

House Bill 197 Legislative Update

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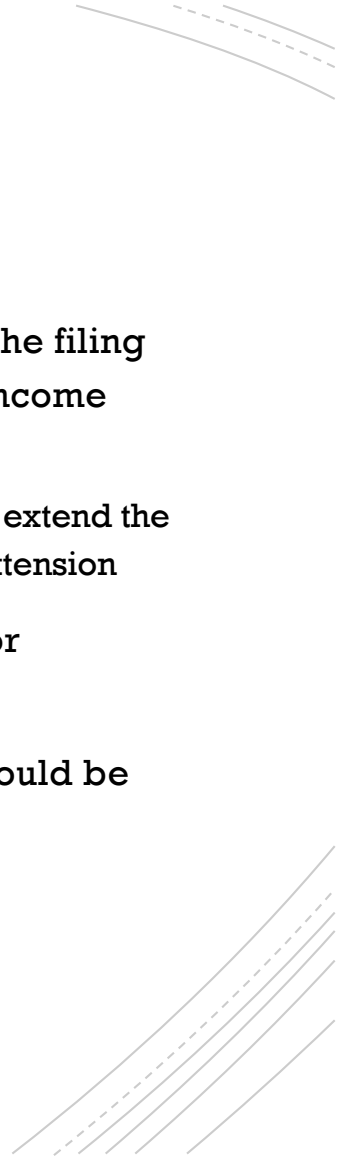
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Emergency

- **Gov. Mike DeWine has declared a health emergency to curb the spread of the Coronavirus**
 - As a result of various orders, such as school closings and other health emergency measures, there was a need to temporarily suspend some Ohio laws
 - The Ohio General Assembly convened on March 25 to swiftly pass legislation (HB 197) to accommodate that necessity
 - Gov. DeWine signed HB 197 this afternoon during his daily press conference
- **HB 197 includes an emergency clause making its provisions effective immediately**



Income Tax Filing Extended

- **Permits the Ohio Tax Commission to extend the filing date for state, municipal and school district income taxes**
 - **This provision will allow the Commissioner to extend the filing date to July 15 matching the IRS filing extension**
 - **Also extends the requirement for estimated or accelerated payments to the same date**
 - **Interest on unpaid taxes during the period would be waived**
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School District Income Taxes


- **Nothing in HB 197 changed the state's requirement to distribute school district income tax revenues as scheduled**
 - Under current law, districts will receive a quarterly distribution in April for the period of January through March
 - Withholding and estimated payments from the period
 - Final distribution in FY 2020
 - COVID-19 not expected to adversely affect the April distribution
 - The July distribution covering withholding and estimated payments for April through June is likely to be affected by COVID-19
 - Payments resulting from the July 15 filing should appear on the October distribution

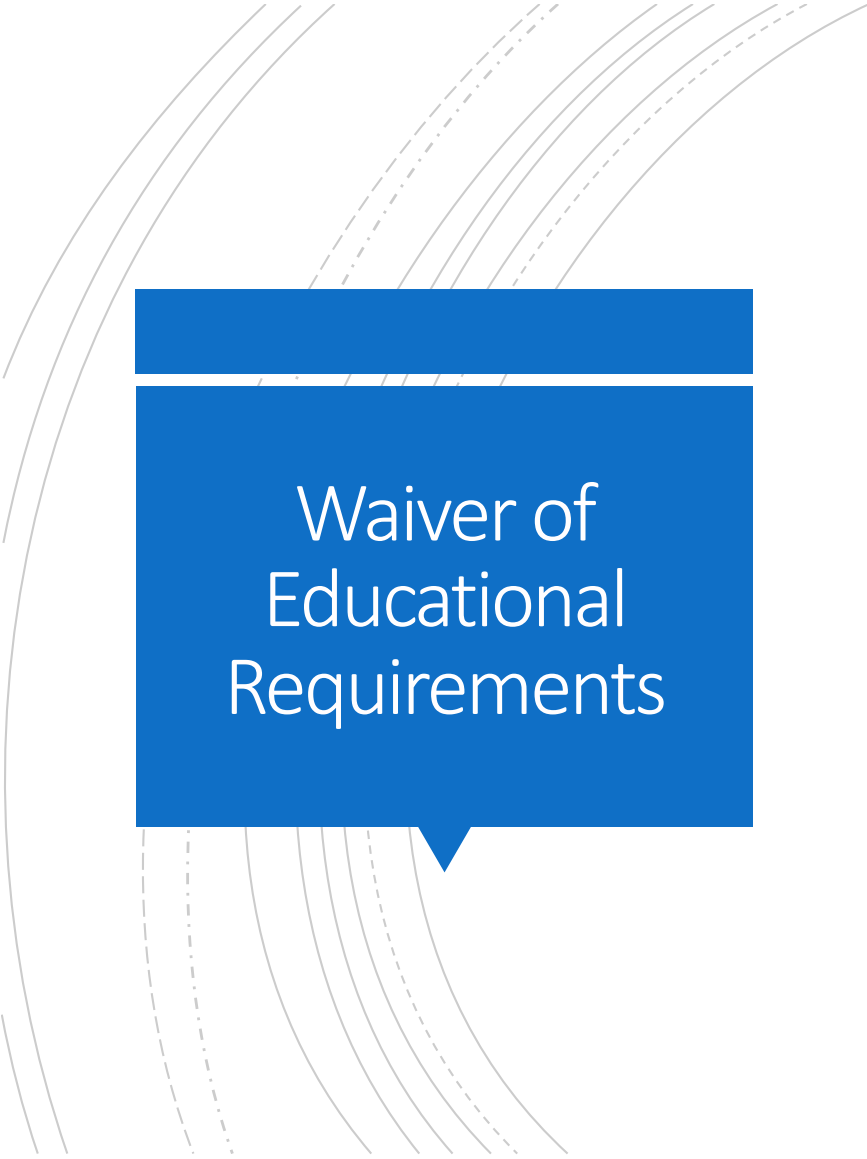


College Credit Plus

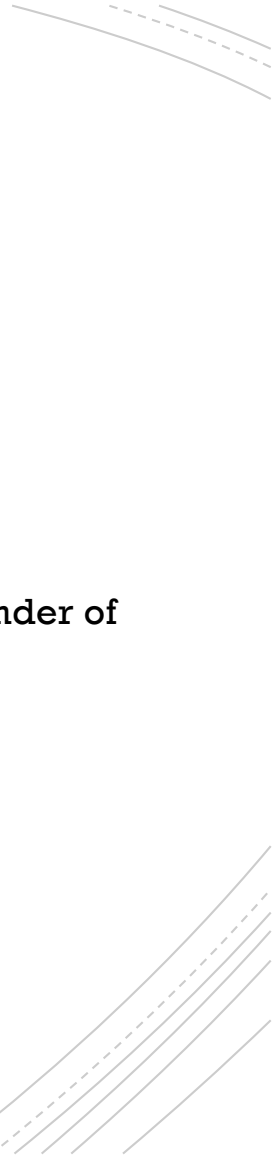
- Allows the Chancellor of Higher Education (in consultation with the Superintendent of Public Instruction) to:
 - Waive
 - Extend
 - Suspend, or
 - Modify

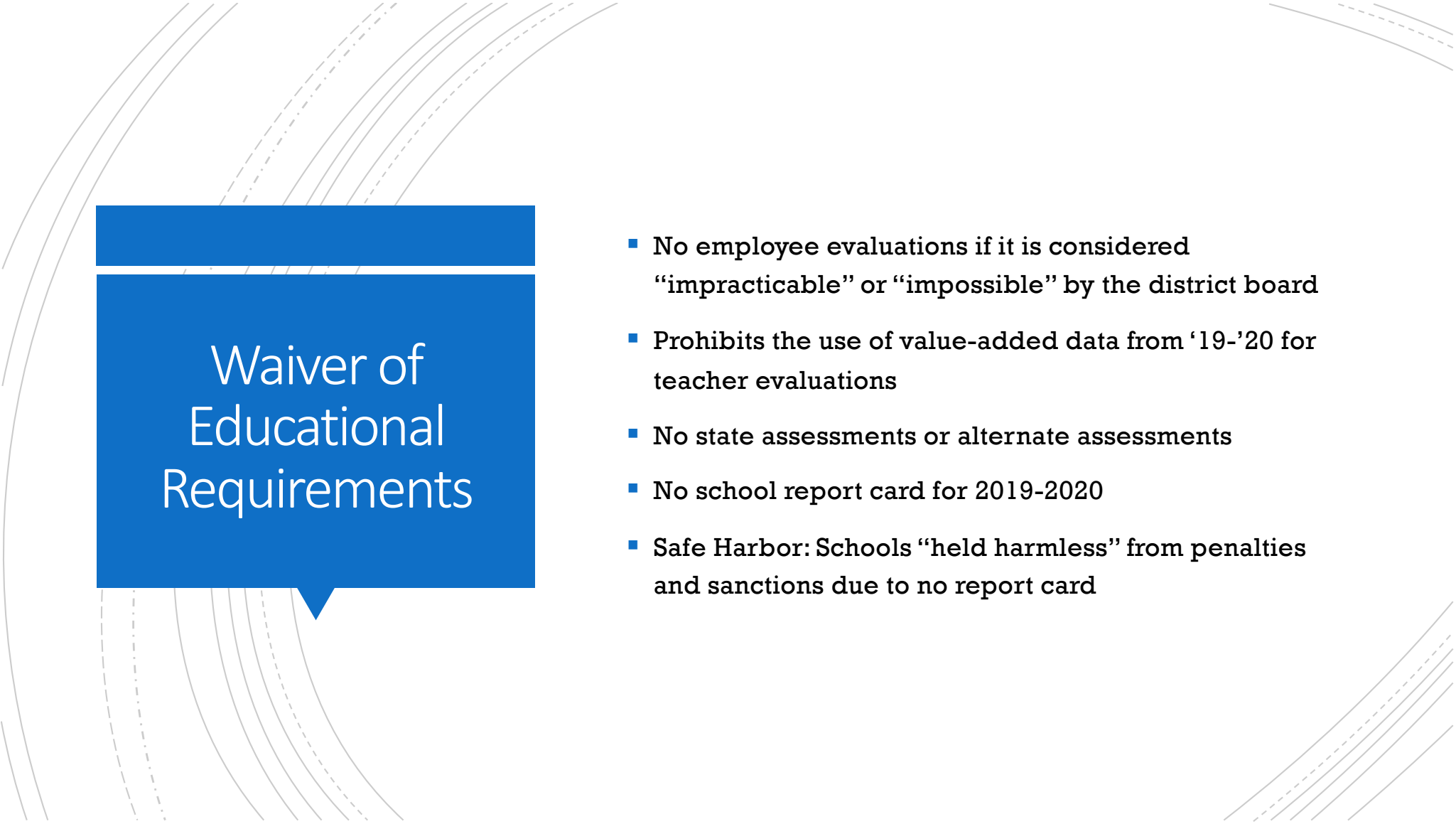
“requirements of the College Credit Plus program if necessary in response to COVID-19.”

- Chancellor is also consulting with stakeholders from school districts and the higher education community
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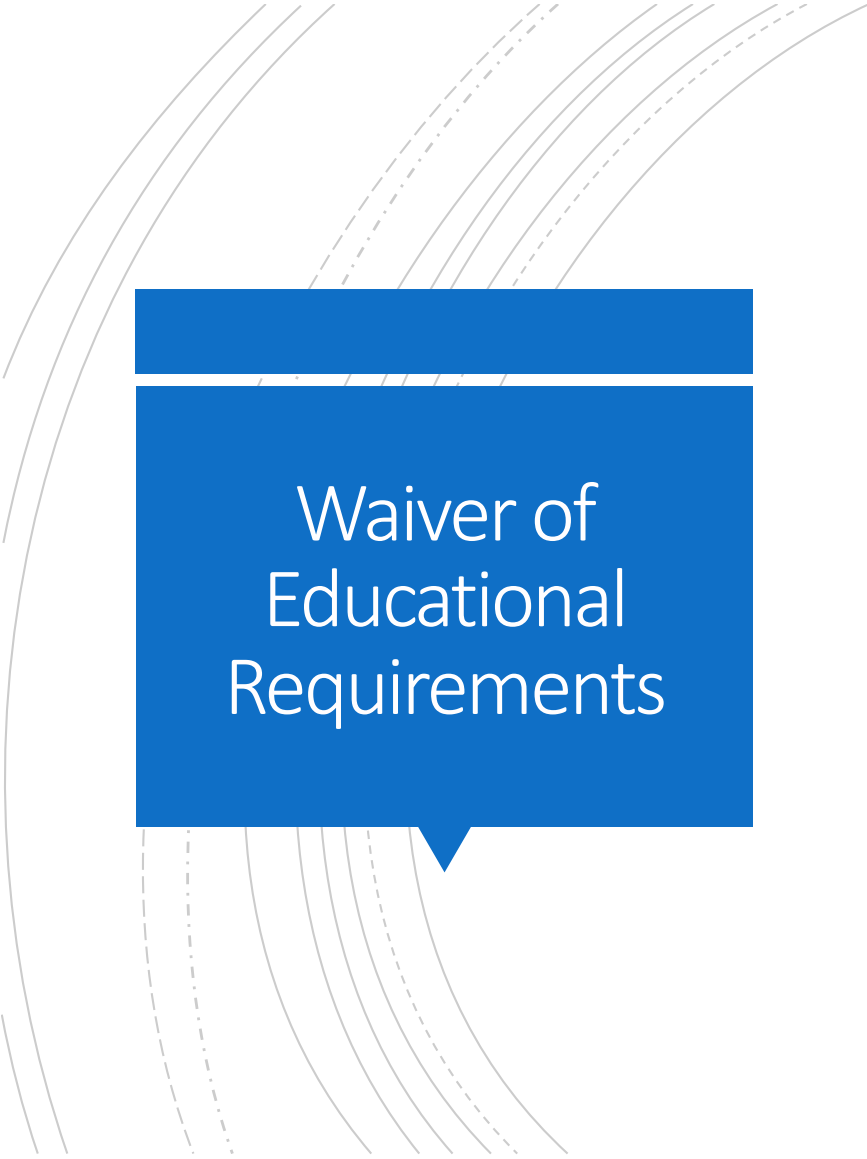
Waiver of Educational Requirements

- **Continue General Assembly’s intent that schools “continue to find ways to keep students actively engaged in learning opportunities for the remainder of the school year”**
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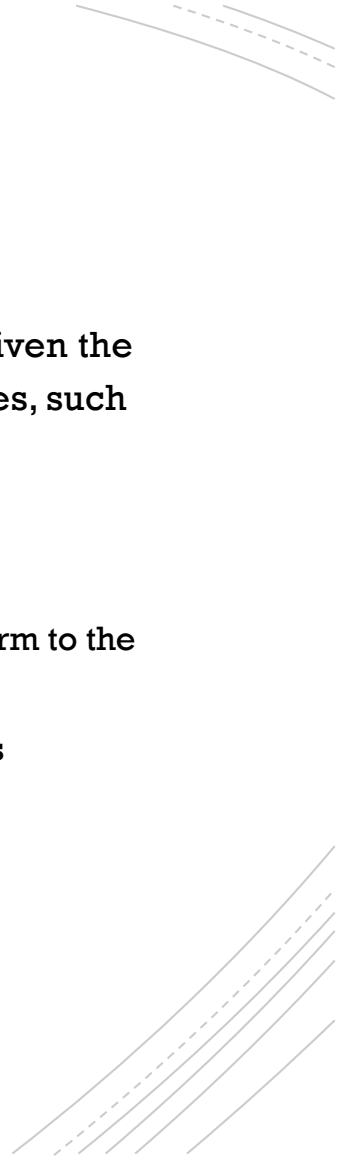


Waiver of Educational Requirements

- No employee evaluations if it is considered “impracticable” or “impossible” by the district board
- Prohibits the use of value-added data from ‘19-’20 for teacher evaluations
- No state assessments or alternate assessments
- No school report card for 2019-2020
- Safe Harbor: Schools “held harmless” from penalties and sanctions due to no report card



Waiver of Educational Requirements

- **The Superintendent of Public Instruction is given the authority to waive or extend various deadlines, such as:**
 - **Nonrenewal deadlines**
 - **Filling board of education vacancies**
 - **Updating teacher evaluation policies to conform to the OTES 2.0 framework**
 - **Identification and screening of gifted students**
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Graduation

- Requires schools to grant a diploma to any student in the twelfth grade or who was on track to graduate this year (regardless of grade) but had not completed the requirements as of March 17
 - Student's principal, in consultation with their teachers and counselors, must determine that the student has successfully completed the high school curriculum or the student's individualized education program as of March 17
- Permits districts whose curriculum units exceed the state minimum (20 units) to reduce its units down to 20 to determine whether a student has completed the high school curriculum.

Third-Grade Reading Guarantee

- All state tests are waived for this school year, including the third-grade English language arts assessment
- The bill prohibits retention of students based solely on their performance in reading in the 19-20 school year
 - Unless!
 - Unless the student's principal and reading teacher agree the student is reading below grade level and is not prepared to be promoted to the fourth grade
 - In such a case, that student can be retained in the third grade
- ODE guidance strongly recommends providing support to students who did not meet the promotion threshold during the fall administration of the test
- Continue RIMPs and continue parental involvement in instructional services

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Vouchers

- 2020-2021 eligibility list of 1,227 buildings is halted
- Vouchers eligibility for 2020-2021 is instead based on the current 2019-2020 eligibility list of 517 buildings
- Application window begins April 1 and runs for 60 days
- Applications for 2021-2022 list are open on February 1, 2021
- Income-based vouchers are unaffected

Vouchers – Who is eligible?

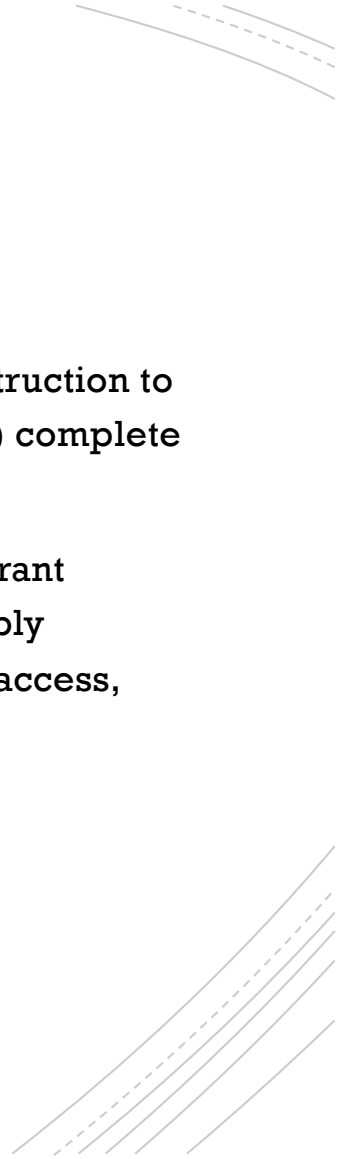
- Vouchers will increase for the 2020-2021 school year and will be granted as follows:
 - Voucher students from FY20 (517 buildings)
 - School-aged siblings of FY20 voucher students whose (1) building was eligible in FY 20 (applies to public, private, homeschooled students) (517 buildings)
 - New students who were eligible in FY20 AND FY21 (500 buildings)
 - Note the number reduction in eligible buildings
 - Non-voucher students (1) who are new to a building (incoming kindergartners, rising freshmen, new-to-the-area) and (2) whose FY21 building was eligible in FY20 AND remains eligible in FY21 (500 buildings)
 - Also appears to apply to private and homeschooled students

Minimum School Year

- Permits schools to make up through distance learning any number of days or hours necessary to meet the state-required minimums due to the mandated school closure.
 - Effectively lifts the law's three-day limit for make-up time
- Districts can amend their existing plans or adopt one (if it does not have one) to make up those days or hours.
- Minimum hours of instruction must still be met:
 - 455 hours for students in half-day kindergarten;
 - 910 hours for students in full-day kindergarten through grade 6;
 - 1,001 hours for students in grades 7-12



Access to School Facilities

- What about students who need in-person instruction to (1) complete their high school diploma or (2) complete career-technical education programs?
 - HB 197 explicitly states that schools should grant access to school facilities as soon as reasonably possible after the Director of Health permits access, even if this time period occurs after the last instructional day
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Open Meetings

- Allows the use of electronic communication for meetings and hearings during the Governor's declared emergency
- Boards of education can use teleconference or video conference to conduct their meetings
 - Must continue to provide public notice of the meeting and how to access
 - Must provide public access through livestreaming online, local radio, television, cable access or conference call



Remote IEP Services

- During the closure order individuals licensed by the following boards may provide services electronically or via telehealth communication to students who receive service through their school district
 - Ohio Speech & Hearing Professional Board;
 - Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board;
 - State Board of Psychology
 - Counselor, Social Worker and Marriage & Family Therapist Board;
 - State Board of Education with respect to intervention specialists

Primary Election

- Extends voting through April 28, 2020
- The Secretary of State (SOS) will send a postcard to each elector with information on voting
- Individuals must apply for an absentee ballot by noon on April 25
- The board of elections will keep a daily list of applications and send it to the SOS who will make it available upon request
- Allows provisional ballots by mail for voter's whose applications were denied

Primary Election

- Postage will be prepaid on all ballots
- Ballots must be cast by 7:30 pm on April 28 either by mail or at county board of elections (each board of elections must have a receptacle outside of their office for the return of ballots)
 - Ten-day grace period for mailed ballots (they must be postmarked on or before April 27)
- Allows in person voting only for that have a disability and wish to use an accessible voting machine and those that are unable to receive mail



Food Service

- During the ordered school-building closure period, all closed schools may continue to receive reimbursement for meals served during the closure.
- Schools opting to serve meals during the ordered school-building closure period must complete and submit the Feeding Children During Coronavirus (COVID-19) Related Unanticipated School Closure Application on the Ohio Department of Education (ODE) website.
- Schools with 50 percent or more free or reduced-price enrolled students participating in Community Eligibility Provision (CEP) or area eligible based on census data may offer meals to students and count and claim meals served under the Seamless Summer Option (SSO) or the Summer Food Service Program (SFSP).
- Schools with less than 50 percent free or reduced-price enrolled students operating as a closed enrolled site are permitted to claim all meals served to free and reduced-price enrolled students, as well as the same proportion of meals served to students who normally pay full price for meals.



Food Service

- U.S. Department of Agriculture (USDA) issued three nationwide waivers regarding child nutrition programs on March 21, 2020, effective through June 30, 2020, or upon expiration of the federally declared public health emergency, whichever is earlier.
 1. Non-congregate Feeding National Waiver – This waiver allows National School Lunch Program, School Breakfast Program, Child and Adult Care Food Program, and Summer Food Service Program sponsors to serve non-congregate meals.
 2. Meal Times Nationwide Waiver – This waiver suspends meal-time requirements and restrictions, allowing sponsors to provide multiple meals, such as breakfast and lunch, at the same time, for up to one week for the National School Lunch Program, School Breakfast Program, Child and Adult Care Food Program, and Summer Food Service Program.
 3. After-school Activity Waiver – This waiver applies to after-school snacks in the National School Lunch Program and after-school at-risk program meals and snacks in the Child and Adult Care Food Program and waives the requirement for meal service in a structured and supervised setting with an educational or enrichment activity.



Licensure

- ODE is providing flexibility regarding the licensure renewal deadline. All licenses currently set to expire on July 1, 2020, will have their expiration dates extended to Sept. 1, 2020.
 - Educators can continue to take advantage of remote and web-based professional development opportunities as approved by their Local Professional Development Committees.
- ODE will permit the issuance of one-year, nonrenewable, provisional educator licenses for the 2020-2021 school year to applicants who meet all other qualifications for licensure but have been unable to complete their required initial licensure examinations.



QUESTIONS ?



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