



Ohio Legislative Service Commission

Bill Analysis

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H.B. 401

131st General Assembly
(As Introduced)

Reps. Brinkman, Hambley, Becker, Vitale, Young, Sprague, Bocchieri, Schaffer, Zeltwanger

BILL SUMMARY

- Requires each chartered nonpublic school to publish on its website (1) a summary of its cash flow and aggregate student enrollment data for the previous two school years, and (2) its policy regarding background checks for teaching and nonteaching employees and for volunteers who have direct contact with students.
 - Requires each chartered nonpublic school to make available the its curricula and reading lists for each grade.
 - Requires the governing authority of each chartered nonpublic school to make available its bylaws, constitution, and other related governance documents of the school to parents, guardians, and custodians of students enrolled in the school.
 - Requires the governing authority of each chartered nonpublic school to maintain all minutes of its meetings in a manner similar to that of a school district board and to make available the minutes of such meetings, except for executive session meetings, to parents, guardians, and custodians of students enrolled in the school.
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CONTENT AND OPERATION

Chartered nonpublic school publication requirements

The bill requires each chartered nonpublic school to do the following:

(1) Publish on its website a summary of the school's cash flow and aggregate student enrollment data for the previous two school years;

(2) Post on its website the school's policy regarding background checks for teaching and nonteaching employees and for volunteers who have direct contact with students; and

(3) Make available the school's curricula and reading lists for each grade level to parents, guardians, and custodians of students enrolled in the school.¹

Chartered nonpublic schools are required by continuing law to request criminal records checks of their teaching and nonteaching staff in the same manner as public schools.²

Additionally, the bill requires the governing authority of each chartered nonpublic school to do the following:

(1) Make available the school's bylaws, constitution, and other related governance documents of the school to parents, guardians, and custodians of students enrolled in the school;

(2) Maintain minutes of its meetings, including minutes of its meetings in executive session, in a manner similar to that of a school district board of education; and

(3) Make available the minutes of its meetings, except for instances in which the governing authority enters into executive session, to parents, guardians, and custodians of students enrolled in the school.³

Generally, a public governing body, such as a school district board, must conduct its business in open public meetings and may go into executive session only for prescribed reasons such as to discuss personnel matters or litigation. Moreover, a public body must give prior notice of its meetings and maintain minutes of those meetings, including the reasons it goes into executive session.⁴

Background on chartered nonpublic schools

A chartered nonpublic school is a private school that operates under a charter granted by the State Board of Education. Such schools are not public charter schools,

¹ R.C. 3301.164(A); conforming changes in R.C. 3301.16.

² R.C. 3319.39 to 3319.392, none in the bill. See also R.C. 3319.291, not in the bill regarding requirements for the State Board of Education to request criminal records checks of applicants for educator licenses and renewals.

³ R.C. 3301.164(B) and (C); conforming changes in R.C. 3301.16.

⁴ See R.C. 121.22, not in the bill.



which in Ohio are called community schools. Rather, they are completely private schools that operate in accordance with certain standards adopted by the State Board as a condition of chartering⁵ and, as a result, may receive some state funds for reimbursement of clerical expenses⁶ and goods and services purchased for their students with state Auxiliary Services Funds.⁷ Chartered nonpublic schools also may participate in state scholarship programs under which they enroll students who have been awarded scholarships of state funds deducted from their resident school districts' state aid accounts to attend private schools.⁸ Both chartered and nonchartered nonpublic schools may participate in the College Credit Plus program under which students may enroll in college classes for both college and high school credit.⁹

HISTORY

ACTION	DATE
Introduced	11-30-15

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⁵ R.C. 3301.16 and Ohio Administrative Code 3301-35-09.

⁶ R.C. 3317.063, not in the bill.

⁷ R.C. 3317.06, not in the bill.

⁸ R.C. Chapter 3310. and R.C. 3313.974 to 3313.979, none in the bill.

⁹ R.C. Chapter 3365., not in the bill.

