

As Introduced

**130th General Assembly
Regular Session
2013-2014**

S. B. No. 284

Senator Coley

—

A BILL

To amend Section 733.10 of Am. Sub. H.B. 59 of the 1
130th General Assembly to provide additional 2
calamity day relief for schools and to declare an 3
emergency. 4

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 5
130th General Assembly be amended to read as follows: 6

Sec. 733.10. ~~Notwithstanding~~ (A) Except as provided in 7
division (B) of this section, notwithstanding section 3317.01 of 8
the Revised Code, as amended by ~~this act~~ Am. Sub. H.B. 59 of the 9
130th General Assembly, to determine whether a school district or 10
STEM school established under Chapter 3326. of the Revised Code 11
satisfied the minimum school year in the 2013-2014 school year in 12
order to qualify for state funding under Chapter 3317. or 3326. of 13
the Revised Code for fiscal year 2015, the Department of Education 14
shall apply the criteria prescribed in the version of division (B) 15
of section 3317.01 of the Revised Code in effect prior to July 1, 16
2014. 17

(B) No school district or STEM school shall be denied 18
payments under Chapter 3317. or 3326. of the Revised Code for 19
fiscal year 2015, nor shall a chartered nonpublic school be 20

determined not in compliance with the state minimum school year, 21
solely because any school operated by the district, STEM school, 22
or chartered nonpublic school was open for instruction during the 23
2013-2014 school year for not more than four days fewer than the 24
number of days required by the versions of sections 3313.48, 25
3313.481, and 3317.01 of the Revised Code in effect prior to July 26
1, 2014, as long as both of the following conditions are 27
satisfied: 28

(1) 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

(2) The district, STEM school, or chartered nonpublic school 32
(if applicable) has first invoked the make up of days or hours 33
specified in its contingency plan adopted for the 2013-2014 school 34
year under former section 3313.482 of the Revised Code or through 35
other adjustments to the calendar, as approved by the district 36
board or school governing board. 37

Section 2. That existing Section 733.10 of Am. Sub. H.B. 59 38
of the 130th General Assembly is hereby repealed. 39

Section 3. A school district, STEM school established under 40
Chapter 3326. of the Revised Code, or a chartered nonpublic school 41
may apply the provisions of this section after applying the 42
additional excused days for the 2013-2014 school year authorized 43
under Section 733.10 of Am. Sub. H.B. 59 of the 130th General 44
Assembly, as amended by this act. 45

Notwithstanding anything to the contrary in the contingency 46
plan it adopted for the 2013-2014 school year under division (A) 47
of former section 3313.482 of the Revised Code or division (B) of 48
the version of section 3317.01 of the Revised Code in effect prior 49
to July 1, 2014, if during the 2013-2014 school year a school 50

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

A school district, STEM school, or chartered nonpublic school 71
that makes up, as described in this section, all of the hours or 72
days that its school buildings were closed or evacuated for any of 73
the reasons identified in this section shall be deemed to have 74
complied with the requirements of the versions of sections 75
3313.48, 3313.481, and 3317.01 of the Revised Code in effect prior 76
to July 1, 2014, regarding the number of days schools must be open 77
for instruction and the requirements of the state minimum 78
standards regarding the number of hours there must be in the 79
school day for the 2013-2014 school year. 80

Section 4. (A) Any school district, STEM school established 81
under Chapter 3326. of the Revised Code, or chartered nonpublic 82

school may include in its contingency plan for making up days or 83
hours a school was not open for instruction, for any of the 84
reasons set forth in division (B) of the version of section 85
3317.01 of the Revised Code in effect prior to July 1, 2014, 86
online lessons or paper lesson blizzard bags under section 3313.88 87
of the Revised Code. 88

(B) Notwithstanding anything to the contrary in section 89
3313.88 of the Revised Code, the Department of Education shall 90
accept and consider applications for online lessons and paper 91
lesson blizzard bags under that section for the 2013-2014 school 92
year at any time after August 1, 2013. 93

Section 5. (A) Notwithstanding anything to the contrary in 94
division (B) of the version of section 3317.01 of the Revised Code 95
in effect until July 1, 2014, in section 3321.01 or 3321.04 of the 96
Revised Code, or in any rule of the State Board of Education, for 97
the 2013-2014 school year only, a school district board of 98
education may excuse graduating twelfth-grade students from 99
attendance in school for any days or hours the students' schools 100
are open for instruction after the district's scheduled graduation 101
ceremony, as a result of adding days or hours to the school 102
calendar to make up days or hours the schools were closed that 103
school year for any of the reasons prescribed in division (B) of 104
the version of section 3317.01 of the Revised Code in effect until 105
July 1, 2014, in order to meet the required number of days of 106
instruction prescribed by the versions of sections 3313.48, 107
3313.481, and 3317.01 of the Revised Code in effect prior to July 108
1, 2014. For the purposes of this section, a scheduled graduation 109
ceremony shall include any ceremony designated as a culminating 110
event for twelfth-grade students by the board of education of a 111
joint vocational school district. 112

A school district that excuses graduating twelfth-grade 113

students in accordance with this section shall not be considered 114
to have failed to comply with the versions of sections 3313.48, 115
3313.481, and 3317.01 of the Revised Code in effect prior to July 116
1, 2014. 117

(B) For the 2013-2014 school year, a school district may 118
excuse students in the twelfth grade from attendance in school for 119
any school day prior to the district's scheduled graduation 120
ceremony, only in accordance with division (B) of the version of 121
section 3317.01 of the Revised Code in effect prior to July 1, 122
2014, or the rules on excuses from school attendance adopted by 123
the State Board of Education, or if the students' schools are 124
closed to all students for days or during hours they are scheduled 125
to be open for instruction. 126

Section 6. Since the Superintendent of Public Instruction has 127
extended the period for administering state achievement 128
assessments for grades three through eight for the 2013-2014 129
school year, notwithstanding anything to the contrary in division 130
(G)(2) of section 3301.0711 of the Revised Code, for the 2013-2014 131
school year only, the Superintendent of Public Instruction shall 132
take steps to ensure that the scores for the state assessments 133
prescribed in division (A)(1) of section 3301.0710 of the Revised 134
Code are returned to each school district or school as follows: 135

(A) For the assessments administered to students in the third 136
grade, not later than June 16, 2014; 137

(B) For the assessments administered to students in the 138
fourth, fifth, sixth, seventh, or eighth grade, not later than 139
June 30, 2014. 140

Section 7. A school district, STEM school, or chartered 141
nonpublic school that filed a contingency plan on or prior to 142
September 1, 2013, in accordance with division (A) of former 143

section 3313.482 of the Revised Code, may update that contingency 144
plan at any time during the 2013-2014 school year. 145

Section 8. This act is hereby declared to be an emergency 146
measure necessary for the immediate preservation of the public 147
peace, health, and safety. The reason for the necessity is that 148
immediate action is necessary to address in a timely manner issues 149
related to the waiver and make up of excess calamity days in the 150
2013-2014 school year. Therefore, this act shall go into immediate 151
effect. 152