



LEGISLATIVE UPDATE

November 18, 2022

The Ohio legislature has begun its "Lame Duck" session for the 134th General Assembly. "Lame Duck" is the period between Election Day and December 31st every two years when any bill that hasn't passed must be signed into law. Otherwise, the bill dies and must be reintroduced next term. Watch for Ohio's supermajority party (the Republican Party) to try to pass some of the more controversial stuff in "Lame Duck."

Bills to Watch:

- [HB 565](#) — students as nonvoting members of State Board of Education
- [HB 619](#) — student mental health days
- [HB 454](#) — attack on trans youth

Senate Primary & Secondary Education (Testimony & Documents)

Chair [Brenner, A.](#) 614-466-8086 South Hearing Rm., 3:00 pm [Webcast](#)

[HB 554](#) Temporary Educator License [Lightbody, M.](#) [Bird, A.](#)

To require the State Board of Education to issue temporary educator licenses to applicants with expired professional teacher's certificates and professional educator licenses.

1st Hearing-Sponsor

[HB 606](#) Seizure Action Plans [Bird, A.](#) [Ingram, C.](#)

To enact "Sarah's Law for Seizure Safe Schools" to require public and chartered nonpublic schools to create a seizure action plan for each student with a seizure disorder or epilepsy.

1st Hearing-Sponsor

[SB 178](#) Education [Reineke, B.](#)

To reform the functions and responsibilities of the State Board of Education, the Superintendent of Public Instruction, and the Department of Education.

1st Hearing-Sponsor (*The substitute version of SB178, which is currently a placeholder bill, is expected to make its debut in the [Senate Primary & Secondary Education](#) Track Committee after Thanksgiving.*)

House Primary & Secondary Education (Testimony & Documents)

Chair [Manning, G.](#) 614-644-5076 Rm. 122, 3:00 pm [Webcast](#)

The following was added to the agenda:

[HB 748](#) Performance Evaluations [Bird, A.](#)

To require each public school to adopt a policy regarding certain expectations related to the performance of staff member professional duties.

1st Hearing – Sponsor Testimony

Remaining previous agenda:

HB 115 School Property Ingram, C. Bird, A.

To eliminate the right of first refusal for certain schools in the acquisition of school district real property.

1st Hearing-Sponsor

HB 643 4-H Programs And Activites Hall, T. Creech, R.

To require school districts to grant students excused absences from school for participation in 4-H programs and activities.

1st Hearing-Sponsor

HB 374 Student Academic Success Howse, S. Hicks-Hudson, P.

To create the Loving State Index and the Loving State Index Commission regarding student academic success.

1st Hearing-Sponsor

HB 565 State Board Of Education Sobecki, L. Hicks-Hudson, P.

To add five students as nonvoting members to the State Board of Education.

1st Hearing-Sponsor

HB 619 Mental Health Days Blackshear, W. Miranda, J.

To allow school districts to permit students to take up to three mental health days away from school each school year.

1st Hearing-Sponsor

House Activity Report

Passed

HB 403

Teacher Investigations Fowler Arthur, S. Miller, A.
To require a school district superintendent or administrator of a public or chartered nonpublic school to file a report with the Department of Education regarding a teacher that retired under threat of disciplinary investigation.

86-0

Senate Activity Report

Passed

SB 33

Education Savings [Hottinger, J.](#) [Brenner, A.](#)
To expand the income tax deduction allowed for contributions to Ohio's 529 education savings plans to include contributions to 529 plans established by other states.

31-0 (AMENDED)

Senate Bills of 2021-2022 Awaiting Second Chamber Action

SB 33

Education Savings

[Hottinger, J.](#) [Brenner, A.](#)

To expand the income tax deduction allowed for contributions to Ohio's 529 education savings plans to include contributions to 529 plans established by other states.

SB 131

Occupational Licensing

[Roegner, K.](#) [McColley, R.](#)

To require an occupational licensing authority to issue a license or government certification to an applicant who holds a license, government certification, or private certification or has satisfactory work experience in another state under certain circumstances and to amend the version of section 3319.22 of the Revised Code that is scheduled to take effect on April 12, 2023, to continue the changes on and after that date.

House Bills of 2021-2022 Awaiting Second Chamber Action

HB 77

University Trustees

[Manchester, S.](#) [Sweeney, B.](#)

To allow the board of trustees of a state institution of higher education to adopt a policy allowing the trustees to attend a board meeting via means of electronic communication.

HB 151

Teacher Mentorship

[Jones, D.](#)

To reduce the duration of the Alternative Resident Educator License from four to two years, to revise the Ohio Teacher Residency Program as it exists beginning on April 12, 2023, to require one day of professional development leave each school year for classroom teachers to observe veteran teachers and to enact the "Save Women's Sports Act" to require schools, state institutions of higher education, and private colleges to designate separate single-sex teams and sports for each sex.

HB 203

Occupational Licenses

Powell, J.

To require an occupational licensing authority to issue a license or government certification to an applicant who holds a license, government certification, or private certification or has satisfactory work experience in another state under certain circumstances and to amend the version of section 3319.22 of the Revised Code that is scheduled to take effect on April 12, 2023, to continue the changes on and after that date.

HB 333

School Counselors

Miranda, J. White, A.

To require the Department of Education to make recommendations for a job description for school counselors and to designate at least one staff member as a school counselor liaison.

HB 353

Religious Expression

Click, G. Miranda, J.

To enact "The Testing Your Faith Act" to require each state institution of higher education to adopt a policy providing students with religious accommodations.

HB 403

Teacher Investigations

Fowler Arthur, S. Miller, A.

To require a school district superintendent or administrator of a public or chartered nonpublic school to file a report with the Department of Education regarding a teacher that retired under threat of disciplinary investigation.

HB 497

Third Grade Reading Guarantee

Manning, G. Robinson, P.

To eliminate retention under the Third Grade Reading Guarantee.

HB 509

Occupational Regulations

John, M. Fowler Arthur, S.

To revise and streamline the state's occupational regulations.

HB 554

Temporary Educator License

Lightbody, M. Bird, A.

To require the State Board of Education to issue temporary educator licenses to applicants with expired professional teacher's certificates and professional educator licenses.

Senate Begins Review Of Education Department Overhaul

Legislation aimed at giving the governor and legislature more control over a redesigned Department of Education appears set to move in the Senate in lame duck. Sponsor Sen. Bill Reineke (R-Tiffin) told the Senate Primary & Secondary Education Track Committee on Tuesday a coming substitute version of his measure (SB 178 would create a Department of Education and Workforce with a cabinet-level director appointed by the governor and subject to Senate approval. The agency would have two divisions – one focusing on traditional K-12 education and one overseeing career-technical education. "Both will be headed by deputy directors who will sit on the Governor's Executive Workforce Board," Sen. Reineke said. "As the titles suggest, the Division of Primary and Secondary Education will include K-12 education, as well as preschool, while the Division of Career Technical Education will create and implement programming to better educate students about career-tech graduation options as well as various in-demand career opportunities and oversee existing career-oriented education for students." The bill would also revise the duties of the State Board of Education, the body tasked by the Ohio Constitution with hiring a state superintendent of public instruction. The three-sentence section of the Constitution establishing the board gives the legislature the power to set additional duties for the panel and the superintendent. Sen. Reineke said under SB178 the board would retain the responsibility to appoint a state superintendent, who would serve as a secretary to the board and an adviser to the director of the redesigned department. The board also would continue to oversee teacher licensure, educator misconduct cases and school territory transfers. "All other duties currently under the purview of the SBOE will be assigned to the new Division of Primary and Secondary Education," Sen. Reineke said. "Duties that deal with career tech will be assigned to the Division of Career Technical Education." The measure would not restructure the 19-member board, which currently has 11 elected members and eight gubernatorial appointees. Sen. Reineke said change is needed to address an education system that in his view is failing many of the state's students. "Our staggering remediation rate and student achievement data shows our kids are falling behind, and it is evident the current structure is not accountable for our kids' education or their futures," he said. Sen. Andy Brenner (R-Delaware), chair of the Senate's K-12 committee, said he expects to hold multiple hearings on the measure before the end of session with the potential for a vote before the end of the year.

New Legislation This Week (Introduced Since May, 2022)

House Bill 747 (Lipps) - COVID Vaccination Status - to prohibit a private college or state institution of higher education from discriminating against an individual based on COVID-19 vaccination status.

Ohio elected three new members to the Ohio State School Board: former state Sen. Teresa Fedor of Toledo, Tom Jackson of Solon, and Katie Hofmann of Cincinnati.

The **Ohio State Board of Education** plans to vote on a controversial transgender resolution in December, after a group of conservative members on Tuesday attempted to move the resolution forward. The state board is considering opposing a proposed federal regulation protecting transgender students from discrimination under Title IX.

Education Legislative Report November 2022 Pending Legislation



Bill #	Summary	Status
<u>HB1</u>	Create new school financing system	2021-02-04 / Introduced <u>To House Finance Committee</u>
<u>HB49</u>	Reinstate the Joint Education Oversight Committee	2021-02-04 / Introduced <u>To House Primary and Secondary Education Committee</u>
<u>HB54</u>	Dissolve academic distress commissions	2021-02-04 / Introduced <u>To House Primary and Secondary Education Committee</u>
<u>HB73</u>	Regards educational testing, assessment, and retention	2021-02-10 / Introduced <u>To House Primary and Secondary Education Committee</u>
<u>HB100</u>	Dissolve existing academic distress commissions	2021-02-10 / Introduced <u>To House Primary and Secondary Education Committee</u>
<u>HB105</u>	Regards age-appropriate child sexual abuse instruction	2021-06-16 / Engrossed <u>To Senate Primary and Secondary Education Committee</u>
<u>HB151</u>	Replace Ohio Teacher Residency program with local mentorship	2022-11-15 / Engrossed <u>To Senate Primary and Secondary Education Committee</u>
<u>HB200</u>	Revise the state report card and school accountability system	2021-03-16 / Introduced <u>To House Primary and Secondary Education Committee</u>
<u>HB203</u>	Require occupational license if experienced in another state	2022-11-15 / Engrossed <u>To Senate Workforce and Higher Education Committee</u>

<u>HB205</u>	Enact Collin's Law: The "Ohio Anti-Bullying and Hazing Act"	2021-03-16 / Introduced <u>To House Primary and Secondary Education Committee</u>
<u>HB240</u>	Enact Parents Right to Know Act	2021-04-14 / Introduced <u>To House Primary and Secondary Education Committee</u>
<u>HB290</u>	Express intent for school funding formula	2021-05-11 / Introduced <u>To House Finance Committee</u>
<u>HB298</u>	Change voting membership - State Board of Education	2021-05-12 / Introduced <u>To House Government Oversight Committee</u>
<u>HB322</u>	Regards the teaching of certain current events, race, and sex	2021-06-10 / Introduced <u>To House State and Local Government Committee</u>
<u>HB327</u>	Prohibit teaching, advocating, or promoting divisive concepts	2021-06-10 / Introduced <u>To House State and Local Government Committee</u>
<u>HB403</u>	Require reports of teachers retiring under investigation threat	2022-03-23 / Introduced Reported: Primary and Secondary Education
<u>HB477</u>	Prevent expulsion, termination based on COVID vaccination status	2021-11-01 / Introduced Introduced
<u>HB497</u>	Eliminate retention under the Third Grade Reading Guarantee	2022-11-15 / Engrossed <u>To Senate Primary and Secondary Education Committee</u>
<u>HB514</u>	Regards higher education student financial aid, intern wages	2022-05-24 / Introduced <u>To House Rules and Reference Committee</u>
<u>HB529</u>	Requires online posting of school curricula	2022-01-25 / Introduced <u>To House Primary and Secondary Education Committee</u>
<u>HB554</u>	Require issuance of certain temporary educator licenses	2022-05-31 / Engrossed <u>To Senate Primary and Secondary Education Committee</u>
<u>HB582</u>	Regards nomination and election of boards of education	2022-03-01 / Introduced <u>To House Government Oversight Committee</u>
<u>HB616</u>	Regards promotion, teaching-divisive, inherently racist concepts	2022-05-17 / Introduced <u>To House State and Local Government Committee</u>

<u>HB663</u>	Establish loan repayment program for certain teachers	2022-05-17 / Introduced <u>To House Higher Education and Career Readiness Committee</u>
<u>HB667</u>	Enact the Grow Your Own Teacher Program	2022-05-17 / Introduced <u>To House Higher Education and Career Readiness Committee</u>
<u>SB37</u>	Revise 2020-2021 Education Law due to COVID-19	2021-02-03 / Introduced <u>To Senate Primary and Secondary Education Committee</u>
<u>SB131</u>	Require occupational license if experienced in another state	2022-11-15 / Engrossed <u>To House State and Local Government Committee</u>
<u>SB145</u>	Revise the state report card system	2021-03-24 / Introduced <u>To Senate Primary and Secondary Education Committee</u>
<u>SB178</u>	Reform function, responsibilities of state education offices	2021-05-12 / Introduced <u>To Senate Primary and Secondary Education Committee</u>
<u>SB209</u>	Regards mask mandates for schools and businesses	2021-09-08 / Introduced <u>To Senate General Government Budget Committee</u>
<u>SB214</u>	Requires instruction in Asian American history	2021-09-08 / Introduced <u>To Senate Primary and Secondary Education Committee</u>
<u>SB233</u>	Regards school nurse licensure and state retirement	2021-09-22 / Introduced <u>To Senate Primary and Secondary Education Committee</u>
<u>SB306</u>	Require Higher Ed Chancellor establish tutoring, remedial program	2022-05-25 / Introduced Reported - Substitute: Primary and Secondary Education
<u>SB361</u>	Expand veteran eligibility - employ as teachers without licenses	2022-10-03 / Introduced Introduced