



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: Sub. H.B. 116 of the 129th G.A.

Date: January 25, 2012

Status: As Enacted

Sponsor: Rep. Barnes

Local Impact Statement Procedure Required: No

Contents: Requires public school bullying policies to prohibit bullying by electronic means, requires age appropriate instruction on, and parental notification of, the bullying policies, and makes other changes

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- School districts, community schools, and STEM schools may incur minimal costs to expand bullying policies currently required by law.
- School districts, community schools, and STEM schools may incur minimal administrative costs to make available to students and their parents and guardians bullying policies and an explanation of the seriousness of bullying by electronic means, as well as for annually sending a written statement describing the policy and the consequences of violating it to the home of each student.
- School districts, community schools, STEM schools, and educational service centers may incur additional costs for developing a curriculum for anti-bullying training for administrators, teachers, and certain other staff as part of in-service training already required under continuing law. These costs may be offset, at least partially, through the use of a model anti-bullying curriculum or by state reimbursement for in-service training.
- School district, community, and STEM schools may incur minimal administrative costs for annually providing students instruction on the schools' policies prohibiting harassment, intimidation, or bullying. However, any costs incurred by the school in providing the instruction will presumably be offset by state or federal revenues.

Detailed Fiscal Analysis

School anti-bullying policies

Current law requires each school district, community school, and STEM school to adopt a policy prohibiting harassment, intimidation, or bullying on school property or at school-sponsored events. The bill extends these policies to include bullying by electronic means, referred to as cyberbullying, and bullying on school buses. The bill requires schools and districts to update their policies to include "harassment, intimidation, or bullying by electronic means." As a result, schools and districts may incur administrative costs to modify their bullying policies, but these costs are not likely to be significant. The Department of Education (ODE), for instance, has a model anti-bullying policy that addresses cyberbullying available for schools and districts to adapt to their particular needs.¹ Under continuing law, a school must include the bullying policy in its student handbook. The bill further requires the policy and an explanation of the seriousness of cyberbullying be made available to all students and their parents and guardians. Again, any potential administrative costs associated with this additional requirement are not likely to be significant. The bill also requires that schools send a written statement describing the policy and consequences of violating the policy to the home of each student. As a result, schools may incur minimal administrative costs in sending written statements to a student's home. However, the bill permits schools to send these statements home with report cards or to deliver them electronically, which presumably would lower any costs.

In-service training

Current law requires training on bullying policies to the extent that state or federal funds are appropriated for that purpose. Instead, the bill requires schools and educational service centers (ESCs) to provide training on anti-bullying policies through their existing mandatory in-service training programs. Specifically, the bill requires each district, school, and ESC to develop its own curriculum for the training. As a result of this change, schools, districts, and ESCs may incur one-time administrative costs in developing the curriculum. However, ODE has a model curriculum on anti-bullying on its web site, that presumably could be used to meet this requirement.² Furthermore, by incorporating the training into existing mandatory in-service training programs, schools, districts, and ESCs are eligible for at least partial reimbursement for their costs.

¹ To view ODE's current model anti-bullying policy, please go to www.ode.state.oh.us and search for "Model Anti-Bullying Policy."

² To view the model curriculum, please go to www.ode.state.oh.us and search for "Safety and Violence Prevention Training."

Student instruction

Current law also requires schools to develop a process for educating students about their bullying policies. The bill replaces this requirement with a requirement that once per year schools provide students with age-appropriate instruction on their policies, but only to the extent that state or federal funds are appropriated for this purpose. Presumably, these sources of funding will offset the costs that schools incur for providing the required instruction.

In-state tuition for homeschooled students

H.B. 153 added graduates of Ohio high schools that leave the state and return to enroll at an institution of higher education to the definition of "resident," for the purpose of tuition and subsidy surcharges at state institutions of higher education. This is referred to as the "forever buckeyes" provision. The bill specifies that students homeschooled in Ohio for their final year of high school instruction are also considered "residents" under the forever buckeye provision. Any decrease in revenue to state institutions as a result of this change would be negligible.

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