

**As Reported by the House Education Committee**

**124th General Assembly**

**Regular Session**

**2001-2002**

**Sub. H. B. No. 407**

**REPRESENTATIVES Buehrer, Seitz, White, Otterman, Sullivan, Redfern,  
Callender, Setzer, Seaver, Barrett, Carano, Woodard, Webster, Calvert,  
Hartnett, Fedor**

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**A B I L L**

To amend sections 3301.07 and 4508.02 and to enact 1  
section 5.2223 of the Revised Code to require 2  
certain driver education courses to include thirty 3  
minutes of instruction relating to anatomical gifts 4  
and anatomical gift procedures and to designate 5  
March as "Eye Donor Month in Ohio." 6

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 3301.07 and 4508.02 be amended and 7  
section 5.2223 of the Revised Code be enacted to read as follows: 8

**Sec. 5.2223.** The month of March is designated as "Eye Donor 9  
Month in Ohio." 10

**Sec. 3301.07.** The state board of education shall exercise 11  
under the acts of the general assembly general supervision of the 12  
system of public education in the state. In addition to the powers 13  
otherwise imposed on the state board under the provisions of law, 14  
the board shall have the following powers: 15

(A) Exercise policy forming, planning, and evaluative 16  
functions for the public schools of the state, and for adult 17

education, except as otherwise provided by law;

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(B) Exercise leadership in the improvement of public education in this state, and administer the educational policies of this state relating to public schools, and relating to instruction and instructional material, building and equipment, transportation of pupils, administrative responsibilities of school officials and personnel, and finance and organization of school districts, educational service centers, and territory. Consultative and advisory services in such matters shall be provided by the board to school districts and educational service centers of this state. The board also shall develop a standard of financial reporting which shall be used by all school districts and educational service centers to make their financial information available to the public in a format understandable by the average citizen and provide year-to-year comparisons for at least five years. The format shall show, among other things, district and educational service center revenue by source; expenditures for salaries, wages, and benefits of employees, showing such amounts separately for classroom teachers, other employees required to hold licenses issued pursuant to sections 3319.22 to 3319.31 of the Revised Code, and all other employees; expenditures other than for personnel, by category, including utilities, textbooks and other educational materials, equipment, permanent improvements, pupil transportation, extracurricular athletics, and other extracurricular activities; and per pupil expenditures.

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(C) Administer and supervise the allocation and distribution of all state and federal funds for public school education under the provisions of law, and may prescribe such systems of accounting as are necessary and proper to this function. It may require county auditors and treasurers, boards of education, educational service center governing boards, treasurers of such

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boards, teachers, and other school officers and employees, or  
other public officers or employees, to file with it such reports  
as it may prescribe relating to such funds, or to the management  
and condition of such funds.

(D) Formulate and prescribe minimum standards to be applied  
to all elementary and secondary schools in this state for the  
purpose of requiring a general education of high quality. Such  
standards shall provide adequately for: the licensing of teachers,  
administrators, and other professional personnel and their  
assignment according to training and qualifications; efficient and  
effective instructional materials and equipment, including library  
facilities; the proper organization, administration, and  
supervision of each school, including regulations for preparing  
all necessary records and reports and the preparation of a  
statement of policies and objectives for each school; buildings,  
grounds, health and sanitary facilities and services; admission of  
pupils, and such requirements for their promotion from grade to  
grade as will assure that they are capable and prepared for the  
level of study to which they are certified; requirements for  
graduation; and such other factors as the board finds necessary.

In the formulation and administration of such standards for  
nonpublic schools the board shall also consider the particular  
needs, methods and objectives of those schools, provided they do  
not conflict with the provision of a general education of a high  
quality and provided that regular procedures shall be followed for  
promotion from grade to grade of pupils who have met the  
educational requirements prescribed.

(E) Formulate and prescribe minimum standards for driver  
education courses conducted at high schools in the state or by  
educational service centers or joint vocational school district  
boards of education. In the formulation of standards for driver  
education courses, the board shall call upon the director of

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public safety for advice and assistance. The standards shall  
require twenty-four hours of classroom instruction, and eight  
hours of actual behind-the-wheel instruction conducted on public  
streets and highways of this state, but shall not require any  
additional hours of observation within a vehicle. The board shall  
require energy conservation information as part of the driver  
education curriculum. Such information shall include, but need not  
be limited to, the identification of inefficient driving  
techniques and improper maintenance as they relate to decreased  
gas mileage, information regarding the costs and benefits of  
different modes of travel, and information concerning relative  
fuel economy and life-cycle costs of new automobile purchases. The  
board also shall require financial responsibility information as  
part of the driver education curriculum. In addition, the board  
shall require that of the twenty-four hours of classroom  
instruction prescribed by this division, thirty minutes of that  
time be devoted to anatomical gifts and anatomical gift  
procedures. The board also may require as part of the health ~~and  
driver education curricula~~ curriculum information developed under  
section 2108.15 of the Revised Code promoting the donation of  
anatomical gifts pursuant to Chapter 2108. of the Revised Code and  
may provide the information to high schools, educational service  
centers, and joint vocational school district boards of education.

(F) Prepare and submit annually to the governor and the  
general assembly a report on the status, needs, and major problems  
of the public schools of the state, with recommendations for  
necessary legislative action and a ten-year projection of the  
state's public and nonpublic school enrollment, by year and by  
grade level;

(G) Prepare and submit to the director of budget and  
management the biennial budgetary requests of the state board of  
education, for its agencies and for the public schools of the

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state; 114

(H) Cooperate with federal, state, and local agencies 115  
concerned with the health and welfare of children and youth of the 116  
state; 117

(I) Require such reports from school districts and 118  
educational service centers, school officers, and employees as are 119  
necessary and desirable. The superintendents and treasurers of 120  
school districts and educational service centers shall certify as 121  
to the accuracy of all reports required by law or state board or 122  
state department of education rules to be submitted by the 123  
district or educational service center and which contain 124  
information necessary for calculation of state funding. Any 125  
superintendent who knowingly falsifies such report shall be 126  
subject to license revocation pursuant to section 3319.31 of the 127  
Revised Code. 128

(J) In accordance with Chapter 119. of the Revised Code, 129  
adopt procedures, standards, and guidelines for the education of 130  
handicapped children pursuant to Chapter 3323. of the Revised 131  
Code, including procedures, standards, and guidelines governing 132  
programs and services operated by county boards of mental 133  
retardation and developmental disabilities pursuant to section 134  
3323.09 of the Revised Code; 135

(K) For the purpose of encouraging the development of special 136  
programs of education for academically gifted children, employ 137  
competent persons to analyze and publish data, promote research, 138  
advise and counsel with boards of education, and encourage the 139  
training of teachers in the special instruction of gifted 140  
children. The board may provide financial assistance out of any 141  
funds appropriated for this purpose to boards of education and 142  
educational service center governing boards for developing and 143  
conducting programs of education for academically gifted children. 144

(L) Require that all public schools emphasize and encourage, 145  
within existing units of study, the teaching of energy and 146  
resource conservation as recommended to each district board of 147  
education by leading business persons involved in energy 148  
production and conservation, beginning in the primary grades; 149

(M) Formulate and prescribe minimum standards requiring the 150  
use of phonics as a technique in the teaching of reading in grades 151  
kindergarten through three. In addition, the state board shall 152  
provide in-service training programs for teachers on the use of 153  
phonics as a technique in the teaching of reading in grades 154  
kindergarten through three. 155

(N) Develop and modify as necessary a state plan for 156  
technology to encourage and promote the use of technological 157  
advancements in educational settings. 158

The board may adopt rules necessary for carrying out any 159  
function imposed on it by law, and may provide rules as are 160  
necessary for its government and the government of its employees, 161  
and may delegate to the superintendent of public instruction the 162  
management and administration of any function imposed on it by 163  
law. It may provide for the appointment of board members to serve 164  
on temporary committees established by the board for such purposes 165  
as are necessary. Permanent or standing committees shall not be 166  
created. 167

**Sec. 4508.02.** (A) The director of public safety, subject to 168  
Chapter 119. of the Revised Code, shall adopt and prescribe such 169  
rules concerning the administration and enforcement of this 170  
chapter as are necessary to protect the public. The director shall 171  
inspect the school facilities and equipment of applicants and 172  
licensees and examine applicants for instructor's licenses. 173

(B) The director shall administer and enforce this chapter, 174  
and may call upon the state superintendent of public instruction 175

for assistance in developing and formulating the rules for 176  
training beginning drivers. 177

(C) The rules shall require twenty-four hours of classroom 178  
instruction of which thirty minutes shall be devoted to anatomical 179  
gifts and anatomical gift procedures, and eight hours of actual 180  
behind-the-wheel instruction conducted on public streets and 181  
highways of this state for all beginning drivers of noncommercial 182  
motor vehicles who are under age eighteen. 183

(D) The rules shall state the minimum hours for classroom and 184  
behind-the-wheel instruction required for beginning drivers of 185  
commercial trucks, commercial cars, buses, and commercial 186  
tractors, trailers, and semi-trailers. 187

**Section 2.** That existing sections 3301.07 and 4508.02 of the 188  
Revised Code are hereby repealed. 189