



# Ohio Legislative Service Commission

## Bill Analysis

William Schwartz

### **Sub. S.B. 168**

131st General Assembly  
(As Reported by H. Education)

**Sens.** LaRose, Hughes, Manning, Beagle, Hite, Eklund, Lehner, Sawyer, Thomas, Yuko

**Reps.** Brenner, Fedor, Blessing, Cupp, Manning, Patterson, Phillips, Ramos, K. Smith

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## **BILL SUMMARY**

### **Information on student violent behavior**

- Beginning on July 1 that next succeeds the bill's effective date, requires the guidelines adopted by the State Board of Education for the Education Management Information System (EMIS) to require the inclusion of an identification of the person or persons, if any, at whom a student's violent behavior was directed.
- Requires the Department of Education to submit a report of the information collected under the bill for the first two school years following the bill's effective date to the General Assembly.
- Specifies that the bill's provisions no longer apply after the date that is two years following the submission of the report.

### **Summer food service**

- Requires a school district that opts out of offering summer food services (for financial reasons) to permit an approved summer food service program sponsor to use a school facility where at least one-half of the students in the facility are eligible for free lunches.

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## **CONTENT AND OPERATION**

### **Information regarding at whom a student's violent behavior is directed**

Beginning on July 1 that next succeeds the bill's effective date, the bill requires the guidelines adopted by the State Board of Education for the statewide Education

Management Information System (EMIS) to require the data maintained by the system to include, for each disciplinary action which is required to be reported pursuant to federal law, an identification of the person or persons, if any, at whom a student's violent behavior that resulted in discipline was directed. The bill specifies that the person or persons must be identified by the respective classification at the district or school, such as student, teacher, or nonteaching employee, and prohibits the person or persons from being identified by name.

The bill states that this requirement no longer applies after the date that is two years following the submission of the report required under the bill's provisions (see "**Report**" below).<sup>1</sup>

### **Report**

The bill requires the Department of Education to prepare a report of the information collected under the bill for the first two school years following its effective date. The report must be submitted by October 1 that follows the final day of the second school year to the President and Minority Leader of the Senate, the Speaker and Minority Leader of the House of Representatives, and the chairpersons and ranking minority members of Senate and House Education Committees.<sup>2</sup>

### **Use of school facilities by summer food service program sponsors**

Under current law, the State Board of Education must require each district board to establish one of the following when the district provides summer academic intervention services: (1) an extension during the summer of the school breakfast program, (2) an extension during the summer of the school lunch program, or (3) a summer food service program.<sup>3</sup> A district board may opt out the summer food requirement if the board determines that it cannot comply for financial reasons.<sup>4</sup>

The bill provides that, if a district board opts out of offering summer food programs, the State Board nevertheless must require the district board to permit an approved summer food service program sponsor to use school facilities in a school building where at least one-half of the students are eligible for free lunches. The Department of Education must post in a prominent location on the Department's website a list of approved sponsors for this purpose.

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<sup>1</sup> R.C. 3301.0714(B)(1)(o).

<sup>2</sup> Section 3.

<sup>3</sup> R.C. 3313.813(C)(3).

<sup>4</sup> R.C. 3313.813(C)(4)(a).



Subject to laws governing the use of school facilities generally and for public meetings and entertainment, the bill permits a district board to charge the summer food service program sponsor a reasonable fee for the use of school facilities. The fee may include the actual cost of custodial services, charges for the use of school equipment, and a prorated share of the utility costs as determined by the district board.

Under the bill, a school district must require the summer food service program sponsor to indemnify and hold harmless the district from any potential liability resulting from the operation of the summer food service program by either (1) adding the summer food service program sponsor, as an additional insured party, to the district's existing liability insurance policy or (2) requiring the summer food service program sponsor to submit evidence of a separate liability insurance policy, for an amount approved by the district board. The summer food service program sponsor is to be responsible for any costs incurred in obtaining the coverage under either option.<sup>5</sup>

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## HISTORY

ACTION	DATE
Introduced	05-20-15
Reported, S. Education	06-25-15
Passed Senate (32-0)	06-30-15
Reported, H. Education	12-06-16

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<sup>5</sup> R.C. 3313.813(C)(4)(c).

