

As Introduced

133rd General Assembly

Regular Session

2019-2020

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 1
requirements to account for school closings in 2
compliance with the Director of Health's order 3
due to the implications of COVID-19 and to 4
declare an emergency. 5

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

Section 1. (A) Notwithstanding anything in the Revised 6
Code to the contrary, for the 2019-2020 school year only, due to 7
the Director of Health's order under section 3701.13 of the 8
Revised Code "In re: Order the Closure of All K-12 Schools in 9
the State of Ohio" issued on March 14, 2020, based on the 10
implications of COVID-19, divisions (A)(1) to (4) of this 11
section apply to any city, exempted village, local, joint 12
vocational, or municipal school district, any community school 13
established under Chapter 3314. of the Revised Code, any STEM 14
school established under Chapter 3326. of the Revised Code, any 15
nonpublic school, and the State School for the Deaf and the 16
State School for the Blind. Division (A)(5) of this section 17

applies only to school districts. 18

(1) No school district or school shall be considered to 19
have failed to comply with being open for instruction with 20
pupils in attendance for the minimum number of hours required 21
under section 3313.48, 3314.03, or 3326.11 of the Revised Code. 22
Nor shall any funding under Chapter 3314., 3317., or 3326. of 23
the Revised Code be withheld for a district or school's failure 24
to meet the minimum number of hours a school must be open for 25
instruction so long as the district or school offers alternative 26
methods for delivering instruction as appropriate for each 27
district or school. 28

(2) Any letter grade issued to a school district or school 29
for the 2019-2020 school year on the state report card issued 30
under section 3302.03 of the Revised Code shall not be 31
considered in determining whether a school district or a school 32
is subject to sanctions or penalties. However, the report card 33
ratings of any previous or subsequent years shall be considered 34
in determining whether a school district or building is subject 35
to sanctions or penalties. Accordingly, the report card ratings 36
for the 2019-2020 school year shall have no effect in 37
determining sanctions or penalties, but shall not create a new 38
starting point for determinations that are based on ratings over 39
multiple years. 40

The Department of Education shall not rank school 41
districts, community schools, or STEM schools under section 42
3302.21 of the Revised Code for the 2019-2020 school year. 43

(3) No school district or school shall administer any 44
assessment on or after the effective date of this section in the 45
2019-2020 school year, including any assessment prescribed under 46
section 3301.0710 or 3301.0712 of the Revised Code, any 47

assessment prescribed or required by the Department of Education 48
or State Board of Education, and any assessment prescribed by a 49
district board of education or school governing authority. 50
Additionally, no district or school shall administer an 51
assessment in the 2020-2021 school year as a makeup assessment 52
for the 2019-2020 school year. 53

(4) A school district or school shall grant a diploma to 54
or advance to the next higher grade any student who, on March 55
17, 2020, has completed all of the requirements to graduate as 56
prescribed in sections 3313.61 to 3313.619 or section 3325.08 of 57
the Revised Code or to advance to the next higher grade as 58
determined by the district or school. If, by that date, the 59
student has not completed all the requirements required to 60
graduate or advance, the district board or school shall 61
determine if that student may receive a diploma or advance to 62
the next higher grade. 63

(5) For teacher evaluations under sections 3319.111 and 64
3319.112 of the Revised Code, the board of education of a school 65
district shall use either data and observations from the 66
previous school year or the data and observations collected for 67
this school year as of March 16, 2020, whichever the teacher 68
being evaluated and the board agree to use. 69

(B) For the 2020-2021 school year, the Department of 70
Education shall set the testing window for the fall 71
administration of the third-grade English language arts 72
achievement assessment for a date that is not earlier than 73
November 1, 2020. 74

Section 2. This act is hereby declared to be an emergency 75
measure necessary for the immediate preservation of the public 76
peace, health, and safety. The reason for such necessity is to 77

minimize the impact to Ohio citizens from the COVID-19 disease	78
outbreak and help protect further spread of the disease.	79
Therefore, this act shall go into immediate effect.	80