As Introduced

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H. B. No. 585

Representatives Patterson, Robinson

Cosponsors: Representatives Miller, J., Ingram, Miranda, Lightbody, Galonski, Howse, West, Brent, Crossman, Boyd, Sobecki, Rogers, O'Brien, Weinstein, Smith, K.

A BILL

To waive certain primary and secondary education requirements to account for school closings in compliance with the Director of Health's order due to the implications of COVID-19 and to declare an emergency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. (A) Notwithstanding anything in the Revised Code to the contrary, for the 2019-2020 school year only, due to the Director of Health's order under section 3701.13 of the Revised Code "In re: Order the Closure of All K-12 Schools in the State of Ohio" issued on March 14, 2020, based on the implications of COVID-19, divisions (A)(1) to (4) of this section apply to any city, exempted village, local, joint vocational, or municipal school district, any community school established under Chapter 3314. of the Revised Code, any STEM school established under Chapter 3326. of the Revised Code, any nonpublic school, and the State School for the Deaf and the State School for the Blind. Division (A)(5) of this section
applies only to school districts.

(1) No school district or school shall be considered to have failed to comply with being open for instruction with pupils in attendance for the minimum number of hours required under section 3313.48, 3314.03, or 3326.11 of the Revised Code. Nor shall any funding under Chapter 3314., 3317., or 3326. of the Revised Code be withheld for a district or school's failure to meet the minimum number of hours a school must be open for instruction so long as the district or school offers alternative methods for delivering instruction as appropriate for each district or school.

(2) Any letter grade issued to a school district or school for the 2019-2020 school year on the state report card issued under section 3302.03 of the Revised Code shall not be considered in determining whether a school district or a school is subject to sanctions or penalties. However, the report card ratings of any previous or subsequent years shall be considered in determining whether a school district or building is subject to sanctions or penalties. Accordingly, the report card ratings for the 2019-2020 school year shall have no effect in determining sanctions or penalties, but shall not create a new starting point for determinations that are based on ratings over multiple years.

The Department of Education shall not rank school districts, community schools, or STEM schools under section 3302.21 of the Revised Code for the 2019-2020 school year.

(3) No school district or school shall administer any assessment on or after the effective date of this section in the 2019-2020 school year, including any assessment prescribed under section 3301.0710 or 3301.0712 of the Revised Code, any
assessment prescribed or required by the Department of Education or State Board of Education, and any assessment prescribed by a district board of education or school governing authority. Additionally, no district or school shall administer an assessment in the 2020-2021 school year as a makeup assessment for the 2019-2020 school year.

(4) A school district or school shall grant a diploma to or advance to the next higher grade any student who, on March 17, 2020, has completed all of the requirements to graduate as prescribed in sections 3313.61 to 3313.619 or section 3325.08 of the Revised Code or to advance to the next higher grade as determined by the district or school. If, by that date, the student has not completed all the requirements required to graduate or advance, the district board or school shall determine if that student may receive a diploma or advance to the next higher grade.

(5) For teacher evaluations under sections 3319.111 and 3319.112 of the Revised Code, the board of education of a school district shall use either data and observations from the previous school year or the data and observations collected for this school year as of March 16, 2020, whichever the teacher being evaluated and the board agree to use.

(B) For the 2020-2021 school year, the Department of Education shall set the testing window for the fall administration of the third-grade English language arts achievement assessment for a date that is not earlier than November 1, 2020.

Section 2. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to
minimize the impact to Ohio citizens from the COVID-19 disease outbreak and help protect further spread of the disease. Therefore, this act shall go into immediate effect.