

As Reported by the House Education Committee

130th General Assembly

Regular Session

2013-2014

Am. H. B. No. 416

Representatives Burkley, Hill

**Cosponsors: Representatives Blessing, Brenner, Brown, Derickson, Dovilla,
Hall, Hood, Landis, Kunze, Retherford, Roegner, Rosenberger, Stautberg,
Thompson, Milkovich, Smith, Bishoff**

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A B I L L

To amend Section 733.10 of Am. Sub. H.B. 59 of the 130th General Assembly to permit up to four additional school "calamity" days in the 2013-2014 school year; to authorize, for the 2013-2014 school year, schools to make up in half-hour increments "calamity" days missed in excess of the number of days permitted by law; and to declare an emergency.

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

Section 1. That Section 733.10 of Am. Sub. H.B. 59 of the 130th General Assembly be amended to read as follows:

Sec. 733.10. Notwithstanding section 3317.01 of the Revised Code, as amended by ~~this act~~ Am. Sub. H.B. 59 of the 130th General Assembly, to determine whether a school district or STEM school established under Chapter 3326. of the Revised Code satisfied the minimum school year in the 2013-2014 school year in order to qualify for state funding under Chapter 3317. or 3326. of the Revised Code for fiscal year 2015, the Department of Education

shall apply the criteria prescribed in the version of division (B) 18
of section 3317.01 of the Revised Code in effect prior to July 1, 19
2014. However, no school district or STEM school shall be denied 20
payments under Chapter 3317. or 3326. of the Revised Code for 21
fiscal year 2015, nor shall a chartered nonpublic school be 22
determined not in compliance with the state minimum school year, 23
solely because any school operated by the district, STEM school, 24
or chartered nonpublic school was open for instruction during the 25
2013-2014 school year for not more than four days fewer than the 26
number of days required by the versions of sections 3313.48, 27
3313.481, and 3317.01 of the Revised Code in effect prior to July 28
1, 2014, if the reason the school was not open for the required 29
number of days was due to any of the reasons set forth in division 30
(B) of that version of section 3317.01 of the Revised Code. 31

Section 2. That existing Section 733.10 of Am. Sub. H.B. 59 32
of the 130th General Assembly is hereby repealed. 33

Section 3. For determining payments for fiscal years 2014 and 34
2015, the Department of Education shall continue to waive the 35
number of hours or days of learning opportunities not offered to a 36
student by a community school, established under Chapter 3314. of 37
the Revised Code, for the reasons set forth in division (H)(4) of 38
section 3314.08 of the Revised Code, so long as the school was 39
actually open for instruction with students in attendance for not 40
less than the minimum hours required under Chapter 3314. of the 41
Revised Code. 42

Section 4. A school district, STEM school established under 43
Chapter 3326. of the Revised Code, or a chartered nonpublic school 44
may apply the provisions of this section after applying the 45
additional excused days for the 2013-2014 school year authorized 46
under Section 733.10 of Am. Sub. H.B. 59 of the 130th General 47

Assembly, as amended by this act. 48

Notwithstanding anything to the contrary in the contingency 49
plan it adopted for the 2013-2014 school year under division (A) 50
of former section 3313.482 of the Revised Code or division (B) of 51
the version of section 3317.01 of the Revised Code in effect prior 52
to July 1, 2014, if during the 2013-2014 school year a school 53
district, STEM school, or chartered nonpublic school closes or 54
evacuates any school building for any of the reasons set forth in 55
division (B) of the version of section 3317.01 of the Revised Code 56
in effect prior to July 1, 2014, or as a result of a bomb threat 57
or any other report of an alleged or impending explosion, and if, 58
as a result of the closing or evacuation, the school district, 59
STEM school, or chartered nonpublic school is unable to meet, for 60
the 2013-2014 school year, the requirements of the versions of 61
sections 3313.48, 3313.481, and 3317.01 of the Revised Code in 62
effect prior to July 1, 2014, regarding the number of days schools 63
must be open for instruction or the requirements of the state 64
minimum standards for the school day that are established by the 65
Department of Education regarding the number of hours there must 66
be in the school day, the school district, STEM school, or 67
chartered nonpublic school may increase the length of one or more 68
other school days during the 2013-2014 school year for the school 69
that was closed or evacuated, in increments of one-half hour, to 70
make up the number of hours or days that the school building in 71
question was so closed or evacuated for the purpose of satisfying 72
the requirements of those sections. 73

A school district, STEM school, or chartered nonpublic school 74
that makes up, as described in this section, all of the hours or 75
days that its school buildings were closed or evacuated for any of 76
the reasons identified in this section shall be deemed to have 77
complied with the requirements of the versions of sections 78
3313.48, 3313.481, and 3317.01 of the Revised Code in effect prior 79

to July 1, 2014, regarding the number of days schools must be open 80
for instruction and the requirements of the state minimum 81
standards regarding the number of hours there must be in the 82
school day for the 2013-2014 school year. 83

Section 5. This act is hereby declared to be an emergency 84
measure necessary for the immediate preservation of the public 85
peace, health, and safety. The reason for the necessity is that 86
immediate action is necessary to avoid delays in payments to 87
schools that exceeded the number of permitted calamity days in the 88
2013-2014 school year because of a public calamity. Therefore, 89
this act shall go into immediate effect. 90