



Kristin Moore

Bill Analysis
Legislative Service Commission

Sub. H.B. 358*

123rd General Assembly

(As Reported by H. Economic Development and Small Business)

Reps. Cates, Allen, Calvert, Williams

BILL SUMMARY

- Prohibits school officials from refusing to publish in a school publication (such as a school yearbook) a senior photo not taken by a contracting photographer but instead provided by the senior involved, as long as the photo satisfies the quality, uniformity, and other specifications set for the publication.

CONTENT AND OPERATION

Senior photographs

Definitions

The bill defines two operating terms. "Senior" is defined as a student who is enrolled in the school year during which the student anticipates graduation from high school. "Senior photograph" is defined as a still portrait photograph taken to commemorate a senior's membership in a high school graduating class. (Sec. 3319.322(C).)

School publications

The bill prohibits a school official from refusing to publish in a school yearbook or other school publication a senior photograph provided by a senior, in lieu of a senior photograph taken by a photographer with whom a contract or agreement for the taking of senior photographs is entered on behalf of the school, as long as the senior photograph provided by the senior satisfies the specifications for

* This analysis was prepared before the reports of the House Economic Development and Small Business Committee appeared in the House Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

the school publication¹. Those school publication specifications could be adopted solely for the purpose of ensuring quality and uniformity. (Sec. 3319.322(B).)

School photographs--in general

Background

Under existing law that the bill does not substantively affect, the principal or chief administrative officer of each public school must request any person authorized to take photographs of students of the school, to provide one wallet size photograph, free of charge, to the school for inclusion in the school's student files. The principal or chief administrative officer must indicate that the request (1) is being made in order that the school has a current photograph of a child that could be shown to a law enforcement officer if the child is or could be a missing child and (2) is being made pursuant to R.C. 3319.322 but that that statute does not require the photographer to comply with the request. (Sec. 3319.322.)

Changes proposed by the bill

Existing law provides that the latter school photograph provisions do not preclude the principal or chief administrative officer of a school *or any other authorized school official* dealing with a photographer from agreeing as a part of a contractual or other agreement with a photographer that a wallet or other size photograph will be provided to the school as a condition to the taking of student photographs. The bill generally continues this authority but specifies that the *superintendent of schools* (added by the bill), the principal or chief administrative officer of a school (existing law), or any other authorized *individual* (replacing existing law's "school official") dealing with a photographer *on behalf of a school* may enter into that type of contract or other agreement. (Sec. 3319.322(A).)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	05-25-99	pp. 706-707
Reported, H. Economic Development & Small Business	---	p. ---

H0358-RH.123/bc

¹ *School officials include a board of education, a superintendent, a principal or chief administrative officer, or other individual authorized to act on behalf of a public school.*