

As Introduced

133rd General Assembly

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S. B. No. 320

Senator Huffman, M.

**Cosponsors: Senators Hottinger, Schuring, Manning, McColley, Huffman, S.,
Roegner, Hoagland, Brenner, Johnson, Eklund, Coley, Rulli, Schaffer, Gavarone,
Burke, Hackett**

A BILL

To require public and private schools to decide 1
whether to be open for instruction in the 2020- 2
2021 school year, to permit parents providing 3
home instruction to determine whether a building 4
in which they provide instruction has adequate 5
safety measures to address COVID-19, to prohibit 6
other public officials from closing schools in 7
that school year, and to declare an emergency. 8

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

Section 1. (A) As used in this section: 9

(1) "School district" means a city, local, exempted 10
village, or joint vocational school district. 11

(2) "Community school" means a community school 12
established under Chapter 3314. of the Revised Code. 13

(3) "Public official" has the same meaning as in section 14
2921.01 of the Revised Code. 15

(4) "Private school" means either a chartered nonpublic 16

school or a nonchartered nonpublic school. 17

(5) "Qualifying parent" means a parent, as defined under 18
rule 3301-34-01 of the Administrative Code, who elects to 19
provide home instruction to a student who has been excused from 20
the compulsory attendance law for that purpose under section 21
3321.04 of the Revised Code. 22

(6) "STEM school" is a STEM school established under 23
Chapter 3326. of the Revised Code. 24

(B) Notwithstanding anything to the contrary in the 25
Revised Code, each school district board of education, community 26
school governing authority, STEM school governing body, and 27
private school governing authority shall determine whether its 28
school buildings will be open for instruction with students in 29
attendance for the 2020-2021 school year and each qualifying 30
parent may determine in which building to provide instruction in 31
that school year. 32

If the district or school opens its school buildings for 33
instruction, the board of education or governing authority or 34
body shall determine what health safety measures and guidelines 35
to implement in its schools to address COVID-19. In the event 36
that a district or school opens its school buildings for 37
instruction, the board of education or governing authority or 38
body may close its school buildings during the school year or 39
adopt a resolution authorizing a superintendent, or an 40
equivalent official, to close its school buildings if the 41
superintendent determines it is necessary to do so. For the 42
2020-2021 school year, no other public official shall prohibit a 43
district or school from opening its school buildings for 44
instruction with students in attendance, cause a district or 45
school to close its school buildings, or require the district or 46

school to adopt health safety measures and guidelines to address 47
COVID-19. 48

Each qualifying parent may determine whether the building 49
in which the parent provides instruction in the 2020-2021 school 50
year has adequate health safety measures to address COVID-19. 51
For the 2020-2021 school year, no public official shall prohibit 52
a qualifying parent from providing instruction in a particular 53
building because of the implications of COVID-19 or require a 54
parent to adopt health safety measures and guidelines to address 55
COVID-19. 56

Section 2. This act is hereby declared to be an emergency 57
measure necessary for the immediate preservation of the public 58
peace, health, and safety. The reason for such necessity is to 59
ensure that the changes made by this act take effect before the 60
start of the 2020-2021 school year. Therefore, this act shall go 61
into immediate effect. 62