



Ohio Legislative Service Commission

Bill Analysis

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S.B. 273

130th General Assembly
(As Introduced)

Sens. Gardner, Sawyer, Lehner, Manning, Hite

BILL SUMMARY

- For the 2013-2014 school year, permits a school district board of education to excuse graduating twelfth-grade students from attendance in school for any time that the students' schools are open for instruction after the scheduled graduation ceremony, as a result of adding time to the school calendar in order to meet the required minimum days of instruction to make up for missed time when the schools were closed for a public calamity.
- States that a school district board of education may excuse twelfth-grade students from attendance in school for any school day *prior* to the district's scheduled graduation ceremony, only in accordance with administrative rules on excused attendance, or if the schools are closed to all students or for a public calamity.
- Declares an emergency.

CONTENT AND OPERATION

Excusal from attendance after graduation

For the 2013-2014 year only, the bill permits a school district board of education to excuse graduating twelfth-grade students from attendance in school for any days or hours that the students' schools are open for instruction after the district's scheduled graduation ceremony, as a result of adding days or hours to the school calendar to make up days or hours that the schools were closed during the school year for a public calamity (see "**Background**" below), in order to meet the required number of days of instruction. In other words, if a school requires attendance after the district's scheduled graduation ceremony – as a result of making up time for which the school was closed due to a public calamity, such as hazardous weather – the bill authorizes the district to

excuse graduating twelfth-grade students from attendance for that time.¹ A public calamity is defined by law in effect until July 1, 2014, as a disease epidemic, hazardous weather conditions, law enforcement emergencies, inoperability of school buses or other equipment necessary to the school's operation, damage to a school building, or other temporary circumstances due to utility failure rendering the school building unfit for school use.²

The bill also states that a school district that excuses graduating twelfth-grade students from attendance after the district's scheduled graduation ceremony in accordance with the bill's provisions cannot be considered to have failed to comply with minimum school year requirements.³

As noted under "**Background**" below, current law, not affected by the bill, permits school districts to excuse twelfth-grade students for up to three days.⁴ It appears that the bill's permitted excusal days are in addition to these three days.

Excusal from attendance prior to graduation

The bill states that, for the 2013-2014 year, a school district board may excuse twelfth-grade students from attendance in school for any school day *prior* to the district's scheduled graduation ceremony only (1) in accordance with the State Board of Education's rules on excused absences for individual students (such as illness or college visitation), (2) if the students' schools are closed to all students for days or during hours they are scheduled to be open for instruction, or (3) for a public calamity.⁵ That is, except for those specific reasons for nonattendance, if a district adds days prior to the scheduled graduation ceremony, twelfth-grade students must attend school those days.

Background

Law in effect until July 1, 2014, prescribes a minimum school year based on days for school districts, public STEM schools, and nonpublic schools.⁶ Until then, unless a

¹ Section 1(A).

² The version of R.C. 3317.01(B) in effect until July 1, 2014, not in the bill.

³ Section 1(A), second paragraph.

⁴ R.C. 3317.01(B), both the version in effect until July 1, 2014, and the version in effect after that date.

⁵ Section 1(B).

⁶ See R.C. 3313.48 in effect until July 1, 2014; Ohio Administrative Code 3301-35-08 and 3301-35-12. For a discussion of the new minimum school year based on hours in effect on July 1, 2014, see pp. 222-227 of the LSC Final Analysis for H.B. 59 of the 130th General Assembly. At the Generally Assembly's website

public or nonpublic school obtains approval to operate on an alternative schedule, as discussed below, a school must be open for instruction with students in attendance at least 182 school days in a school year. In complying with the 182-day requirement, a school also may 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. Taking into account these permitted closings for parent-teacher conferences, reporting, professional development, and calamity days, a school must be open for instruction at least 173 days each year.⁷

In addition, the statute expressly permits school districts to excuse twelfth-grade students for up to three days.⁸ It does not state any reasons for such excusal but, presumably, it could be for days at the end of the instruction year similar to the excusal days permitted by the bill.

Alternative schedules

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 more than the four half-days otherwise permitted, (2) operate on a calendar of quarters, trimesters, or pentamesters, or (3) establish a staggered attendance schedule ("split sessions"). The approval of the Department is required to implement any of these alternative schedules.⁹

If a school district obtains approval to operate an alternative schedule, the school must be open for instruction for 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. And, a school operating on such an alternative schedule also may excuse twelfth-grade students for up to three days, just as authorized for other districts.

(<http://www.legislature.state.oh.us/>), under "Current Legislation," search H.B. 59, click on "Bill Analyses" and then on "Final Analysis."

⁷ The versions of R.C. 3313.48 and 3317.01(B) in effect until July 1, 2014.

⁸ R.C. 3317.01(B).

⁹ The version of R.C. 3313.481 in effect until July 1, 2014.



HISTORY

ACTION

DATE

Introduced

02-06-14

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