



Week of December 2, 2024

DeWine signs Bathroom Bill into law

Just hours before the Thanksgiving holiday, Gov. Mike DeWine signed into law [Senate Bill 104](#) – the Bathroom Bill – which also included reforms to the College Credit Plus program. The enactment of the bill, which takes effect sometime in late February, comes amid oral arguments this week before the U.S. Supreme Court where justices are considering a Tennessee law that prohibits gender-affirming care for minors, similar to Ohio’s recently enacted law in House Bill (HB) 68. [News reports indicate](#) that a majority of justices appear poised to rule in favor of the Tennessee law, which could have an impact on the viability of both SB 104 and HB 68.

Legislature approves SB 29 fix

A fix to the 72-hour trigger notice and other challenging issues that were enacted in [Senate Bill 29](#) is now on the desk of Gov. Mike DeWine. The fixes, contained in [HB 432](#), a career-technical education licensure bill, include:

- requiring a 72-hour parental notice only when (1) the access is to prevent or respond to a threat to life or safety **and** the school district initiates action in response to specified events, or (2) the access is permitted under a judicial warrant or subpoena or the device is missing or stolen **and** the school district initiates responsive action
- removing the requirement that schools provide advance notice prior to accessing school-issued devices when there is an educational purpose
- requiring a service contract between a school district and a county DD board, ESC, JVSD, ITC, or another school district to indicate which contracting party is responsible for providing parental notice of access
- including an emergency clause, making the bill go into immediate effect upon the governor’s signature.

Private school accountability clears House committee

A pared-down version of a proposal to establish an accountability and transparency mechanism for private schools was approved by a House committee this week with only two Republican “no” votes. Considerable concessions were made to [HB 407](#) for it to be palatable for Republican committee members to support passage, including eliminating all proposed mandates on private schools or their parents and eliminating the bill’s requirement for private school voucher students to take the same tests as public schools.

The remaining provisions, which include a private school report card for voucher students, reporting requirements for private schools, their enrollment, their total state support, their total scholarship enrollment, and their scholarship student family incomes, are [accessible here](#).

House expands school expulsion authority

The House approved a bill granting additional expulsion authority to school superintendents on a mostly party-line vote. [HB 206](#) authorizes superintendents to expel students for up to 180 days for actions that pose “imminent and severe endangerment” to the health and safety of other students or school employees.” The bill also prescribes procedures for reinstatement of such students, including a required

assessment by a psychiatrist, licensed psychologist, or licensed school psychologist. The bill now advances to the Senate, where time is limited for enactment.

Automatic school closure, restructuring bill released

Sen. **Andrew Brenner** on Tuesday unveiled a new public school closure and restructuring bill – [SB 295](#) – that would apply to school buildings that, for three consecutive years, (1) are ranked in the bottom 5% of public schools on the performance index, (2) are ranked in the bottom 10% of public schools on value-added, and (3) offer grade levels higher than three. It is likely the bill could be fast-tracked and rolled into HB 8, pending in the Senate Education Committee

The required actions for such districts, which would take place as soon as 2027, would include:

- closing the school and reassigning the students to other buildings that demonstrate higher academic achievement;
- consolidating the district that controls the building into another district;
- replacing the principal and at least a majority of the staff;
- working with a DEW-approved company with school improvement expertise.

Push for school bus safety bill continues

Three House committees debated three separate school bus safety bills this week, potentially teeing up one of the three for enactment this month. The common theme between all three bills – [HB 279](#), [HB 518](#), and [SB 329](#) - include grant funding for schools to purchase school bus safety enhancements, increased penalties for motorists who illegally pass school buses, and additional education for motorists.

DEW reports cell phone policy adoption rate

The Department of Education and Workforce this week published results of a survey on cell phone policy adoption by school districts, JVSDs, charter schools, and STEM schools. That survey, [accessible here](#), indicates 61% of the 992 respondents have adopted or are in the process of adopting formal policies on cell phones. It also lists each district's and school's adoption status, the type of policy, and the names of the entities that did not respond to the survey.

Heard around the Statehouse

"I think (the LifeWise bill is) going to get done as part of House Bill 8." – Senate President **Matt Huffman**, referring to the bill requiring policies allowing student release time for religious instruction to be included into House Bill 8, the Parents Bill of Rights.

"I think (some sort of accountability) is fair. If taxpayers are funding a service, then there should be some accountability. Whether that's police and fire, whatever the taxpayers are funding, there should be some accountability to the public." – House Speaker **Jason Stephens**, speaking in response to the committee passage of House Bill 407, which enacts academic reporting requirements for certain private schools.

"There seems to be no political will from the majority to add real transparency and accountability about how these public dollars are spent." – House Minority Leader **Allison Russo**, referencing the inaction on private school accountability legislation.

"Public school spending has steadily increased over the past 20 years, outpacing inflation and nearly doubling during the time (to \$25.8 billion in Fiscal Year 2022 from \$13 billion in Fiscal Year 2000), mostly from increases in spending on salaries and benefits. During that same period, enrollment in public schools declined, resulting in higher per-student spending." – Auditor of State **Keith Faber** in [a recent report](#) entitled "Special Report: Longitudinal School Finance Study."

“A decade ago, state lawmakers pledged to Ohioans that all children would read proficiently. That was the right thing to do. But last summer, they back-pedaled by gutting retention. Today’s struggling readers are no longer guaranteed the extra time and support afforded to them through retention. This error can be undone by restoring the retention requirement. Will legislators again do the right thing?” - **Aaron Churchill** of the Fordham Institute, [arguing in an opinion piece](#) to eliminate last year’s new retention exemption under the Third Grade Reading Guarantee.

“People don’t believe that biological men should play women’s sports . They don’t believe that biological men should be in women’s locker rooms or bathrooms.” – Lt. Gov. **Jon Husted** [discussing in a Fox News interview Ohio’s recent enactment of the Bathroom Bill](#).