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Office of Research
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Office

S.B. 320
133rd General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Sen. M. Huffman

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SUMMARY

- Specifies that school districts, other public schools, and private schools will determine whether to be open for instruction for the 2020-2021 school year and, if a district or school opens, it will determine what health safety measures and guidelines to implement to address COVID-19.
- Prohibits other public officials from preventing a district or school from opening its schools, causing its schools to close, or requiring it to adopt health safety measures and guidelines to address COVID-19.
- Permits a parent or guardian providing home instruction to a student in the 2020-2021 school year to determine in which building to provide instruction and whether that building has adequate health safety measures to address COVID-19.
- Prohibits any public official from preventing a parent from providing home instruction in a particular building because of COVID-19 or requiring the parent to adopt health safety measures and guidelines to address COVID-19.
- Declares an emergency.

DETAILED ANALYSIS

Schools determine whether to be open

The bill specifies that each school district board of education and the governing body or governing authority of each STEM school, community school, chartered nonpublic school, and nonchartered nonpublic school will determine whether its schools will be open for instruction with students in attendance for the 2020-2021 school year.¹

¹ Section 1(A) and (B).

If a district or school opens, the bill also specifies that the district board, governing body, or governing authority will determine what health safety measures and guidelines to implement to address COVID-19. A district board, governing body, or governing authority that opens its schools is further authorized to close them during the school year or to adopt a resolution authorizing a superintendent, or an equivalent official, to close them if it is necessary to do so.

For the 2020-2021 school year, the bill prohibits any other public official from:

1. Preventing a district or school from opening its schools;
2. Causing a district or school to close its schools; or
3. Requiring the district or school to adopt health safety measures and guidelines to address COVID-19.²

For the purposes of the bill, a “public official” is any elected or appointed officer, or employee, or agent of the state or any political subdivision, whether in a temporary or permanent capacity, and includes, but is not limited to, legislators, judges, and law enforcement officers. (It does not include an employee or official of JobsOhio.)³

Homeschool parent determinations

The bill permits a parent or guardian providing home instruction to a student in the 2020-2021 school year to determine in which building to provide instruction and to determine whether that building has adequate health safety measures to address COVID-19. It prohibits any public official from preventing a parent or guardian from providing instruction in a particular building because of COVID-19. It also prohibits public officials from requiring that a parent or guardian adopt health safety measures and guidelines to address COVID-19.⁴

HISTORY

Action	Date
Introduced	06-08-20

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² Section 1(B).

³ Section 1(A)(3). See R.C. 2921.01, not in the bill.

⁴ Section 1(A)(5) and (B).