



**S.J.R. 8**

123rd General Assembly  
(As Introduced)

Sen. Watts

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**BILL SUMMARY**

- Approves proposed rule 3301-101-01 of the Administrative Code, regarding deregulation of school districts, as approved by the State Board of Education on July 14, 1998.

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**CONTENT AND OPERATION**

**Background**

Am. Sub. S.B. 55 of the 122nd General Assembly established performance standards for school districts and required that each district be declared, based on the percent of performance standards it meets, to be an "*effective school district*," "*in need of continuous improvement*," "*under an academic watch*," or "*in a state of academic emergency*." Section 3302.05 of the Revised Code requires the Department of Education to recommend a rule to the General Assembly that would free school districts declared to be *effective* or *in need of continuous improvement* from specified state education mandates. This proposed rule, regarding exemption from specified mandates, becomes effective upon approval by the General Assembly through the passage of a joint resolution. S.J.R. 8, if passed, gives the General Assembly's approval of proposed rule 3301-101-01 of the Administrative Code.

**Proposed rule 3301-101-01: Deregulation or exemption from education statutes or rules**

**Exemption from rules**

Districts identified as *effective* or *in need of continuous improvement* may, in accordance with this rule, be free from compliance with education statutes included in Title 33 of the Revised Code or rules adopted by the State Board of Education that are related to an innovative education pilot program or school

improvement plan except for a list of specific statutes or rules whose requirements districts must meet.<sup>1</sup> Districts may not be exempt from the following:

(1) Chapter 3307. (districts must participate in the State Teachers Retirement System).

(2) Chapter 3309. (districts must participate in the Public School Employees Retirement System).

(3) Sections 3319.07 through 3319.21 (districts must adhere to the sections regarding the rights and conditions in the employment of teachers).

(4) Chapter 3323. (districts must follow requirements for education of children with disabilities).

(5) Statutes or rules that ensure the health and/or safety of learners, including but not limited to sections 3313.50 (records of student hearing and vision tests); 3313.643 (eye protection devices); 3313.67 (immunization of pupils); 3313.672 (new pupil to present school records); 3313.673 (screening of beginning pupils for special learning needs); 3313.69 (hearing and visual tests); 3313.71 (examinations and diagnoses by school physician); 3313.96 (informational programs relative to missing children); and 3327.10 (transportation/qualification of drivers).

(6) Statutes or rules for the implementation of the Education Management Information System (EMIS) including section 3301.0714 of the Revised Code and Chapter 3301-14 of the Administrative Code (districts must participate in EMIS).

(7) Statutes or rules for the implementation of the proficiency tests, including sections 3301.0710 and 3301.0711 of the Revised Code and Chapter 3301-13 of the Administrative Code (districts must participate in and follow requirements for proficiency testing).

(8) Section 3313.608 of the Revised Code related to the fourth-grade guarantee for reading.

(9) Section 3313.603 of the Revised Code related to requirements for graduation.

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<sup>1</sup> An **Effective** district meets at least 94% of the state performance standards; **In need of continuous improvement** meets more than 50% but less than 94% of the state performance standards (sec. 3302.03).

(10) Statutes or rules for the identification of gifted learners including section 3313.21 of the Revised Code (districts must identify gifted learners and report the number to the Department for funding purposes).

(11) Statutes or rules relating to school finance and the calculation of funds for school districts (Chapter 3317.).

(12) Section 3321.01 of the Revised Code relating to compulsory school age.

(13) Statutes or rules relating to student suspension, expulsion, or permanent exclusion, including sections 3313.66, 3313.661, and 3313.662 of the Revised Code.

(14) Statutes or rules relating to sections 3313.201 (purchase of liability insurance); 3313.80 of the Revised Code (display of the national flag); 3319.321 (confidentiality of student information); and 3319.39 (criminal records check for applicants responsible for children).

(15) Sections 3319.22 through 3319.31 of the Revised Code relating to licensure of school personnel, except that a district may engage noncertificated persons to teach up to 12 hours per week pursuant to section 3319.301 of the Revised Code.

(16) Section 3301.074 of the Revised Code relating to the licensure of school district treasurers and business managers.

(17) Sections 3313.48 and 3313.481 of the Revised Code relating to the minimum school year, except that the minimum school year may be based on the provision of learning opportunities for a minimum of 920 hours per school year.

(18) Sections 3313.61 and 3313.611 of the Revised Code relating to granting diplomas and adult education diplomas.

**District board resolution required**

The board of education of an effective or continuous improvement district must approve a resolution that identifies the specific education statutes and/or rules from which the district has exempted itself. A copy of the resolution must be sent to the Department of Education for informational purposes only.

**Evaluation by school district**

Each school district exempting itself must annually assess the impact of the exemption on student and school performance.

**Future actions by State Board**

Each rule that the State Board of Education adopts must include a provision stating whether qualified districts may be exempted from it.

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**HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	04-21-99	p. 332

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