



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

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Sub. H.B. 477*

132nd General Assembly
(As Reported by S. Education)

Reps. Koehler, Thompson, Sweeney, Becker, Ingram, Vitale, Hambley, Brenner, Anielski, Blessing, Dean, Dever, Green, Henne, Hoops, Lang, Patton, Reineke, Riedel, Ryan, Scherer, R. Smith

BILL SUMMARY

- Amends or repeals sections in the Revised Code to eliminate various provisions and programs that relate to the Department of Education and the operation of primary and secondary schools.
- Provides civil immunity to school districts, schools, and employees related to decisions not to procure mental health services for a suspended or expelled student.
- Specifies that only those paraprofessionals who work in a program supported with federal Title I funds be required to have certain credentials.

CONTENT AND OPERATION

Repealed and amended provisions

The bill eliminates several provisions regarding the Department of Education and the operation of primary and secondary schools.

Repealed provisions

Section number	Description
R.C. 3301.073	Requires the State Board of Education to furnish technical assistance regarding financial documents to school districts upon request.

* This analysis was prepared before the report of the Senate Education Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

Section number	Description
R.C. 3301.0722	Requires new or modified forms used by the Department of Education to be reviewed by an education data management unit established by the Department. ¹
R.C. 3301.111	Requires the State Board to submit to the Governor and the House and Senate Education Committee chairs a report regarding the Board's efforts to focus on major policy issues and its delegation to the State Superintendent.
R.C. 3301.21	Creates the State Action for Education Leadership Fund in the State Treasury.
R.C. 3301.25	Requires the Department to distribute videotape copies of the Ohio Veterans Plaza Dedication and a related book to each secondary school in Ohio.
R.C. 3301.86	Creates the Classroom Reading Improvement Grants Program. ²
R.C. 3301.88	Regarding criminal records checks for applicants that volunteered to help in the Classroom Reading Improvement Grants Program. ³
R.C. 3301.95	Requirement that school districts that received Title I, special education, and technology funds under the federal American Recovery and Reinvestment Act of 2009 distribute equitable amounts to nonpublic schools as provided under federal law.
R.C. 3301.96	Requirement that school districts that received federal Race to the Top grants maintain a linkage coordinator and engage in other activities for closing the achievement gap and increasing the graduation rate or have a family and civic engagement team (as provided under former law) for the life of the grant award.
R.C. 3302.037	Requires the Department of Education, by December 1, 2016, to conduct a study evaluating the validity and usefulness of using the "similar students measure" to calculate student academic progress, using a regression model to take into account demographic differences, for each public school.
R.C. 3302.30	Creates the Columbiana County Multitrack High School Curriculum Pilot Project.
R.C. 3311.061	Expresses the General Assembly's intent in authorizing urban-suburban school district annexation agreements for territory transfer under R.C. 3311.06, as amended by S.B. 298 of the 116th General Assembly (1986).
R.C. 3313.206	Requirements for establishing or maintaining a McGruff safe house for students. ⁴

¹ Conforming change in R.C. 3301.133.

² Conforming change in R.C. 109.57(F)(5).

³ Conforming change in R.C. 109.57(F)(5).

⁴ Conforming change in R.C. 2917.46.



Section number	Description
R.C. 3313.711	Applies provisions regarding student health examinations in R.C. 3313.71 to nonpublic schools. The bill maintains the requirement by relocating it to R.C. 3313.71. ⁵

Amended provisions

Section number	Description
R.C. 3302.26	The Department of Education is required to create a performance management section on its public website to provide information on performance metrics for each school district. The amendment requires the Department to place this section in a prominent location on the website.
R.C. 3313.753	Removes pocket pages from provisions regarding electronic devices that school districts may prohibit students from carrying at school.

Immunity regarding decisions not to procure mental health services

Under continuing law enacted in 2018 by H.B. 318 of the 132nd General Assembly, the principal of a school must, whenever possible, consult with a mental health professional prior to suspending or expelling a student in any of grades pre-k through three. If circumstances warrant it, the principal of the mental health professional also must, in any manner that does not result in a financial burden to the school district or school, assist with locating providers or obtaining those services.⁶ The bill provides civil immunity to the district or school, the members of the district board or school governing authority, or the district's or school's employee for injury, death, or other loss allegedly arising from a decision not to provide or procure those services, unless the decision is made with malicious purpose, in bad faith, or in a wanton or reckless manner.⁷

Paraprofessional certification

The bill specifies that only those paraprofessionals that provide academic support in a core subject area and who are employed in a program supported with federal Title I funds be required to be a properly certified paraprofessional. Under continuing law, a "properly certified paraprofessional" must: (1) hold an educational aide permit issued by the Department and (2) either: (a) have an "ESEA qualified" designation on the educational aide permit, (b) completed at least two years of coursework at an accredited institution of higher education, (c) hold an associate degree

⁵ Conforming change in R.C. 3313.71.

⁶ R.C. 3313.668(B)(2).

⁷ R.C. 3313.668(C), 3314.146, 3326.271, and 3328.241.



or higher, or (d) attain a qualifying score on an academic assessment specified by the Department. Current law requires all paraprofessionals that provide academic support in a core subject area be properly certified.⁸

HISTORY

ACTION	DATE
Introduced	01-23-18
Reported, H. Education & Career Readiness	03-21-18
Passed House (93-0)	06-20-18
Reported, S. Education	---

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⁸ R.C. 3319.074.

