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S.B. 208*
135th General Assembly

Bill Analysis

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Version: As Reported by House Primary and Secondary Education

Primary Sponsor: Sen. Roegner

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SUMMARY

Open enrollment for military children

- Requires school districts to include an exception for military children in open enrollment policies.

Instruction on proper interactions with peace officers

- Eliminates laws requiring instruction on proper interactions with peace officers to high school students and in beginning driver training based on a model curriculum developed by the Department of Education and Workforce.

School employee child sexual abuse prevention training

- Permits, rather than requires, public schools and educational service centers to have law enforcement officers or prosecutors with relevant experience provide employee in-service training on child sexual abuse.

Pre-service teacher permits

- Permits a pre-service teacher permit to be for one year in duration.

Virtual services under special needs scholarships

- Permits educational aides or assistants and instructional assistants to provide services under the Autism and Jon Peterson Special Needs scholarships virtually.

* This analysis was prepared before the report of the House Primary and Secondary Education Committee appeared in the House Journal. Note that the legislative history may be incomplete.

School purchase of technological equipment

- Requires each school district and educational service center to seek to meet the varying and unique needs of students and teachers and consider certain factors when purchasing technological office equipment.

Regional Partnerships Program

- Establishes the Prenatal-to-Five Early Childhood to Post-Secondary Regional Partnerships Program to support early childhood to post-secondary regional partnerships throughout Ohio.

Home education learning pods

- Defines home education learning pod.
- Exempts home education learning pods from child care regulations.
- Prohibits a county or township from restricting or limiting the location of home education learning pods within any district/zone in the county or township.
- Prohibits a county or township from imposing additional or more stringent zoning regulations on a building or residence based solely on its association with or use by a home education learning pod.

DETAILED ANALYSIS

Open enrollment for military children

Under current law, each city, local, and exempted village school district in Ohio must adopt a resolution establishing an interdistrict open enrollment policy that does one of the following:¹

1. Entirely prohibits open enrollment, with the exception of students who pay tuition;
2. Permits open enrollment only of students from adjacent districts; or
3. Permits open enrollment of students from any other districts.

The bill creates an additional exception that applies to districts that otherwise entirely prohibit open enrollment or only accept open enrollment of students from adjacent districts. The bill requires these districts to permit a student who is not a native student of the district to open enroll in the district if the student's parent is an active duty member of the armed forces of the United States who is stationed in Ohio and who provides the district a copy of the parent's official written order verifying the parent's status as an active duty member of the armed forces.² A "native student" is a student who is entitled under law, generally based on residence in a school

¹ R.C. 3313.98(B)(1).

² R.C. 3313.98(I)(1).

district, to attend school in that district.³ Under the bill, an active duty member of the armed forces is a member of the United States Army, Navy, Air Force, Space Force, Marine Corps, or Coast Guard who is on full-time duty.⁴

The bill requires districts enrolling a military child under the new exception to comply with the same procedures required by law for other open enrollments. Additionally, the bill prohibits districts from charging tuition for military children who enroll under the exception.⁵

The bill also sets requirements for the classification of students who open enroll in a district under the bill, for purposes of enrollment reporting and transportation services. If a student who is not a native student of the district enrolls in a district that otherwise prohibits open enrollment, then the student must be classified as an “other district student.”⁶ A student who is not a native student of the district or an adjacent district and who enrolls in a district with an open enrollment policy only for students from an adjacent district must be considered an “adjacent district student” for purposes of enrollment reporting and transportation services.⁷

Additionally, the bill permits a student enrolled under a district’s open enrollment policy exception for military children to continue to attend that district and receive transportation services for the remainder of the school year if the student’s parent is discharged or released from active duty. It also states that after the conclusion of that school year, that student is not eligible to attend that district under bill, as long as the student does not have a parent on active duty.⁸

Instruction on proper interactions with peace officers

The bill eliminates the provisions of current law that require the following:

1. The Department of Education and Workforce to adopt a model curriculum for high school students on proper interactions with peace officers during traffic stops and other encounters;
2. School districts and other public schools to use the Department’s model curriculum in at least one course required for high school graduation;
3. The Director of Public Safety to adapt the model curriculum for use in driver training programs and new driver instructional materials.⁹

³ R.C. 3313.98(A)(2); see also R.C. 3313.64 and 3313.65, not in the bill.

⁴ R.C. 3313.98(A)(11) and (12).

⁵ R.C. 3313.98(I)(2).

⁶ R.C. 3313.98(I)(3); see also R.C. 3313.981, 3315.18, and 3317.03, not in the bill.

⁷ R.C. 3313.98(I)(4).

⁸ R.C. 3313.98(I)(5).

⁹ R.C. 3301.0721, Repeals R.C. 3313.6025 and 4508.022.

School employee child sexual abuse prevention training

Continuing law requires public schools to adopt a program of in-service training in the prevention of child abuse, violence, and substance abuse and the promotion of positive youth development for educators and certain student service providers. The bill permits, instead of requires as under current law, that delivery of that training be by law enforcement officers or prosecutors with experience in handling cases involving child sexual abuse or child sexual violence. The bill also specifies that those law enforcement officers and prosecutors may provide the training at their own discretion so long as they have the required experience.¹⁰

Pre-service teacher permits

The bill allows a pre-service teacher permit to be for one year in duration, in addition to three years as under continuing law. Under the permit, student teachers may substitute teach and receive compensation for it. A permit holder may substitute teach for up to one full semester, and be compensated for that service.¹¹

Virtual services under special needs scholarships

The bill permits educational aides or assistants and instructional assistants to provide services under the Autism and Jon Peterson Special Needs scholarships virtually. Current law already permits “qualified, credentialed providers” to provide services virtually.¹²

It also specifically requires the Department of Education and Workforce to include in its rules for the Autism scholarship that *virtual intervention services* may be provided by a qualified, credentialed provider, including a licensed educator or substitute teacher and specified credentialed professionals, and requires the Department to adopt the same such rules for the Jon Peterson Scholarship.¹³

School purchase of technological equipment

The bill requires each school district board of education and educational service center governing board to seek to meet the “varying and unique needs of students and teachers” when purchasing technological office equipment and computer hardware and software. The bill also requires each board to consider the long-term cost of ownership, flexibility for innovation, and any anticipated residual or salvage value at the end of the target life cycle.¹⁴

Regional Partnerships Program

The bill establishes the Prenatal-to-Five Early Childhood to Post-Secondary Regional Partnerships Program (“program”) to support existing and establish new early childhood to post-

¹⁰ R.C. 3319.073.

¹¹ R.C. 3319.0812.

¹² R.C. 3310.41 and 3310.52.

¹³ R.C. 3310.41 and 3310.64.

¹⁴ R.C. 3313.37.

secondary regional partnerships throughout Ohio in regions that choose to participate. Each partnership must work collaboratively to increase educational attainment and economic mobility outcomes for children and adults.

Departmental responsibilities

The bill requires the Department of Education and Workforce and the Department of Higher Education to create, administer, and oversee the program.¹⁵ In so doing, the Departments must do all of the following:

1. Coordinate and convene a cohort of all existing and emerging regional partnerships at least quarterly to share best practices and assist in organizational development and growth;
2. Distribute grants to qualifying partnerships to support regional collaboration programs that align educational resources and community support with regional in-demand workforce skills, opportunities, and jobs;
3. Work to ensure that at least one regional partnership exists within each of the six different regions of the state determined by JobsOhio (the regions are Cleveland (Northeast), Cincinnati (Southwest), Columbus (Central), Dayton (West), Southeast, and Toledo (Northwest));¹⁶
4. Report the progress and outcomes of each regional partnership at least twice a year to the Director of Education and Workforce and the Chancellor of Higher Education, and annually to the Governor and the General Assembly.¹⁷

Makeup of a Partnership

Each Partnership may consist of all of the following entities that are located in the same region:

1. Prenatal-to-five early learning programs;
2. Primary and secondary schools;
3. Educational service centers;
4. Out-of-school time providers;
5. Post-secondary institutions; and
6. Workforce and community partners.¹⁸

¹⁵ R.C. 3301.85(A).

¹⁶ R.C. 187.01, not in the bill. See [Explore Our Regions](#) for a description of each region, which is available at JobsOhio's website: jobsOhio.com.

¹⁷ R.C. 3301.85(B).

¹⁸ R.C. 3301.85(A).

Grant eligibility requirements

To apply for grants under the program, a partnership must demonstrate an identified theory of action and explicit commitment to address all areas of the education and workforce continuum over time, including a commitment to measure and report targeted attainment outcome metrics.¹⁹ It must also demonstrate how it will (1) integrate and align its work with business advisory councils, the Educational Regional Service System, industry sector partnerships, and other regional educational attainment efforts and (2) work with local health care systems, service providers, and other stakeholders to better address the workforce readiness, mental health, and well-being skills children and young adults need for success.²⁰

Reporting of performance metrics

Each qualifying partnership must report all of the following performance metrics for the partnership's region to the Department of Education and Workforce and the Department of Higher Education:

1. Kindergarten readiness;
2. Third-grade reading proficiency;
3. Middle grade math proficiency;
4. High school graduation rates;
5. FAFSA completion rates;
6. Post-secondary enrollment;
7. Post-secondary credential or degree completion; and
8. Employment in the region, including the percentage of recent graduates who:
 - a. Found employment within one year of completing a post-secondary credential or degree; and
 - b. Completed some form of work-based learning while enrolled in a post-secondary institution.²¹

Home education learning pods

The bill defines a home education learning pod as a voluntary association of parents who direct their children's education through home education. Parents participating in a pod choose to group their children together in a home or other location at various times. This may include hours when home education is not provided. The pod includes only the parents' children who are receiving home education, except that it also may include siblings or other children under the care of the parents in the pod, regardless of age. The pod is required to have at least one parent

¹⁹ R.C. 3301.85(C)(1)(a).

²⁰ R.C. 3301.85(C)(1)(b) and (c).

²¹ R.C. 3301.85(C)(2).

of any of the children participating in the pod on the premises while the pod is meeting.²² Under current law, such arrangements could be considered child care and may be subject to licensure and regulation as a child care center or family child care home. The bill exempts home education learning pods from those requirements.²³

Zoning

The bill prohibits a county or township from restricting or limiting the location of home education learning pods within any district/zone in the county or township, and from imposing additional or more stringent zoning regulations on a building or residence based solely on its association with or use by a home education learning pod. Counties and townships would still have the authority to require a building or residence used by a pod to comply with zoning requirements that would otherwise apply to the building or residence if it was not associated with or used by a pod.²⁴

HISTORY

Action	Date
Introduced	12-19-23
Reported, S. Education	05-22-24
Passed Senate (31-0)	05-22-24
Reported, H. Primary and Secondary Education	---

ANSB0208RH-135/ts

²² R.C. 5104.01(V).

²³ R.C. 5104.02.

²⁴ R.C. 303.215 and 519.215.