

As Introduced

**128th General Assembly
Regular Session
2009-2010**

H. B. No. 407

Representatives Zehringer, Okey

**Cosponsors: Representatives Hite, Dyer, Grossman, Hall, Blair, Huffman,
Combs, Morgan, Derickson, Yuko**

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A BILL

To amend section 3326.11 and to enact section 3313.88 1
of the Revised Code to allow school districts and 2
STEM schools to make up excess calamity days by 3
requiring students to complete lessons posted 4
online. 5

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

Section 1. That section 3326.11 be amended and section 6
3313.88 of the Revised Code be enacted to read as follows: 7

Sec. 3313.88. (A) Prior to the first day of August of each 8
school year, the board of education of any school district may 9
submit to the department of education a plan to require students 10
to access and complete classroom lessons posted on the district's 11
web portal or web site in order to make up days in that school 12
year on which it is necessary to close schools for any of the 13
reasons specified in division (B) of section 3317.01 of the 14
Revised Code in excess of the number of days permitted under that 15
section and sections 3313.48 and 3313.481 of the Revised Code. The 16
plan shall provide for making up any number of days, up to a 17
maximum of five days. Provided the plan meets all requirements of 18

this section, the department shall permit the board to implement 19
the plan for the applicable school year. 20

(B) Each plan submitted under this section shall include the 21
written consent of the teachers' employee representative 22
designated under division (B) of section 4117.04 of the Revised 23
Code. 24

(C) Each plan submitted under this section shall provide for 25
the following: 26

(1) Not later than the first day of September of the school 27
year, each classroom teacher shall develop a sufficient number of 28
lessons for each course taught by the teacher that school year to 29
cover the number of make-up days specified in the plan. The 30
teacher shall designate the order in which the lessons are to be 31
posted on the district's web portal or web site in the event of a 32
school closure. 33

(2) As soon as practicable after a school closure, a district 34
employee responsible for web portal or web site operations shall 35
make the designated lessons available to students on the 36
district's portal or site. A lesson shall be posted for each 37
course that was scheduled to meet on the day of the closure. 38

(3) Each student enrolled in a course for which a lesson is 39
posted on the portal or site shall be granted a two-week period 40
from the date of posting to complete the lesson. The student's 41
classroom teacher shall grade the lesson in the same manner as 42
other lessons. The student may receive an incomplete or failing 43
grade if the lesson is not completed on time. 44

(4) If a student does not have access to a computer at the 45
student's residence, the student shall be permitted to work on the 46
posted lessons at school after the student's school reopens. If 47
the lessons were posted prior to the reopening, the student shall 48

be granted a two-week period from the date of the reopening, 49
rather than from the date of posting as otherwise required under 50
division (C)(3) of this section, to complete the lessons. The 51
district board may provide the student access to a computer before 52
or after the regularly scheduled school day to complete the 53
lessons. 54

(D) No school district that implements a plan in accordance 55
with this section shall be considered to have failed to comply 56
with division (A)(2) of section 3306.01 or division (B) of section 57
3317.01 of the Revised Code with respect to the number of make-up 58
days specified in the plan. 59

Sec. 3326.11. Each science, technology, engineering, and 60
mathematics school established under this chapter and its 61
governing body shall comply with sections 9.90, 9.91, 109.65, 62
121.22, 149.43, 2151.357, 2151.421, 2313.18, 2921.42, 2921.43, 63
3301.0714, 3301.0715, 3313.14, 3313.15, 3313.16, 3313.18, 64
3313.201, 3313.26, 3313.472, 3313.48, 3313.481, 3313.482, 3313.50, 65
3313.536, 3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 66
3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 3313.648, 67
3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.67, 68
3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 69
3313.718, 3313.719, 3313.80, 3313.801, 3313.86, 3313.88, 3313.96, 70
3319.073, 3319.21, 3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 71
3319.41, 3319.45, 3321.01, 3321.041, 3321.13, 3321.14, 3321.17, 72
3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 4113.52, and 73
5705.391 and Chapters 102., 117., 1347., 2744., 3307., 3309., 74
3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code 75
as if it were a school district. 76

Section 2. That existing section 3326.11 of the Revised Code 77
is hereby repealed. 78