



POLICY REVIEW COMMITTEE

Mike McDonough, Deputy Superintendent
Friday, March 19, 2021, 9:30 AM, via Zoom

HILLIARD CITY SCHOOL DISTRICT
OPERATIONS DEPARTMENT

Committee Members

Paul Lambert, Board of Education
Brian Perry, Board of Education
Brian Wilson, Treasurer/CFO
Mike McDonough, Deputy Superintendent
Stacie Raterman, Communications Director
Herb Higginbotham, Director of Elementary Education
Samantha Althouse, Director of Middle Level Education

Aaron Cookson, Principal Hilliard Davidson HS
Matthew Trombitas, Principal Hilliard Heritage MS
Erin Dooley, Principal Hilliard Station Sixth Grade School
Holly Meister, Principal Scioto Darby Elementary
Stephanie Borlaza, Principal Britton Elementary
Jamie Lennox, Special Education Coordinator

AGENDA

Section I – Guest/Request to Address the Policy Review Committee

- None scheduled for this meeting

Section II – Review of Policies/Regulations/Exhibits – Tabled at a Previous Policy Review Meeting

- None

Section III – Policies to Review as Requested by District Administration/Board of Education

Status

- _____ 1. BDDH (Also KD) - Public Participation at Board Meetings
 - A required policy – HCSD re-adopted May 11, 2015
 - Review per request of Board of Education

- _____ 2. DBDA – Cash Balance Reserve
 - Not a required policy – HCSD re-adopted May 11, 2015
 - Review per request of treasurer

- _____ 3. GCBC-R - Professional and Certificated Staff Fringe Benefits
 - Not a required regulation – HCSD re-approved May 11, 2015
 - Update language in last sentence from “reimbursement for the cost of one course per year” to “one course per semester”
 - This would potentially be up to three courses per year.

- _____ 4. KGB – Public Conduct on District Property
 - Not a required policy – HCSD re-adopted May 11, 2015
 - Add “harassment” to the second paragraph to better align with policy AC-Nondiscrimination. Policy AC included for informational purposes.

- _____ 5. KLD - Public Complaints About District Personnel
 - A required policy – HCSD re-adopted October 26, 2020
 - Review #2

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6. KMA - Parent/Citizen Organizations

- Not a required policy – HCSD re-adopted May 11, 2015
- Update language in Section 4.A. as indicated on draft policy to align with recent revisions to policy DM - Deposit of Public Funds (Cash Collection Points) copy included for informational purposes.

Section IV – Review of Policies/Regulations/Exhibits – OSBA February 2021 PDQ

1. PERSONNEL POLICIES AND OPERATIONS UPDATES

Several pieces of legislation passed in the lame-duck session have a direct impact on personnel policies and operations.

GA-Personnel Policies Goals

- A required policy - HCSD re-adopted November 12, 2018
- Revised to reflect changes regarding the new registration process

GCD-Professional and Certificated Staff Hiring

- A required policy - HCSD re-adopted November 12, 2018
- Revised to reflect changes regarding the new registration process

CBC-Superintendent's CEO's Contract

- Not a required policy – HCSD re-adopted May 11, 2015
- Revised to better clarify the language on the annual payout of a superintendent's accrued unused vacation leave.
(Note – HCSD policy does not contain the paragraph that was revised)

GCB-2-Professional and Certificated Staff Contracts and Compensation Plans (Administrators)

- Not a required policy – HCSD re-adopted November 12, 2018
- Updated to reflect the rescission of RC 3319.225

2. HB 123 AND SCHOOL SAFETY

House Bill (HB) 123, effective March 24, 2021, focuses on student safety and overall student wellness. There are a variety of safety-oriented directives outlined in the bill.

Student-led violence prevention clubs

IGD-Cocurricular and Extracurricular Activities

- A required policy – HCSD re-adopted May 13, 2019
- Newly enacted RC 3313.6611 permits, but does not require, districts to designate a student-led violence prevention club for each school building serving grades six-12.
- There is no new substantive policy implication as a result of this new statute. The legal reference has been added to the policy.

Emergency management plans

EBC-Emergency Management and Safety Plans

- A required policy – HCSD re-adopted May 14, 2018
- HB 123 recodifies RC 3313.536, which addresses emergency management plans, to RC 5502.262. New language transfers from the State Board of Education to the director of public safety the authority to adopt rules pertaining to comprehensive emergency management plans for schools.
- The bill also transfers the administration of the emergency management plan law from ODE to the director of public safety.

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- The bill requires that emergency management plans now include a school threat assessment plan and a protocol for threat assessment teams.
- EBC-Emergency Management and Safety Plans has been updated to reflect these new changes.

3. **TRAINING AND INSTRUCTION FOR STUDENTS**

Many bills related to education were passed recently as a part of the lame-duck session. A few of those bills included topics with instructional implications and requirements that districts should be aware of going forward.

Interactions with law enforcement

IF-Curriculum Development

- A required policy – HCSD re-adopted May 11, 2015
- Senate Bill (SB) 68, effective April 12, 2021, requires the State Board of Education, in collaboration with the director of public safety, to develop model curriculum for instruction in grades nine-12 on proper interactions with peace officers during traffic stops and other in person encounters (RC 3301.0721).
- Newly enacted RC 3313.6025 requires districts to use the model curriculum developed by the State Board and instruct students in grades nine-12 on proper interactions with peace officers. The instruction must be included in one or more courses already required for graduation. Each district may modify the instruction in the model curriculum as appropriate for the district’s community. In modifying the instruction, the district shall solicit input from local law enforcement agencies, driver training schools and the community.
- It is not clear if there is a deadline for the creation of the model curriculum or a particular beginning date for this instruction.
- A new legal reference has been added to IF-Curriculum Development.

4. **SB 89 IMPACTS JVSD OPERATIONS, BUSINESS ADVISORY COUNCIL OPTIONS AND MORE**

Senate Bill (SB) 89, effective March 2, 2021, impacts several areas districts need to be aware of.

Business advisory councils

BCFA-Business Advisory Council to the Board

- Not a required policy – HCSD re-adopted October 8, 2018
- Districts are granted additional options for meeting the statutory requirements for establishing a business advisory council under RC 3313.82.
- The revisions to RC 3313.82 provide school districts the additional option to enter into an agreement with the JVSD to use the JVSD’s business advisory committee in lieu of establishing their own committee.
- Policy BCFA-Business Advisory Council to the Board, has been revised to provide greater flexibility for districts, as many districts have entered into agreements to use an ESC’s council and now have the option to use a JVSD’s council. The changes are not required but may better meet your needs. It is recommended districts review the changes to determine if they meet a local need and move forward accordingly.

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5. **TUBERCULOSIS AND PRESCHOOLS, FOOD ALLERGIES AND EPIPENS**

Many bills recently signed into law impact school districts and the people who work in school settings.

Tuberculosis — preschool programs and child day care centers

IGCG-Preschool Program

- A required policy – HCSD re-adopted May 11, 2015
- House Bill (HB) 210, effective April 12, 2021, enacts Ohio Revised Code (RC) 3301.531, requiring each preschool program licensed by the Ohio Department of Education (ODE) and each child day care center licensed by the Ohio Department of Job and Family Services to screen prospective employees for tuberculosis.
- Policy IGCG-Preschool Program, has been updated to reflect this new legal requirement about the hiring of new employees and tuberculosis testing.

Food allergies — terminology change and training

EFH – Food Allergies

- A required policy – HCSD re-adopted May 11, 2015
- No changes necessary for HCSD policy

Terminology change

- HB 231, effective April 12, 2021, amends RC 3313.719, which addresses food allergies. Existing law requires districts to have a written policy concerning students with “peanut or other food allergies.” This bill removes “peanut or other,” leaving just food allergies.

Training

- The bill also permits district boards to create food allergy training for all staff members as well as age-appropriate instruction for students in grades K-12.
- Completed training will qualify as a professional development activity for the renewal of educator licenses in addition to activities approved by local professional development committees.

Section V – Additional Information to Review – OSBA February 2021 PDQ

1. **TEMPORARY FLEXIBILITY GRANTED THROUGH HBs 404 AND 409**

House Bills (HB) 404 and 409 extended several temporary law provisions related to school district operations during the remainder of the 2020-21 school year. HB 404 took effect Nov. 22, 2020, and the provisions of HB 409 addressed in this article took effect Jan. 7, 2021.

Electronic Board Meetings

- Many districts took action to suspend portions of policies in conflict with temporary provisions as it relates to electronic board meetings when HB 197 was passed last spring. It is recommended that boards review the resolution passed to determine if it covers the new time period of until July 1, 2021 and take necessary action if the resolution does not.
- HCSD resolution passed at May 26, 2020 Board of Education meeting expires June 30, 2021.

College Credit Plus

- Districts should be aware of the discrepancies between permanent law, current board policies and temporary flexibility granted. Districts are encouraged to review

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the Ohio Department of Higher Education CCP webpage for the most current information on CCP flexibility and ensure compliance with implementation of any revised deadlines, criteria or requirements.

Health Screenings

- HB 404 grants districts flexibility regarding mandatory health screenings of students in kindergarten or first grade as required under Ohio Revised Code (RC) 3313.673.
- Districts should be aware of conflicts between the temporary provisions and language contained in policy JHCA, Physical Examinations of Students.
- Districts should communicate the temporary HB 404 provisions to parents and students impacted by the changes and determine a plan for compliance with the screenings upon request and determine a process for completing screenings when possible.

Flexibility for the third-grade reading guarantee, state assessments

- HB 409 prohibits districts from retaining a student in the third grade due to the requirements of the third-grade reading guarantee solely on the basis of a student's academic performance in reading in the 2020-21 school year, unless the principal of the building in which a student is enrolled and the student's reading teacher agree the student is reading below grade level and is not prepared to be promoted to the fourth grade.
- Districts should consider the potential conflicts in current board policies regarding the statutory requirements for retention under the third-grade reading guarantee and ensure compliance with the temporary requirements.
- Districts also should specifically communicate to parents of third-grade students the current waiver of some of the retention requirements of the current board policy and procedures.

Superintendent of public instruction authority

- HB 409 authorizes the superintendent of public instruction to extend or waive any deadline for an action required of the State Board of Education, Ohio Department of Education (ODE) or any person or entity licensed or regulated by the State Board or ODE for the 2020-21 school year related to:
 - conducting evaluations for school personnel under RC 3319;
 - notice of intent not to reemploy school personnel under RC 3319;
 - updating teacher evaluation policies to conform with the framework for evaluation of teachers under RC 3319.112;
 - conducting school safety drills under RC 3737.73;
 - emergency management test required by RC 3313.536(E) (renumerated RC 5502.262(E) by HB 123);
 - filling a vacancy on a board of education;
 - identifying and screening gifted students under RC 3324

Additional considerations

While no direct conflicts exist with the provisions below and OSBA sample policies, districts should review locally adopted policies and how provisions are being implemented to determine if any local updates to policy or practice are necessary.

HB 404

- Prolongs the temporary extension of state agency compliance with deadlines, so agencies have until July 1, 2021, to comply with deadlines that fall between March 9,

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2020, and April 1, 2021.

- Extends, until July 1, 2021, temporary law that authorizes the director of agriculture to exempt a school or entity from regulation as a food-processing establishment for federal summer food programs.
- Waives the penalty for a retiree who becomes reemployed by certain public employers until July 1, 2021.
- Permits a community school, as of Dec. 31, 2020, to accept responsibility to provide or arrange transportation of its students for the 2020-21 school year and specifies that a community school that accepts responsibility to provide or arrange for transportation must receive state transportation funding for the entire school year.

HB 409

- Prohibits ODE from publishing and issuing ratings for overall grades, components and individual measures on state report cards and submitting preliminary data for report cards for school districts and buildings for the 2020-21 school year.
- Establishes a safe harbor from penalties and sanctions for districts and schools based on the absence of state report card grades for the 2020-21 school year.
- Specifies that the safe harbor does not affect the awarding of performance-based Educational Choice Scholarships (EdChoice) for the 2021-22 and 2022-23 school years.
- Establishes a safe harbor from penalties and sanctions for community school sponsors based on community school sponsor ratings for the 2020-21 school year in which only ratings from previous and subsequent years are considered.
- Allows a community school sponsor to remain eligible in the 2021-22 school year for any incentives that the sponsor was eligible for in 2020-21.

2. PERSONNEL POLICIES AND OPERATIONS UPDATES

Evaluations

- House Bill (HB) 404 extends and revises some of the temporary provisions granted to districts regarding evaluations during the COVID-19 pandemic through amending sections 10 and 11 of HB 164 of the 133rd General Assembly.
- School counselor evaluations required under Ohio Revised Code (RC) 3319.113 are now included in the temporary provisions and were not previously addressed in HB 164 flexibility.
- Due to the intricacies of evaluation policies related to collective bargaining agreements and administrator contracts, OSBA is not making any updates to its master policies. Rather, we encourage districts to review policies at the local level to determine what conflicts exist. As you review your local policies, closely review your local collective bargaining agreements and determine which provisions may conflict with the various temporary revisions for Ohio Teacher Evaluation System and Ohio School Counselor Evaluation System implementation and work with legal counsel where appropriate. As you also consider employment decisions based on evaluations, consult with legal counsel.

Licensure

- **Substitute Teachers**
RC 3319.226, as revised by Senate Bill (SB) 89, requires the rules adopted by the

State Board for substitute teachers to allow for a substitute career-technical teaching license holder to teach outside the license holder's certified career field for up to one semester, subject to the approval of the employing district superintendent.

SB 89 allows an individual who holds an adult education permit to be employed by any school district and not solely by the district that recommended and employed the individual at the time of initial issuance of the individual's permit.

An individual who holds an adult education permit may be assigned as a substitute teacher for grades nine-12 in the same manner as a holder of a substitute career-technical teaching license to teach courses offered by the individual's employing district.

A 12-hour or 40-hour teaching permit issued by the State Board must be renewable, and that the qualifications for a permit must include career-technical experience for individuals assigned to a career-technical class.

The State Board is required to issue a 40-hour teaching permit to an individual teaching a career-technical course in which a student may earn an industry-recognized credential at a dropout prevention and recovery community school.

HB 409, effective Jan. 7, 2021, allows a district, in accordance with its own set of educational requirements, to employ an individual who does not hold a postsecondary degree as a substitute teacher for only the 2020-21 school year, provided all other statutory criteria are met. The State Board must issue a nonrenewable temporary substitute teaching license to an individual meeting the criteria above.

- **Resident Educator and Ohio Teacher Residency Program**

HB 442 reduces the duration of the resident educator license and the Ohio Teacher Residency Program to two years.

- **Speech Pathologists, Audiologists, Registered Nurses, Physical Therapists, Occupational Therapists, Physical Therapy Assistants, Occupational Therapy Assistants and Social Workers**

HB 442 adds RC 3319.2211, prohibiting ODE, the State Board or any district board from requiring a separate pupil services license as a credential for working in the school on either a permanent, substitute or other basis for these licensed professionals. Individuals employed by a district for any of these occupations are required to apply for and receive a registration from ODE. The registration will be valid for five years, and as a condition of registration the individual is subject to a criminal record check and required to enroll in the retained applicant fingerprint database.

HB 442 also does the following:

- eliminates the pupil services substitute teacher license under RC 3319.2210;
- eliminates the temporary educator license for superintendents and other administrators, including principals under RC 3319.225, that was superseded by the alternative administrator license;
- eliminates the school nurse licensure requirements under RC 3319.221;

- exempts a career-technical teacher with an alternative resident educator license from taking any performance-based assessment instead of just one prescribed by the State Board for resident educators.

HB 404:

- prolongs the temporary extension of licensee compliance with deadlines to maintain licenses so that licensees have until July 1, 2021, to comply with deadlines that fall between March 9, 2020, and April 1, 2021;
- prolongs the temporary extension of license validity so that licenses otherwise expiring between March 9, 2020, and April 1, 2021, remain valid until July 1, 2021.

Some districts have locally customized or added language to address some of the areas above, including the resident educator requirements. Such local policy should be reviewed and updated as appropriate.

3. HB 123 AND SCHOOL SAFETY

Anonymous reporting programs and data

- HB 123, through the enactment of Ohio Revised Code (RC) 3313.6610, requires each school district and other public schools to register with the SaferOH tip line operated by the Ohio Department of Public Safety (ODPS) or enter into an agreement with another anonymous reporting program.
- This begins the first school year after the bill's effective date.

School threat assessments

Threat assessment plans

- HB 123 required ODPS, in consultation with ODE and the Ohio attorney general, to develop a model school threat assessment plan that may be incorporated into a school building's emergency management plan.

Threat assessment teams and training

- In accordance with the new RC 3313.669 and beginning no later than two years after the effective date, each district shall create a threat assessment team for each school building in the district serving grades six-12.
- Each team member is required to complete a threat assessment training program upon appointment and once every three years thereafter from the approved list of programs developed and maintained by ODPS.

4. TRAINING AND INSTRUCTION FOR STUDENTS

Suicide awareness and prevention, safety and violence prevention and social inclusion

Suicide awareness and prevention and safety and violence prevention

- House Bill (HB) 123, effective March 24, 2021, enacts Ohio Revised Code (RC) 3301.221 and requires the Ohio Department of Education (ODE), in consultation with the Ohio Department of Public Safety and Ohio Department of Mental Health and Addiction Services, to maintain and post on the ODE website a list of approved evidence-based training programs for staff training and student instruction in suicide awareness and prevention and violence prevention.

Social Inclusion

- ODE also must maintain and post on its website a list of approved training programs for instruction in social inclusion.
- Under amended RC 3313.60, beginning the first day of the school year that begins two years after the bill's effective date, districts must use an approved training program to provide at least one hour or one standard class period per school year of instruction in suicide awareness and prevention; safety training and violence prevention; and social inclusion. These instructional requirements apply to buildings serving students in grades six-12. Schools may use student assemblies, digital learning and homework to satisfy these instruction requirements.
- Upon written request of the student's parent or guardian, that student will be excused from this instruction.

5. **SB 89 IMPACTS JVSD OPERATIONS, BUSINESS ADVISORY COUNCIL OPTIONS AND MORE**

Industry-recognized credentials and technical skill assessments

- SB 89 requires the Governor's Office of Workforce Transformation, Ohio Department of Education (ODE) and the chancellor of higher education, in consultation with Ohio career technical associations, as defined in the bill, and other appropriate stakeholders, to develop model guidance for maintaining a statewide inventory of industry-recognized credentials no later than July 1, 2021.
- No changes are necessary to OSBA sample policies because of the industry-recognized credentials changes. Districts should review locally adopted policies and handbooks; continue to monitor the process for more information as it becomes available; and ensure communication of additional information to appropriate stakeholders when available.

EMIS changes

- Newly enacted RC 3301.0730 institutes a process for changes to the Education Management Information System (EMIS) guidelines issued by ODE.
- No policy changes are necessary at this time to reflect the new ODE process. Districts are encouraged to ensure EMIS coordinators are aware of the new process and submit comments when appropriate.

6. **TUBERCULOSIS AND PRESCHOOLS, FOOD ALLERGIES AND EPIPENS**

Epinephrine autoinjectors in schools

- HB 231 enacts RC 3301.135, requiring ODE to compile an annual list of organizations and companies offering free and reduced-cost epinephrine autoinjectors to school districts, community schools, STEM schools, college-preparatory boarding schools and chartered nonpublic schools.
- HB 442, effective April 12, 2021, eliminates the requirement that an individual authorized to administer epinephrine autoinjectors on behalf of a qualified entity complete an anaphylaxis training course every two years.
- Districts should review locally developed policies and practice for conflicts.

7. **HB 231 ALLOWS FOR USE OF GLUCAGON IN EMERGENCIES**

House Bill (HB) 231, effective April 12, 2021, permits public and private schools and camps to procure and deliver to its schools injectable or nasally administered glucagon without a

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license for use in emergency situations for individuals with diabetes.

- Districts are not required by law to participate in this program, but it is something to consider in fostering a safe school environment.
- If you move forward with this program, ensure the board authorizes it and the superintendent develops and implements a policy that meets the requirements of state law.
- RC 3313.7115 specifically requires the superintendent, not a designee, to develop this policy.