Sunshine Law Changes 2023

We asked attorneys at Porter Wright to review the Ohio Auditor of State Bulletin Community School Compliance with Public Records and Open Meeting Laws, relevant sections of the Ohio Revised Code, and the Auditor’s StaRS best practices recommendations. Porter Wright has provided the guidance below to assist community schools sponsored by Fordham in order to: (1) comply with the new training requirement, and (2) work towards achieving a higher StaRS rating for each school.

1. The school must identify and keep a current list of all board members, officers, and employees who must receive annual Certified Public Records Training. R.C. 3314.037 requires the following persons to receive annual Certified Public Records Training:
   a. The members of the governing authority of a community school,
   b. The designated fiscal officer of the school,
   c. The chief administrative officer and other administrative employees of the school, and
   d. All individuals performing supervisory or administrative services for the school under a contract with the operator of the school.

2. Whenever a new board member is elected, the school should require that board member to receive Certified Public Records Training within the first four months of being elected. (See StaRS Best Practices)

3. Whenever a new employee or officer of the school is hired, a determination must be made as soon as possible regarding whether such person must receive Certified Public Records Training.
   a. The school should stipulate that newly hired employees and officers of the school that are required to receive such training complete the training within the first four months of employment. (See StaRS Best Practices)

4. The school must ensure that the training attended by board members, employees, and officers of the school is certified by the Ohio Attorney General.
   a. Certified Public Records Training schedules are available online at the Attorney General’s Office. The trainings are offered in Columbus and throughout Ohio, and are always open to members of the general public.
   b. Schools wishing to arrange for a training in their area may contact the Public Records Unit by email to secure further information on the scheduling processes.
   c. There are also Certified Public Records Trainings available online at any time.

5. The school must ensure that each board member, officer, and employee required to receive Certified Public Records Training actually completes such training on an annual basis.
   a. Attendance records are posted online at Sunshine Laws Training Attendance Reports and can be used to verify completion.
   b. The school should keep records to ensure compliance.

6. The school should work to implement the Best Practices recommended under the Sunshine Law Star Rating System (StaRS).
   a. The school’s rating can be monitored online.
Continuity of Services

Local Education Authorities (LEAs) receiving federal funds through the American Rescue Plan (ARP) are required to review – no less frequently than every six months for the duration of the ARP ESSER grant period (through September 30, 2023) – and revise their plans as appropriate. Required elements are here.

Substitute Licenses

HB 583, which would extend the current non-bachelor’s degree sub license for another two years, has passed in the House and is currently in the Senate. Our office will keep an eye on this and keep you updated.

Panorama Surveys

Student surveys are to be completed by the end of the school year. Participation rates for grades 3-12 determines your school’s rating in the alternative framework.

Other Resources

- Upcoming funding opportunities from NCSRC
- Charter Schools Program (CSP) Grant opened May 2. There are two funding streams available: implementation and expansion.
- How to Make High-Impact Tutoring Work for Students and Schools, TNTP Editorial Staff

Trainings and Events

- EMIS Focused Training: Graduation Reporting – May 17 and 20
- The 2022 Ohio Teacher Leadership Summit – June 8
- National Charter School Conference information here – June 19-22
- Stronger Together: Children’s Mental Health and Resiliency Virtual Conference – June 28-29
- 2022 Ohio School Safety Summit in Columbus – August 2-4

EMIS:

Framework Materials

A new set of documents has been posted on the EMIS website. These documents are meant to provide an understanding of how EMIS works, the range of district data included in EMIS data, and the variety of district personnel who work with EMIS data. These materials do not provide reporting guidance, instead they are meant to provide an understanding of the EMIS framework. Links to this new EMIS Framework webpage can be found on the EMIS homepage and the EMIS Manual page.

Calendar Updates

Schools and districts must ensure they are meeting minimum hour calendar requirements.

Please review, verify, and, where appropriate, update the calendar information submitted in EMIS. For details regarding the minimum hours, please review this guidance.
Compliance and Epicenter Requirements

- Annual Fire Inspection – 5/9/2022
- Copy of Enrollment Package - 5/14/2022
- Personal Information System - 5/14/2022
- Annual Report Standards for Food and Beverage Sales – 5/16/2022
- Advanced Standing Programs for College Credit - 5/16/2022
- Fiscal Officer Contract - 5/17/2022
- 5-year Forecast - 5/22/2022
- Physical Education Data - 5/23/2022
- Compliance Questionnaire - 5/24/2022
- Monthly Enrollment Verification - 5/24/2022
- Governing Authority Annual Disclosure - 5/26/2022
- Diabetes and Medical Dispensation – 5/30/2022
- LPDC Meeting Schedule – 5/30/2022
- PBIS and Restraint or Seclusion Policy – 5/30/2022
- Public Record Training – 5/30/2022
- Spring Assessment Data – 5/30/2022
- Board Minutes (Health and Safety Review) – 5/31/2022
- Employee Reporting and Investigation – 5/31/2022
- Fire and Safety Drill Log – 5/31/2022
- Final Approved Board Minutes – 5/31/2022
- Truancy Documentation – 6/6/2022
- Semi-Annual Health and Safety Inspection – 6/7/2022
- High School Compliance Requirements – 6/12/2022

Compliance refresher:

Sunshine Law Training

The Thomas B. Fordham Foundation Sunshine Law Training--produced by Porter, Wright, Morris and Arthur (PWMA)–meets the annual training requirements for community school governing authority members and administrators as required in ORC 3314.037, explained on page one. This training must be completed annually and we document this once each school year. The training log for the 2022 school trainings is due in Epicenter May 31.

A new advanced sunshine law training can be found here, as requested by several governing authority members and boards, meant for members who have already viewed the full training video. We recommend that new governing authority members/others view the full training video, here. The 2022 school year legislative update is here.