A BILL

To require public and private schools to decide whether to be open for instruction in the 2020-2021 school year, to permit parents providing home instruction to determine whether a building in which they provide instruction has adequate safety measures to address COVID-19, to prohibit other public officials from closing schools in that school year, and to declare an emergency.

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

Section 1. (A) As used in this section:

(1) "School district" means a city, local, exempted village, or joint vocational school district.

(2) "Community school" means a community school established under Chapter 3314. of the Revised Code.

(3) "Public official" has the same meaning as in section 2921.01 of the Revised Code.

(4) "Private school" means either a chartered nonpublic
school or a nonchartered nonpublic school.

(5) "Qualifying parent" means a parent, as defined under rule 3301-34-01 of the Administrative Code, who elects to provide home instruction to a student who has been excused from the compulsory attendance law for that purpose under section 3321.04 of the Revised Code.

(6) "STEM school" is a STEM school established under Chapter 3326. of the Revised Code.

(B) Notwithstanding anything to the contrary in the Revised Code, each school district board of education, community school governing authority, STEM school governing body, and private school governing authority shall determine whether its school buildings will be open for instruction with students in attendance for the 2020-2021 school year and each qualifying parent may determine in which building to provide instruction in that school year.

If the district or school opens its school buildings for instruction, the board of education or governing authority or body shall determine what health safety measures and guidelines to implement in its schools to address COVID-19. In the event that a district or school opens its school buildings for instruction, the board of education or governing authority or body may close its school buildings during the school year or adopt a resolution authorizing a superintendent, or an equivalent official, to close its school buildings if the superintendent determines it is necessary to do so. For the 2020-2021 school year, no other public official shall prohibit a district or school from opening its school buildings for instruction with students in attendance, cause a district or school to close its school buildings, or require the district or
school to adopt health safety measures and guidelines to address COVID-19.

Each qualifying parent may determine whether the building in which the parent provides instruction in the 2020-2021 school year has adequate health safety measures to address COVID-19. For the 2020-2021 school year, no public official shall prohibit a qualifying parent from providing instruction in a particular building because of the implications of COVID-19 or require a parent to adopt health safety measures and guidelines to address COVID-19.

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 ensure that the changes made by this act take effect before the start of the 2020-2021 school year. Therefore, this act shall go into immediate effect.