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S.B. 229
134th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Sen. Blessing

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SUMMARY

- Permits a school district, STEM school, community school, or chartered nonpublic school to submit to the Department of Education a declaration to implement or discontinue use of a blended learning model during the 2021-2022 school year by April 30, 2022, rather than July 1, 2021, as under continuing permanent law.
- Requires the Department to post a list of districts and STEM, community, and chartered nonpublic schools operating under a blended learning model during the 2021-2022 school year on its website.
- Provides specific operating requirements for districts and schools that implement blended learning for any portion of the 2021-2022 school year.
- Prohibits the use of the chronic absenteeism measure on the state report card for the 2021-2022 school year.
- Between July 1, 2021, and December 31, 2021, and upon the request of a parent or guardian, permits an individual who holds a valid license issued by a licensing board to provide services via electronic delivery method or telehealth communication to qualifying students.
- Prohibits a licensing board from taking any disciplinary action against a license holder who provides services to qualifying students as described just above.
- Declares an emergency.

DETAILED ANALYSIS

Blended learning for the 2021-2022 school year

For the 2021-2022 school year only, the bill permits a school district, community school with approval of its sponsor, STEM school, or chartered nonpublic school to submit to the Department of Education, by April 30, 2022, a declaration to implement or discontinue use of a

blended learning model during that school year.¹ The bill specifically states that the decision to implement or rescind use of a blended learning model is not subject to approval by the Department. It also requires the Department to post a list of districts, STEM, community, and chartered nonpublic schools operating under a blended learning model during the 2021-2022 school year on its website.²

Otherwise, under continuing law, if a school is operated using a blended learning model or decides to cease operating using a blended learning model, the superintendent of the school or district or director of the school must notify the Department of that fact by July 1 of the school year for which the change would be effective.³ Law not changed by the bill defines “blended learning” as “the delivery of instruction in a combination of time primarily in a supervised physical location away from home and online delivery whereby the student has some element of control over time, place, path, or pace of learning.”⁴

Blended learning requirements for the 2021-2022 school year

For the 2021-2022 school year, the bill requires a school or district that implements a blended learning model, for any portion of that school year, to do all of the following:⁵

1. Provide internet access and devices necessary to access online content to each student participating in blended learning;
2. Monitor and assess student achievement and progress and provide additional services if necessary to improve student achievement;
3. Periodically communicate with parents or guardians regarding student progress; and
4. By March 15, 2022, report to the Department both of the following:
 - a. The total number of students engaged in blended learning during the 2021-2022 school year by grade level; and
 - b. The total number of students with disabilities engaged in blended learning during the 2021-2022 school year.

Additional provisions for community schools

For the 2021-2022 school year, the bill specifies that a community school that implements a blended learning model for any portion of that school year must be considered as having met any requirements to receive state funds as otherwise prescribed under continuing

¹ Section 1(B).

² Section 1(C).

³ R.C. 3302.41, not in the bill.

⁴ R.C. 3301.079(J), not in the bill.

⁵ Section 1(D).

law.⁶ For example, current law, effective September 30, 2021, requires any school using a blended learning model to have an instructional calendar of at least 910 hours, but continuing law also specifies that a community school must offer at least 920 hours of learning opportunities and its full-time equivalency for funding purposes is the actual number of learning opportunities it offers.⁷ Presumably, the bill permits full funding for any community school student in a blended learning program as long as the student participates in 910 hours of instruction.

The bill also requires a community school, by April 30, 2022, to complete any revisions to the contract with its sponsor to implement or discontinue blended learning and to make any other necessary revisions to its policies.⁸

Chronic absenteeism measure

For the 2021-2022 school year, the bill prohibits the use of the chronic absenteeism measure on the state report card for any school district or school. Specifically, that measure may not be rated or used to calculate report card ratings as otherwise required under continuing law for that school year.⁹ The new report card system enacted in H.B. 82 of the 134th General Assembly, effective September 30, 2021, prescribes a chronic absenteeism measure to be determined by the Department of Education as one of its gap closing measures.¹⁰

Online services for special needs students

Between July 1, 2021, and December 31, 2021, the bill permits an individual who holds a valid license issued by a licensing board, upon request from a student's parent or guardian, to provide services within the scope of practice authorized under the license by electronic delivery method or telehealth communication to special needs students. The bill applies to any student participating in the Autism or the Jon Peterson Special Needs Scholarship programs or to any student who was enrolled in a public or chartered nonpublic school and was receiving those types of services, regardless of the method of delivery, prior to the bill's effective date. It also prohibits a licensing board from taking any disciplinary action against a license holder solely because the license holder provided such services to a student.¹¹

⁶ Section 1(E)(1).

⁷ R.C. 3302.41(B)(4) and 3314.08(H), neither in the bill.

⁸ Section 1(E)(2) and (3).

⁹ Section 1(F).

¹⁰ R.C. 3302.03(A)(3), (D)(1)(b) and (D)(3)(a), not in the bill.

¹¹ Section 1(G).

HISTORY

Action	Date
Introduced	09-14-21
