

## **SB 311 Summary**

### **1. Unused School Facilities**

- Clarifies the definition of an unused school facility
- Changes the value for which a school district must sell an unused school facility to the property's appraised fair market value as an educational facility.
- Adds chartered nonpublic schools to the schools that a district must offer its unused school facilities and requires districts to prioritize selling unused school facilities to chartered nonpublic schools in the same manner as is required for high-performing community schools.
- Requires a district, if no high-performing community school or chartered nonpublic school located in the district offers to purchase or lease a property, to offer the property for sale or lease to high-performing community schools and chartered nonpublic schools located outside of the district prior to offering to sell or lease the property to other startup community schools, college-preparatory boarding schools, and STEM schools.
- Requires districts to report unused facilities to DEW by Nov 30<sup>th</sup> annually and DEW to post the data by December 31<sup>st</sup>.
- Requires, rather than permits, a school district to offer an unused school facility for sale at a public auction if no qualifying school offers to purchase or lease the facility under the involuntary disposition law.

### **2. RAPBACK**

- Allows the State Board of Education to report licensure issues directly to nonpublic public schools after expansions in SB 168 from the last General Assembly

### **3. Superintendent Licensure**

- Permits SBE to suspend, revoke, or limit the license of a school district superintendent who knowingly violates the law, unless the superintendent is acting under the direction of the board of education or one of its members.

### **4. School Board Members' Qualified Immunity – g\_136\_0226**

- Waives qualified immunity when the school district board of education or one of its members knowingly instructs the school district superintendent to violate the law. Includes clarifying language that the only board members who lose their

qualified immunity are those who vote to instruct the superintendent to violate ORC.

- Clarifying language was added that this only pertains to education related violations. A superintendent would not lose their immunity if they got a speeding ticket for example.

### **5. Sports Eligibility**

- Creates an intradistrict transfer policy for hockey teams allowing for a school district to allow students to play for a different building's team within the district.
- Modifies language added by the house allowing for students to transfer to play hockey for a team out of district if their home district does not have a hockey team. This language has been interpreted to prohibit intradistrict transfers.

### **6. Commercial Cheating Services**

- Prohibits organizations and individuals from engaging in any activities or advertising any services with the intention of assisting a learner to cheat on any exam or assigned task.
- Expressly permits an individual or organization to provide tutorial educational assistance to learners, provided the work product will not be represented as the learner's own work.
- Permits the Attorney General or district attorney to bring an action for a violation and subjects the violator to a civil penalty of not more than \$5,000 per violation. Authorizes a civil action for violations, in which the plaintiff may recover (1) \$2,500 in liquidated damages or actual damages, (2) Reasonable attorney's fees and costs, (3) injunctive and punitive damages, and (4) other relief as determined by the court.

### **7. School Zoning**

- Requires a public, chartered, and non-public schools shall be considered a permitted use in all zoning districts and their application for approval cannot be denied because they are a school building.

### **8. Licensure Reciprocity**

- a. Removes the 12 hours of required coursework an individual must complete when applying for an Ohio teaching license or an out-of-state one-year non-renewable teaching license if they pass the Foundations of Reading test on their first attempt and come from a state with the same or similar pre-service training as Ohio

## **9. Truancy**

- Allows juvenile judges to maintain jurisdiction to continue monitoring a child who has had previous truancy issues.
- Clarify that a child does not have to adjudicate an unruly child for habitual truancy in order for their parents to be charged with contributing to unruliness.

## **10. Remote Proctoring**

- Allow for remote proctoring of state standardized tests for online community schools.
- Require relevant school staff be trained on how to administer remote proctored assessments.
- Require prior to remote test administration, teachers, students, and families must gain experience with remote testing features
- Test administrators must actively monitor all students using the remote testing features, be available to respond to student inquiries, and troubleshoot issues
- Proctoring ratio of 1:9
- Requires e-schools and parents to work together to determine the best method of test administration for each student, with parents having the final authority.
- Clarifies that IEPs must be followed for their required form of test proctoring.
- Requires DEW to identify anomalies in testing results to monitor potential cheating

## **11. Board Vacancies**

- Limits the time for a school board of education to fill the vacancy of an elected board member to not more than 45 days after the vacancy occurs.
- Allows local probate courts to fill a vacancy if a school board fails to do so within 45 days.