



# Ohio Legislative Service Commission

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## Fiscal Note & Local Impact Statement

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**Bill:** [Am. Sub. H.B. 416 of the 130th G.A.](#)

**Date:** March 12, 2014

**Status:** As Enacted

**Sponsor:** Reps. Burkley and Hill

**Local Impact Statement Procedure Required:** No

**Contents:** Provides schools additional calamity day relief in FY 2014, authorizes the Superintendent of Public Instruction to delay the return of student assessment scores in FY 2014, and declares an emergency

### State Fiscal Highlights

- No direct fiscal effect on the state.

### Local Fiscal Highlights

- The bill eliminates the expenditures school districts and STEM schools may otherwise incur in making up four days that they are closed due to a public calamity.
- The bill also offers these schools the option of making up any days in the schools' contingency plans and any days beyond the four additional excused ones provided under the bill by lengthening the school day, which is likely a less costly alternative to adding full days.

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## Detailed Fiscal Analysis

For FY 2014 only, the bill provides additional calamity day relief for district schools, STEM schools, chartered nonpublic schools, and schools operated by county boards of developmental disabilities; delays the return date for grades three through eight student assessments; and excuses seniors from attending calamity day make-up days after their graduation ceremony. These provisions are discussed below in more detail.

### **Additional calamity day relief**

For FY 2014, current law requires a minimum school year of 182 days, except that schools may be closed for up to five days due to public calamities such as hazardous weather, without making up the lost instructional time. In addition, each school is permitted to use up to four days for teacher preparation and reporting and parent conferences. Each school district must adopt an annual contingency plan that includes adding at least five whole days to the school year if needed to make up any days missed in excess of the five excused calamity days. The plan must be submitted to the Ohio Department of Education (ODE) by August 1 of each year. Schools that do not meet the minimum school year requirements for FY 2014 will not qualify for state operating funds for FY 2015.

The bill makes changes to the provisions mentioned above. First, the bill permits schools to update their contingency plans for this school year and requires ODE to accept applications for online lessons and paper lesson blizzard bags that schools may want to consider using in making up days in their contingency plans. Second, the bill gives schools an additional four excused calamity days as long as they make up at least four days according to their contingency plans and approve their intention to request the waiver of these additional days via a resolution. Thus, the bill eliminates the expenditures these schools may otherwise incur in making up these additional four days. Third, the bill permits schools to make up days in their contingency plans and any lost time beyond the four additional calamity days by lengthening the remaining instructional days in half hour increments instead of adding full days. For these schools, lengthening the school days in this manner is likely a lower cost alternative to adding full days, particularly in the areas of busing, food service, and utilities. Finally, the bill permits the Superintendent of Public Instruction to waive compliance with the minimum school year requirement for schools operated by county boards of developmental disabilities. If the Superintendent waives compliance, expenditures these schools may otherwise incur for making up calamity days will be eliminated.

## **Delayed return of assessment scores**

In early February, the Ohio Department of Education (ODE) announced they were adding one week to the testing window (now April 21 to May 16) for districts and schools to administer the grades three through eight Ohio Achievement Assessments. In response to ODE's action, the bill delays the dates for which scores for these assessments must be returned to districts and schools. Generally, under continuing law, assessment scores are to be returned no later than June 15th of each year. The bill delays this deadline for this school year by one day for assessments administered to third grade students and by 15 days for assessments administered to fourth through eighth grade students. Delaying the return date for assessment scores may permit the contractor scoring the assessments more flexibility to grade and return the results of the assessments to districts and schools.

## **High school seniors**

The bill also permits a school district to excuse graduating 12th grade students from attending school for any time added to the regular school year in order to make up calamity days, if that time is after the district's scheduled graduation ceremony. Under the bill, schools excusing these students in this manner will still meet the requirements of a minimum school year and will still qualify to receive state operating funds in the next school year.