

practitioner who prescribed it) to students. Beginning July 1, 2011, the act allows only employees of the school board who are licensed health professionals, or who have completed a drug administration training program conducted by a licensed health professional and considered appropriate by the board, to administer prescription drugs to students in school districts.

The act retains the authority of school boards to outright prohibit *any* employee, including licensed health professionals from administering any prescription drugs to students, or to prohibit administration of drugs that require certain procedures, such as injection.

### **School Health and Safety Network; periodic review of school safety policies**

(Repealed R.C. 117.102, 3313.473, 3314.15, 3701.93, 3701.931, 3701.932, 3701.933, 3701.934, 3701.935, and 3701.936; R.C. 3707.26, 3313.86, 3314.03, 3326.11, and 4736.01)

The act repeals the laws establishing School Health and Safety Network and the corresponding provisions of law described below. Further, the act requires school districts, community schools, STEM schools, and chartered nonpublic schools to periodically review their policies and procedures to ensure the safety of students, employees, and other persons using a school building from any known hazards in the building or on building grounds that, in the judgment of the board or governing authority pose an immediate risk to health or safety. The board or governing authority must also further ensure that its policies and procedures comply with all federal laws and regulations regarding health and safety applicable to school buildings.

The act requires boards of health to inspect the sanitary condition of schools semiannually rather than annually, as in prior law. However, the act repeals the authorization for boards of health to close a school for an imminent public health threat other than an epidemic or a high prevalence of communicable disease. The act also repeals the requirement that the Director of Health adopt rules establishing minimum standards for school sanitary inspections.

#### **Background--the repealed law**

The repealed law required the Director of Health to establish the School Health and Safety Network, under which local boards of health were required to inspect each public and chartered nonpublic school building and building grounds within their jurisdictions at least once annually to identify conditions dangerous to public health and safety. Inspectors were required to use forms, templates, and checklists developed or approved by the Director of Health. Further, the law required the Director to adopt



rules establishing minimum standards and procedures for Network inspections and sanitary inspections.

Reports of the inspection findings had to be reported to officials responsible for the school and the Auditor of the State and include recommendations. A school had to develop a plan for abatement of conditions that are determined to be hazardous to occupants. The Director had to develop information specifying dangerous conditions and products and distribute the information on a quarterly basis via electronic mail and the Department of Health's web site.

The Auditor of State had to review all submitted reports of each Network inspection of a public school building and grounds.

Also, the law dictated that the practice of environmental science by registered sanitarians included the administration and enforcement of rules adopted by the Director for Network inspections and sanitary inspections of schools and school buildings.

### **School policies on food allergies**

(R.C. 3313.719, 3314.03, and 3326.11)

The act requires all school districts, community schools, and STEM schools to establish a written policy with respect to protecting students with peanut or other food allergies. In developing the policy, schools must consult with parents, school nurses and other school employees, school volunteers, students, and community members.

### **Criminal records checks of school employees**

(R.C. 109.57, 109.572(B)(2), 3319.291, 3319.391, and 3327.10; Sections 812.10 and 812.50)

#### **Background**

Under law largely retained by the act, all employees of school districts, educational service centers (ESCs), community schools, STEM schools, and chartered nonpublic schools are subject to periodic criminal records checks conducted by the Bureau of Criminal Identification and Investigation (BCII). Each records check must include records of the Federal Bureau of Investigation (FBI).<sup>187</sup> School employees must undergo criminal records checks as follows:

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<sup>187</sup> The only exception is that adult education instructors who do not have unsupervised access to children are not required to have an FBI check prior to employment if they have been Ohio residents for the five-year period prior to the date the records check is requested (R.C. 3319.39(A)(1), not in the act).

