

Am. Sub. II. B. No. 276

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(1) The nonclassroom-based learning opportunities in which the student is required to participate from the student's residence are supplemental in nature or do not constitute a significant portion of the total classroom-based and nonclassroom-based learning opportunities provided to the student by the school;

(2) The student's residence is equipped with a computer available for the student's use.

Sec. 3315.20. A school district may have a deficit in any special fund of the district only if both of the following conditions are satisfied:

(A) The district has a request for payment pending with the state sufficient to cover the amount of the deficit and there is a reasonable likelihood that the payment will be made.

(B) The unspent and unencumbered balance in the district's general fund is greater than the aggregate of deficit amounts in all of the district's special funds.

Sec. 3319.073. The board of education of each city and exempted village school district and the governing board of each educational service center shall develop, in consultation with public or private agencies or persons involved in child abuse prevention or intervention programs, a program of in-service training for persons employed by any school district or service center to work in an elementary school as a nurse, teacher, counselor, school psychologist, or administrator. Each person employed by any school district or service center to work in an elementary school as a nurse, teacher, counselor, school psychologist, or administrator shall complete at least four hours of in-service training in the prevention of child abuse prevention, violence, and substance abuse and the promotion of positive youth development within ~~three~~ two years of commencing employment with the district or center, and every five years thereafter. A person who is employed by any school district or service center to work in an elementary school as a nurse, teacher, counselor, school psychologist, or administrator on the effective date of this amendment shall complete at least four hours of the in-service training required by this section within two years of the effective date of this amendment and every five years thereafter.

Sec. 3329.01. Any publisher of textbooks or electronic textbooks in the United States desiring to offer such textbooks or electronic textbooks for use by pupils in the public schools of Ohio, before such textbooks or electronic textbooks may be adopted and purchased by any school board, must, on or before the first day of January of each year, file in the office of the superintendent of public instruction, a statement that the list wholesale price to school districts in Ohio will be no more than the lowest list wholesale

**State Board of Education's model policy**

(R.C. 3301.22)

To assist school districts and community schools in developing their own policies, the act requires the State Board of Education to develop a model policy to prohibit harassment, intimidation, or bullying in schools. The State Board must issue this policy within six months after the act's effective date. (See COMMENT 2.)

**Auditor of State identification of harassment policy**

(R.C. 117.53; Section 3)

Beginning one year after its effective date, the act requires the Auditor of State, when conducting an audit of a school district or community school, to identify whether the district or school has adopted an anti-harassment policy. This determination must be recorded in the audit report. The Auditor of State may not prescribe the content or operation of the policy.

**Immunity from civil liability**

(R.C. 3313.666(D), (E), and (F))

The act provides that a school employee, student, or volunteer is immune from civil liability for damages that arise from the reporting of an incident of harassment, intimidation, or bullying. A person qualifies for immunity only if the person reports the incident promptly in good faith and in compliance with the procedures specified in the district's policy. Although the act states that the requirement to adopt anti-harassment policies does not create a new cause of action or substantive legal right, it further specifies that, except for the qualified immunity provided to persons who report incidents, nothing in the act's provisions prohibits a victim of harassment, intimidation, or bullying from seeking redress for harm under statutory or common law.

**Bullying prevention initiatives**

(R.C. 3313.667 and 3314.03(A)(11)(d))

The act authorizes school districts and community schools to form bullying prevention task forces, programs, and other initiatives involving volunteers, parents, law enforcement, and community members. In addition, to the extent that state or federal funds are appropriated for these purposes, school districts and community schools are required (1) to provide training, workshops, or courses on the district's bullying policy to school employees and volunteers who have direct



contact with students, which must apply toward any state- or district-mandated continuing education requirements, and (2) to develop a process for educating students about the policy. Finally, the act states that these authorizations and requirements do not create a new cause of action or substantive legal right for any person.

**Training in abuse and violence prevention**

(R.C. 3319.073)

Continuing law requires school districts, community schools, and educational service centers to develop a program of in-service training in child abuse prevention for all of their elementary school teachers, administrators, nurses, counselors, and school psychologists. Prior to the act, these employees had to complete only four hours of the training, within three years of beginning their employment. That is, prior law required these employees to complete the training only once.

The act expands the required training to also include the prevention of violence and substance abuse and the promotion of positive youth development. It also requires new employees to complete the training within two years of starting employment, rather than three years, and every five years thereafter. Employees hired prior to the act's effective date must take the expanded training within two years of that date and every five years thereafter.

**Elimination of summer third grade reading test**

(R.C. 3301.0710, 3301.0711, and 3313.608)

A provision commonly known as the "third grade reading guarantee" aims to ensure that students are reading at grade level by the end of third grade. School districts and community schools must provide intervention services to students who are reading below grade level in first or second grade. They also must offer summer remediation to students who have not attained a *proficient* score on the third grade reading achievement test by the end of third grade. Furthermore, for students who score in the *limited* (or lowest) range on the test, each district or school must either: (1) promote the student to fourth grade if the student's principal and reading teacher agree, based upon other evaluations of the student's reading skills, that the student is academically prepared for fourth grade, (2) promote the student to fourth grade but provide intensive intervention services in that grade, or (3) retain the student in third grade.

Previously, each student had three opportunities to take the third grade reading achievement test before the district or school had to decide whether to

