

## **House Bill 96- Additional K-12 Education Policy Review**

**February 21, 2025**

OEA Government Relations continued its review of House Bill (HB) 96, sponsored by House Finance Committee Chair, State Representative Brian Stewart (R-Ashville). HB 96 is the state operating budget proposal for State Fiscal Years 2026 and 2027 (July 1, 2025 – June 30, 2027). This document contains additional summaries on various policy changes contained within HB 96 related to public education. For additional information on how HB 96 impacts public education in Ohio, or other issues important to OEA's membership, please refer to the Legislative Watch released on February 7, 2024.

### **Funding**

- Districts that are required to submit a reading achievement improvement plan in the prior year now must spend at least 50 percent of their Disadvantaged Pupil Impact Aid (DPIA) on all the following initiatives:
  - Extended school day and school year.
  - Reading improvement and intervention that is aligned with the science of reading.
  - Instructional technology.
  - Professional development in the science of reading.
- Requires any other school district to spend at least 25 percent of DPIA in the current fiscal year on initiatives enumerated above.
- Requires input and feedback from community mental health services to provide meaningful feedback in the plan to utilize Student Wellness and Success Funds (SWSF).
- Requires a school district's SWSF plan to include type and cost for each initiative, the name of the community partner, the goal for each initiative, and how the impact of each initiative will be measured.
- Removes gifted professional development funds.
- Appropriates \$12 million in each year for School Safety Training Grants.

### **Resident Educator Program**

- Eliminates performance-based assessment (video) portion of resident educator program. As such, the bill also eliminates the option of a board of education to elect not to conduct an evaluation of a teacher who is doing the performance-based assessment for the first time.

- Allows the teacher evaluation system adopted under ORC 3319.111 (OTES or other) to be used to assess an individual participating in the teacher residency program.

### **Teacher Assignment**

- Authorizes the superintendent of each school district to assign teachers to positions “based on the best interests of the students enrolled in the district.” In assigning, reassigning, or transferring a teacher, whether voluntary or involuntary on the part of the teacher, the superintendent shall not use seniority or continuing contract status as the primary factor in determining the teacher's assignment.
- Stipulates that this provision of revised code prevails over any conflicting provisions of agreements between employee organizations and public employers entered on or after the effective date of this section.

### **Teacher Shortage Data Collection**

- Requires Ohio Department of Education and Workforce (DEW) to annually collect school district employment and vacancy data.

### **Assessments**

- Removes testing exemptions for students with significant cognitive disabilities. The bill states that tests are to be administered in accordance with guidelines adopted by DEW.
- Requires the DEW to adopt diagnostic assessments in grades kindergarten to three in reading and math. The diagnostic assessments for reading shall be aligned to the science of reading.

### **Student Absences**

- Defines “chronically absent” means missing at least ten percent of the minimum number of hours required in a school year.
- Requires by August 1, 2026, the board of education of each school district to adopt a policy to address student absences. Requires consultation with juvenile courts, parents/guardians/custodians and other appropriate state and local agencies.
- The policy is required to do all of the following:
  - Acknowledge that student absences from school, regardless of excused or unexcused, impact student learning.
  - Identify strategies to prevent students from being chronically absent.

- Include procedures for notifying the student’s parent/guardian/custodian when the student has been absent from school for the number of hours determined by the board, which shall not exceed five percent of the minimum number of hours.
- Establish a tiered system that provides more intensive interventions and supports for students and identify resources to help students and families address the root causes of absences.
- Provide for absence intervention teams to work with students at risk of becoming chronically absent.
- Prohibit suspending, expelling, or otherwise preventing a student from attending school based on a student’s absences.
- Requires the policy to align with any other district school improvement plan developed pursuant to state and federal law.

### **AI Model Policy**

- Requires the DEW to develop a model policy on the use of artificial intelligence in schools by the end of this year. The policy shall address the appropriate use of AI by students and staff for educational purposes. Not later than July 1, 2026, school districts shall adopt a policy on the use of AI, which may be the department’s model policy.

### **Cell Phone Policy**

- By the end of 2025, each board of education shall adopt a policy to prohibit the use of cellular phones by students during the instructional day. However, a school board policy may allow the use of cell phones for student learning or to monitor a health concern.

### **Graduation**

- Changes work-based learning experiences (250-hours) from a supporting option to a foundational option to demonstrate competency for high school graduation.
- Requires student graduation plans to identify post-graduation career goals and align high school experience to those goals.

### **Report Cards**

- Performance ratings for the early literacy component shall give a weight of fifty per cent to each measure. However, if either measure is not included in a report card of a district or building, performance ratings for the early literacy component shall be prescribed by rule of the department.

- DEW shall assign a performance rating to the college, career, workforce, and military readiness component beginning with the 2025-2026 school year

### **Instruction**

- Requires schools to offer advanced learning opportunities in math to students who score advanced on math assessments. Parents may opt students out of such courses and districts that do not offer advanced math courses at the appropriate grade level are exempt from this requirement.
- Modifies the requirements for mental health instruction for grades 6-12 to be annually developmentally appropriate instruction that includes information on positive mental health, stigma reduction, the signs and symptoms of depression, suicide, and self-harm, and how to seek help for self and peers.
- Modifies existing requirements for grades 6-12 to expand them to kindergarten-12 on prevention practice or program to improve health and wellness outcomes including healthy decision making, interpersonal skills and increasing resiliency.
- Requires the school board to notify a student's parent/guardian on the instruction. Allows parents/guardians to review instructional materials and to excuse the student via written request from the instruction.

### **School Bus Driver Training**

- Beginning July 1, 2026, requires school bus drivers to complete six hours of in-service training annually. DEW shall develop a curriculum for the in-service training and shall approve providers of that curriculum.

### **Principal Apprenticeship Program**

- Requires DEW to establish a principal apprenticeship program. The principal apprenticeship program shall be open to licensed educators who are employed as a teacher in a public or chartered nonpublic school in this state and to professionals working in fields other than education. In selecting candidates for the program, the DEW may give preference to applicants who have multiple years of classroom teaching experience. The state board of education shall issue an individual a professional administrator license for grades pre-kindergarten through twelve upon certification from DEW that the individual has successfully completed the principal apprenticeship program.

### **Dropout Prevention Charter Schools**

- Creates a new definition of "dropout prevention and recovery community school" to mean a charter school that enrolls only students who are at least fourteen years of

age and not older than twenty-one years of age and who, at the time of their initial enrollment, are at least one grade level behind their cohort age groups or experience crises that significantly interfere with their academic progress such that they are prevented from continuing their traditional educational programs. The prior definition stated that a majority of the students are enrolled in a dropout prevention and recovery program operated by the school.

### **Charter Schools**

- Defines a charter school as “high performing” if:
  - The charter school has a higher performance index score than the school district in which the school is located on the two most recent report cards.
  - The charter school has a performance rating of four stars or higher for progress on the most recent report card.
  - If the community school serves only grades kindergarten through three, the school received performance rating of four stars or higher for early literacy on the most recent report card.
  - If the charter school has not commenced operations or has been in operation for less than one school year, the school shall meet the following conditions:
    - The charter school is replicating an operational and instructional model used by a charter school already defined as “high performing.”
    - The school either:
      - Has an operator that received an overall rating of three stars or higher, or a "C" or higher, on its most recent performance report.
      - Does not have an operator and is sponsored by a sponsor that was rated "exemplary" or "effective" on its most recent evaluation.
- Charter Funding “Equity” Supplement:
  - Provides an equity supplement equal to \$650 for each student enrolled in brick-and-mortar charter schools.
- Quality Community School Support Program:
  - DEW shall pay each charter school established designated as a “charter school of quality” (under ORC 3317.28) an amount up to \$3,000 in each fiscal year for each student identified as economically disadvantaged and up to \$2,250 in each fiscal year for each student that is not identified as economically disadvantaged.

- The payment for a fiscal year shall be calculated using the adjusted full-time equivalent number of students enrolled in the school for that fiscal year as of the date the payment is made. The bill establishes seven different sets of eligibility criteria for identifying a “charter school of quality.”

### **STEM Schools**

- Establishes the quality independent STEM school support program under which DEW shall pay each STEM school designated as an “independent STEM school of quality” under this section an amount up to \$3,000 in each fiscal year for each student identified as economically disadvantaged and up to \$2,250 in each fiscal year for each student that is not identified as economically disadvantaged. The payment for a fiscal year shall be calculated using the adjusted full-time equivalent number of students enrolled in the school.

### **Other**

- Requires reporting in the education management information system (EMIS) related to number of educators trained in the science of reading as well as the core curriculum and instructional materials used for mathematics.
- Creates a grant program under the Department of Public Safety to provide driver training in schools. Schools are eligible to receive the grant to develop its own driver training course or contract with a third party to provide a driver training course.
- Makes changes to the statutory process for selling unused school district buildings.
- Continues to allow schools to establish a youth-led programming in grades 6-12 based on “relational connections and youth empowerment models.” Programming should include information on promoting help-seeking behaviors and encourage students to individually assess strengths in their lives.
- Revises current law to require a local school board to develop its own curriculum in consultation with public or private agencies involved in child sexual abuse prevention to fulfill the required in-service training.
- Creates the Kids Internet and Data Safety Commission within the Ohio Department of Commerce charged with identifying current risks of harm to children and teens with online platforms and recommending ways to mitigate that potential harm.