



# OHIO LEGISLATIVE SERVICE COMMISSION

---

## Bill Analysis

Mitchell Smith

### H.B. 549

132nd General Assembly  
(As Introduced)

Rep. Arndt

---

#### BILL SUMMARY

- Requires public schools and chartered nonpublic schools to open for instruction after Labor Day, unless the district board or governing body adopts a resolution permitting a school to open prior to Labor Day.
  - Excludes year-round schools, summer school programs, and preparation activities for teachers, nonteaching employees, or administrators from the requirement to start after Labor Day.
  - Makes state operating funds for school districts contingent upon compliance with the bill's requirements.
  - Specifies that the bill's requirements do not apply to a collective bargaining agreement executed prior to the bill's effective date until the expiration or renewal of the agreement.
- 

#### CONTENT AND OPERATION

##### Opening schools after Labor Day

Beginning with the 2018-2019 school year, the bill requires public schools (schools operated by school districts, community schools, STEM schools, and college-preparatory boarding schools) and chartered nonpublic schools to open for instruction with students in attendance *after* Labor Day.<sup>1</sup>

---

<sup>1</sup> R.C. 3313.621, 3314.03(A)(11)(d), 3326.11, and 3328.24.

However, if determined to be in the best interest of the school, the district board, or applicable school governing authority, may adopt a resolution allowing a school to start prior to Labor Day. In order to do so, the board or governing authority must hold a public hearing at least 30 days prior to the resolution's adoption regarding the school calendar and the alternative opening day.<sup>2</sup>

The bill's requirements do not apply to schools operating on a year-round schedule, nor does the bill prohibit the operation of summer school programs. Further, the bill specifically permits workshops, orientation, or other activities in preparation for the opening of school to be held before Labor Day for teachers, nonteaching employees, or administrators.<sup>3</sup>

### **District funding contingent on compliance**

The bill requires a school district to comply with its provisions regarding the opening days of school in order to qualify for state operating funds for the next fiscal year. Under current law, there is a similar contingency regarding compliance with the minimum school year requirements.<sup>4</sup>

The bill does not make state operating funds for community schools, STEM schools, college-preparatory boarding schools, or chartered nonpublic schools contingent upon compliance with the bill's requirements.

### **Collective bargaining agreements**

The bill specifically provides that if a collective bargaining agreement is entered into prior to the bill's effective date, and the agreement establishes an opening day before Labor Day, the bill's requirements do not apply until the expiration of the agreement. But, the bill stipulates that any new or renewed collective bargaining agreement entered into after that date must comply with the bill's requirements.<sup>5</sup>

---

## **HISTORY**

<b>ACTION</b>	<b>DATE</b>
Introduced H0549-I-132/ec	03-13-18

---

<sup>2</sup> R.C. 3313.621(B).

<sup>3</sup> R.C. 3313.621(A) and (C).

<sup>4</sup> R.C. 3317.01(B).

<sup>5</sup> R.C. 3313.621(D).

