



Diana Fox

Bill Analysis

Legislative Service Commission

H.B. 102

125th General Assembly
(As Introduced)

Reps. Collier, Aslanides, Seitz, Husted, Widener, McGregor, Allen, Koziura, Gilb

BILL SUMMARY

- Permits a public or nonpublic school to operate on a four-day school week schedule.
- Specifies that schools operating four-day school weeks, or any of several other currently permitted alternative schedules, are limited to five "calamity" days per school year.

CONTENT AND OPERATION

Background

Current law regulates the length of the school year and school day for both public and nonpublic schools.¹ Public schools are, by statute, explicitly subject to a minimum school year and school day requirement.² Nonpublic schools, however, are not explicitly subject to these requirements. Rather, the State Board of Education has, by rule, made adherence to minimum school year and school day requirements applicable to both chartered and nonchartered nonpublic schools.³

Unless a public or nonpublic school obtains approval to operate on an alternative schedule, as discussed below, a school must be open for instruction,

¹ *Community schools ("charter" school) are not subject to the 182-day requirement, discussed below. Instead community schools must be open for instruction a minimum of 920 hours per year (see R.C. 3314.03(A)(11)(a), not in the bill).*

² *See R.C. 3313.48 (not in the bill), R.C. 3313.481, and R.C. 3313.62.*

³ *See Ohio Administrative Code 3301-35-08 and 3301-35-12.*

with students in attendance, at least 182 school days in a school year.⁴ By statute, a school day for students in grades 1 to 6 must include *at least* five hours, with two 15-minute recesses permitted, and a school day for students in grades 7 to 12 must be *at least* five hours, with no provisions for recesses. The State Board of Education has rule-making authority to further define what comprises a school day. Those rules provide that a school day for public and nonpublic school students in grades 1 to 6 must be at least five hours, excluding a lunch period, and five and one-half hours for public school student in grades 7 to 12. Private school students in grades 7 to 12 need only have a school day of five hours, excluding a lunch period, which is the minimum prescribed in the statute.⁵

Notwithstanding the minimum school day requirement, a school day that is shortened by up to two hours because of hazardous weather conditions still counts as a school day towards satisfying the minimum 182-school-day requirement.⁶ In order to satisfy the 182-day requirement, a school may also count up to four days when classes are dismissed a half-day early for individual parent-teacher conferences or reporting periods, two days for teacher professional meetings, and up to five days for a public calamity, such as inclement weather.⁷

Current law also requires a public school to have a school week of five days.⁸ This requirement does not appear to be extended to nonpublic schools by either statute or administrative rule.⁹

⁴ R.C. 3313.48 (not in the bill). A school year begins on July 1 and ends the following June 30 (R.C. 3313.62).

⁵ O.A.C. 3301-35-06, 3301-35-08, and 3301-35-12.

⁶ R.C. 3317.01(B) (not in the bill).

⁷ R.C. 3313.48 and 3317.01(B) (neither section in the bill).

⁸ R.C. 3313.62.

⁹ Even though it does not appear that nonpublic schools are prohibited by current law from operating on a four-day schedule, a nonpublic school that adopted such a schedule would still be subject to the minimum five-hour day, 182-day school year requirement. Thus, adoption of a four-day school week calendar would result in more weeks of school.

Currently Mandated Minimum School Year, School Week, and School Day

	School Year	School Week	School Day	
			Grades 1-6	Grades 7-12
School Districts	182 days	5 days	5 hours	5½ hours
Chartered Nonpublic Schools	182 days	Not specified	5 hours	5 hours
Nonchartered Nonpublic Schools	182 days	Not Specified	5 hours	5 hours

NOTES: The 182-day school year may include up to five "calamity" days, up to four days a school was closed a half-day early for parent-teacher conferences or reporting periods, and up to two days for teacher professional meetings. The five-hour school day may include two 15-minute recesses for grades 1 to 6. Community schools ("charter" schools) are subject to an alternative requirement that they provide learning opportunities for 920 hours per year.

Alternative schedules permitted by current law

As an alternative to operating on a traditional five-hour-a-day, 182-day calendar, current law permits a school district to operate a school on a different schedule in order to (1) provide a flexible school day for parent-teacher conferences and reporting days that require time in excess of the four half-days permitted by R.C. 3313.48, (2) operate on a calendar of quarters, trimesters, or pentamesters, or (3) establish a staggered attendance schedule. The approval of the Department of Education is required to implement any of these alternative schedules.¹⁰

If a school district obtains approval to operate an alternative schedule, the school must be open for instruction at least 910 hours a year. Included within this 910-hour requirement, a school may count two 15-minute daily recess periods for students in grades 1 to 6; ten hours for individualized parent-teacher conferences and reporting periods; ten hours for teacher professional meetings; and the number of hours students are not required to attend because of public calamity days. Current law does not appear to limit the number of calamity days for schools operating an alternative schedule.

¹⁰ R.C. 3313.481.

Permission to adopt a four day school week

(R.C. 3313.481(B) and 3313.62)

The bill adds a new alternative schedule option. In addition to the standard school schedule and the three alternatives currently available, the bill allows a public or nonpublic school the additional option of operating a school on a four-day school week schedule. Unlike the current options, however, the approval of the Department of Education is not required to exercise this new option. In order to operate on a four-day school week schedule, a school must be open for instruction at least 910 hours a year. Included within this 910-hour requirement, a school may count two 15-minute daily recess periods for students in grades 1 to 6, ten hours for individualized parent-teacher conferences and reporting periods, ten hours for teacher professional meetings, and five days for public calamities.

Calamity days

(R.C. 3313.481(C)(4))

The bill also specifies that any school operating on any alternative schedule under R.C. 3313.481 can only count those hours that the school was closed on five calamity days toward the 910-hour school year requirement. Hours missed for calamity days beyond five would need to be made up. Presumably, a school operating on a four-day schedule would be permitted to shorten any school day by up to two hours because of hazardous weather conditions.

Express permission for a nonpublic school to operate an alternative schedule

(R.C. 3313.481)

While the State Board of Education's rules may permit a nonpublic school to operate on an alternative schedule on the same terms as school districts, the bill explicitly extends this right to operate on an alternative schedule to nonpublic schools. The nonpublic school must still obtain the approval of the Department of Education (except for the option to operate a four-day school week) and otherwise comply with the same requirements of operating under an alternative schedule with which school districts must comply.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	03-04-03	p. 205

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