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OHIO LEGISLATIVE SERVICE COMMISSION

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Office

H.B. 748
134th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 748's Bill Analysis](#)

Version: As Introduced

Primary Sponsor: Rep. Bird

Local Impact Statement Procedure Required: No

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Highlights

- School districts and other public schools may incur minimal costs to develop and implement the policies on staff member professional duties required by the bill.

Detailed Analysis

The bill requires school district boards of education and governing authorities of community and STEM schools to adopt a policy that directs professional staff to maintain high standards in their professional relationships and duties. The policy must prohibit a staff member from, in the performance of professional duties, (1) engaging in advocacy by compelling a student to adopt, affirm, or adhere to a specific political, partisan, ideological, or religious belief and (2) unfairly evaluating a student's work because it does not reflect a specific such belief. School districts and other public schools may incur some minimal costs to create and maintain this policy, to the extent that they do not have them already.

The bill may codify current practice in some ways. Currently, educators must abide by the Licensure Code of Professional Conduct, which requires educators to behave professionally and maintain professional relationships with students.¹ Further, according to the Ohio School Boards Association (OSBA), school districts may prohibit a teacher from sharing or advocating for their political viewpoints with students during instructional time, given that teachers making

¹ See the State Board of Education's [Licensure Code of Professional Conduct \(PDF\)](#), which is accessible by conducting a keyword "Professional Conduct" search on the ODE website: education.ohio.gov.

statements during those times are speaking on behalf of the school district pursuant to their professional duties rather than as a private citizen for First Amendment purposes.²

² See the OSBA [Regulating political activities of school employees fact sheet \(PDF\)](https://ohioschoolboards.org/osba-fact-sheets-and-brochures), which is accessible on the OSBA website: ohioschoolboards.org/osba-fact-sheets-and-brochures.