



## **HB 33 As Signed by the Governor – Highlights for *Our Catholic Schools***

The implementation of many, if not most, of the following provisions is going to take guidance from the department. Please be patient as we wait to receive that guidance. In regards to EdChoice, we expect the Department will send out more information towards the end of July on the procedures for submitting applications.

Our office will be hosting a Zoom call later in July to discuss these changes and to answer any questions. Please be on the lookout for that calendar invite in the coming days.

*For the sake of this document, ODE and DEW are referring to the same agency.*

### **General Provisions**

- Realigns the duties, function, and structure of the Ohio Department of Education. Instead, it would create a new cabinet level agency called the Ohio Department of Education and Workforce (DEW), with a Governor appointed Director and approval by the Senate.
- Requires public and chartered nonpublic schools to create an individualized seizure action plan for each enrolled student who has an active seizure disorder diagnosis.
- Requires schools, including chartered nonpublics, to permit cash payments for a ticket at interscholastic sporting events.
- Exempts chartered nonpublic schools from the general requirement that teachers who provide high school financial literacy instruction have a financial literacy license validation.
- Requires ODE to provide reimbursements to make school breakfasts and lunches free for all students eligible for a reduced-price breakfast or lunch at public and chartered nonpublic schools that participate in the National School Breakfast or Lunch Program.
- Requires public and chartered nonpublic schools that participate in the National School Breakfast or Lunch Program to provide a breakfast or lunch at no cost to each student eligible for a reduced-price breakfast or lunch.
- Repeals the process under which schools, including chartered nonpublics, may use "blizzard bags" or lessons posted online for school closures and replaces it with a procedure under which those school closures are made up through a virtual education delivery model.
- Requires schools, including chartered nonpublics, that do not operate using a blended learning model to adopt a plan by August 1 of each school year to provide instruction via online delivery in order to make up hours when school is closed, up to the equivalent of three school days.
  - Requires the plan to contain certain information, including a statement that the school, to the extent possible, will provide real time synchronous learning on a virtual learning platform, the school's attendance requirements, a description of how equitable access will be ensured, and written consent of the applicable teacher's union.



- Specifies that a district or school that implements a compliant plan will not be considered to have failed to comply with the minimum number of hours requirement with respect to the number of make-up hours for which the plan is used.
- Prohibits an individual from coaching an athletic activity a school, including chartered nonpublics, that is subject to the rules of an interscholastic conference or organization that regulates such conferences, unless the individual has completed a student mental health training course approved by the Department of Mental Health and Addiction Services (OhioMHAS). Permits the training to be taken in a course that also covers other topics.
- Requires an individual to complete an approved student mental health training course each time the individual applies for or renews a pupil activity program permit.
  - Permits the individual to complete the training at any time within the duration of the individual's new or renewed permit.
- Changes the annual cardiac arrest training from annual to within the duration of a PAP. Also changes the brain injury training requirements from every three years to within the duration of a PAP.
- Requires each school, including chartered nonpublic schools, that enrolls girls in any of grades 6-12 to provide free feminine hygiene products to be used on school premises.
- Requires schools to transmit a transferring student's school records within five school days upon receiving such a request from the student's new school. A school to withhold the records if there is \$2,500 or more of outstanding debt attributed to the student.
- Administrative Cost Reimbursement up to \$475 per student per year

### **Auxiliary Services**

- Specifies that, if a school district contracts with an ESC to provide auxiliary services, only the ESC may be reimbursed for administrative costs incurred in providing those services.
- Prohibits school districts from denying a nonpublic school's request for personnel to provide auxiliary services who are properly licensed by a state board or agency.

### **EdChoice**

- Universal EdChoice for families at 450% or below. Families above 450% would fall into the below Expansion tiers:
  - 450% FPL or below: full scholarship (\$6100 K-8 or \$8400 9-12)
  - 451%-500% FPL: \$5,200 (K-8) or \$7,050 (9-12)
  - 501%-550% FPL: \$3,650 (K-8) or \$5,000 (9-12)
  - 551%-600% FPL: \$2,600 (K-8) or \$3,550 (9-12)
  - 601%-650% FPL: \$1,850 (K-8) or \$2,500 (9-12)
  - 651%-700% FPL: \$1,300 (K-8) or \$1,750 (9-12)
  - 701%-750% FPL: \$900 (K-8) or \$1,250 (9-12)



- 750% FPL and up: \$650 (K-8) or \$950 (9-12)
- Chartered nonpublic school cannot require a student's parent to disclose for admission whether the family income is at or below 200% FPL.
- Permits a student's parent to certify income eligibility to ODE by submitting either:
  - an affidavit affirming the parents' income meets the requirement
  - proof of income eligibility under another state or federal program
  - or other evidence determined appropriate by the Department.
  - Exempts an individual who is not required to file a state tax return under continuing law requirements from the requirement to certify income eligibility.
- Requires DEW, in calculating a student's EdChoice scholarship amount, to use the family income documentation submitted for a first time applicant for subsequent application renewals, unless the student's parent requests that DEW recalculate the amount based on updated documentation.
- Removes priority order for awarding EdChoice Expansion.
- Bases EdChoice income eligibility on a family's adjusted gross income.
- Permits a student that qualifies for both EdChoice Traditional and Expansion to choose which scholarship to receive, and lets the student change which scholarship they receive in each year.
- Schools must submit to the DEW by June 30 prior to the start of school their tuition rates for that year (September 30 for this coming school year only).
- Delays the application deadline to receive a full EdChoice scholarship amount to October 15 of the school year for the year the scholarship is sought.
  - Requires the Department to prorate the amount for applications submitted on or after October 15.
- Prohibits, beginning July 1, 2024, DEW from requiring the parent or guardian of a student to submit a complete copy of their federal or state income tax return to determine the student's family income for the purposes of the EdChoice or Cleveland Scholarship Program.
  - Permits DEW to require a partial federal or state tax return that only contains the minimum amount of information necessary to determine the student's family income.
- Permits a chartered nonpublic school to accept private scholarships issued by a scholarship granting organization authorized under continuing law as payment for the difference between the amount of the scholarship and the regular tuition charge of the school, as well as for any fees regularly charged by the school.
- The DEW is required to develop a student growth measure by July 1, 2025, for EdChoice scholarship students enrolled in chartered nonpublic schools,
  - The measure is to be used to report data annually on student growth for students in grades 4-8 during the school year in which data is reported.
  - Prohibits reporting data for chartered nonpublic schools with fewer than ten scholarship students.
  - Requires DEW to make the growth reports available on its website.



### **Jon Peterson Special Needs Scholarship**

- Maintains the 12.1 increase from base cost in the House version for the categories 1-5 in the JPSN. Increases category 6 from \$27,000 to 30,000.
- Increases the category amounts for JPSN Scholarships for FY 2025.
- Increases the maximum scholarship award amount for FY 2025 to \$32,445.

### **Licensing**

- Requires the State Board to issue certificates to private school administrators, supervisors, and teachers who hold a master's degree from an accredited college or university without further educational requirement
- Requires the State Board to adopt rules establishing a new three-year pre-service teacher permit for students enrolled in educator preparation programs.
  - Requires such students to obtain the permit to student teach, participate in other training experiences, and serve as substitute teachers.
  - Students can then sub for up to one full semester and be compensated.
  - Permits the school employer to approve one or more additional subsequent semester-long periods of teaching for the student
  - Permits ODE, on a case-by-case basis, to extend the permit's duration to for the student complete the educator preparation program
  - Students are subject to criminal records checks, RAPBACK enrollment, and disciplinary action in the same manner as other educators.
- Makes the temporary substitute license a permanent provision. Schools would be permitted to hire a substitute teacher that does not hold a post-secondary degree, provided that the teacher is of good moral character, meets the district's or school's own set of educational requirements, and passes a background check.
- Establishes a one-year temporary substitute teaching license for individuals who meet the specified criteria and requires the State Board to establish renewal procedures.
- Changes the grade bands to PK-8 and 6-12 for resident educator, professional educator, senior professional educator, or lead professional educator licenses.
- Makes the following changes to the Ohio Teacher Residency (OTR) Program:
  - (1) Permits the required mentoring to be conducted online or in person.
  - (2) Requires ODE to provide no-cost online access to professional development resources and sample videos of Ohio classroom lessons submitted for the RESA.
  - (3) Requires ODE to provide each participant who does not receive a passing score on the RESA with a no-cost opportunity to meet online with an instructional coach
  - (4) Permits participants who have not taken the RESA to meet with instructional coaches if the participant's school pays the associated costs.
  - (5) Prohibits the State Board from limiting the number of attempts to successfully complete the RESA.
  - (6) Permits individuals to submit the RESA between the first Tuesday of October and the first Friday of April of the individual's second year of the program.



(7) Requires the results of each RESA to be returned within 30 days unless a new assessor is contracted (then 45 days).

- Reduces the alternative resident educator license from four to two years and makes the license renewable without requiring the holder to advance to a professional educator license (these changes comport with the reduced duration of the resident educator license and OTR program made by H.B. 442 of the 133rd General Assembly) (EDUCD95)
- Exempts an applicant for a one-year nonrenewable out-of-state teaching license from having to complete at least six of the required twelve hours of coursework in the teaching of reading if they pass Ohio's Foundations of Reading Exam on the first try.
- Makes the alternative resident educator license renewable (as needed to complete OTR)
- Permits the holder of an alternative resident educator license to teach preschool students.
- Qualifies a child care program as an authorized private before and after school care program if the program is for school children only and is operated in a school building by a nonprofit or for-profit private entity under contract with a school district, community school, or eligible nonpublic school.
- Requires the State Board of Education to enroll all nonlicensed school employees and contractors, including bus drivers, in RAPBACK.
  - Excludes volunteers from the requirements related to criminal background checks and RAPBACK.
- Requires the State Board to notify the appropriate school district, chartered nonpublic school, or education service upon receipt of a notification of an arrest, guilty plea or conviction of a nonlicensed employee.
- Required any nonlicensed employee whose most recent criminal records check is older than one year or does not include certain information to completed a new records check

### **Literacy**

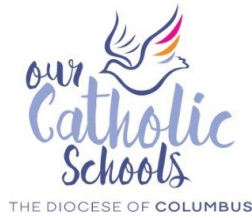
- Restores funding of \$174 million over the biennium for literacy improvement.
- Defines the science of reading.
- Restores current law regarding the state third grade reading guarantee.
- Schools, including chartered nonpublics, would be required to provide reading intervention services to students reading below grade level until the student reaches grade level.
  - Schools would also be required to provide the intervention services, including high-dosage tutoring.
- Requires schools that retained students for the 2023-24 school year based solely on third grade achievement assessment scores in reading in 2022-23 to promote those students to the fourth grade.
  - However, a parent or guardian can request that the student continue to be retained.



- Student would continue intensive reading instruction until the student reaches the required level of skill in reading for current grade level.
- Permits instruction in financial literacy within social studies courses.
- Exempts teachers at chartered nonpublic schools from the required license validation in order to teach financial literacy.

## **Transportation**

- Removes the current law standard of "a consistent or prolonged period of noncompliance" for determining noncompliance penalties.
- Defines "out of compliance" as a period of time of five consecutive school days or more than 10 school days within a school year in which any of the following occur: (a) students arrive more than 30 minutes late to school, (b) students are picked up more than 30 minutes after the end of the school day, (c) students do not receive any transportation at all due to the failure of the bus to arrive, (d) noncompliance with any other student transportation requirements under continuing law.
  - Exempts days when inclement weather caused any of the above to occur from counting towards the period of noncompliance.
  - Specifically prohibits bus operators from delivering students to school late.
- Updates noncompliance penalties and procedures.
- Authorizes a school district to use a vehicle designed to carry nine passengers or less (not including the driver) in lieu of a school bus to transport chartered nonpublic school students under certain conditions.
- Establishes a pilot program under which an educational service center provides transportation to students enrolled in chartered nonpublic schools in the 2024-2025 school year.
- Requires school districts to provide transportation as a related service to students with disabilities who live within the district but are educated at a nonpublic school when so required by the student's IEP or service plan (academic support plan is not acceptable).
- Adds additional safety measures for using nine-passenger vehicles to transport chartered nonpublic schools including:
  - A qualified mechanic inspects the vehicle at least twice a year.
  - The driver doesn't stop on the roadway to load or unload passengers.
  - Driver and all passengers in the vehicle comply with seat belt and child restraint system laws.
- Requires the Department to resolve transportation determinations, noncompliance, and impracticality generally within 30 days of receipt.



### **Scholarship Granting Organizations**

- Allows a taxpayer who makes a donation to an SGO before the federal return filing date to elect to claim the credit for the preceding taxable year.
- Permits chartered nonpublic school to accept scholarships issued by an SGO as payment for the difference between the amount of the EdChoice scholarship and the regular tuition of the school as well as any fees regularly charged by the school.

*\*Please note that while I have made every attempt to make this summary as accurate as possible, every applicable provision may not be included due to the length and breadth of the budget bill.*