliant training is three hours in length, board members and administrative employees may want to get started on this training soon.

The **Attorney General** virtual webinars are available on several dates over the coming months. Participants must join at the specified time and remain on the webinar for the entire three hours. You will not receive a certificate of completion; rather your name will appear on a list of attendees. Dates and registration can be found at <https://www.ohioattorneygeneral.gov/Legal/Sunshine-Laws/Sunshine-Law-Training>

The **Auditor of State** offers an on-demand training in a three-webcast series. You can watch these at your own times and can pause the video and resume. Parts 1 and 2 cover public records and are each slightly over an hour. Part 3 addresses open meetings laws and is 48 minutes, bringing the full training to 3 hours. Upon completion of each section, you will receive a certificate. Be sure to keep all three certificates and send those to our office to help you track compliance. AOS training can be found at:

<https://ohioauditor.gov/trainings/publicrecords.html>

Check your school’s website for the following required postings:

- Annual Report
- Board meeting dates
- Board member names
- Safety Hotline
- Career Advising Policy
- Local Report Card
- Notice of Non-Discrimination
- Child Find
- Semi-Annual Report on Harassment, Intimidation, Bullying
- PBIS, Seclusion, and Restraint Policy
- Wellness Policy
- Missing Children Info
- School Calendar
- CCP Information
- Ohio Means Jobs
- Title IX Coordinator name, phone, email
- Title IX Non-Discrimination Policy
- Title IX training materials

Q & A

Q: Can board members receive a stipend for participating in sunshine law training?

A: Yes, if your board has a policy or resolution authorizing the payment of stipends, Ohio law permits each member of the governing authority to be paid compensation for attendance at an approved training program. Such compensation may not exceed sixty dollars a day for attendance

at a training program three hours or less in length and one hundred twenty-five dollars a day for attendance at a training program longer than three hours in length.

Both of the certified sunshine law trainings are three hours, so participating board members whose boards have a resolution or policy allowing it, may receive sixty dollars. Be sure to retain documentation of your participation as support for the payment.

This publication is provided for informational purposes only.

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

amy@amygoodsonlaw.com

330.962.6776

www.amygoodsonlaw.com