

Hamilton County LAW LIBRARY NEWS

Professional legal information, services, and education

February 2016

House Bill 2's Changes to Community School Law Effective Feb. 1 By Susan B. Greenberger of Bricker & Eckler. Reprinted with permission.

When House Bill 2 (H.B. 2) goes into effect on February 1, it will fundamentally alter the legal landscape relative to community schools in Ohio. In this Community School Alert, we highlight a few of the many consequential provisions likely to be of interest to **school district sponsors and their community schools**.

Given the quantity and significance of the changes in law, these entities would be wise to familiarize themselves with the bill's provisions and plan their responses **now**. Some may find the new mandates sufficiently costly and/or limiting to warrant reconsideration of the sustainability of the school. For specific guidance regarding the provisions identified below or other H.B. 2 provisions, sponsors and schools are encouraged to consult with their legal counsel.

Limitations on sponsor's sale of goods or services to school

(R.C. 3314.46)

In prior [Alerts](#) related to earlier versions of H.B. 2, we called attention to the prohibition against sales of goods or services by sponsors (and those associated with sponsors) to sponsored community schools. In the final bill, the prohibition was tempered for school district sponsors, which are allowed to sell goods and services to their sponsored schools with an important limitation: the sale must be "at no profit" to the sponsor. Because, however, the bill excepts contracts entered into before the bill's effective date, **it is possible to forestall the "at no profit" limitation by entering into or extending sponsor/school contracts for sale of goods or services now, in advance of H.B. 2's February 1 effective date.**

Ownership of property; lease of facilities

(R.C. 3314.0210; 3314.032(B))

At least some sponsor school

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Hamilton County Law Library

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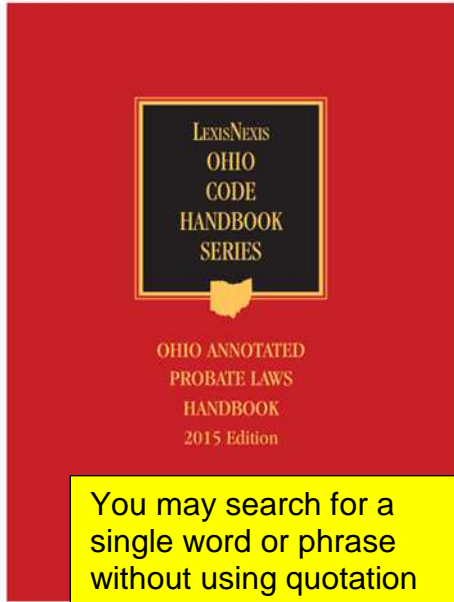
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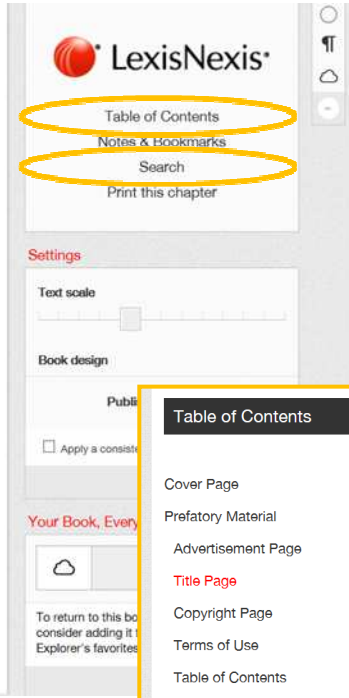
Tech Tip: Lexis Digital Searching within an Ebook

by: Julie Koehne, Assistant Law Librarian, Systems

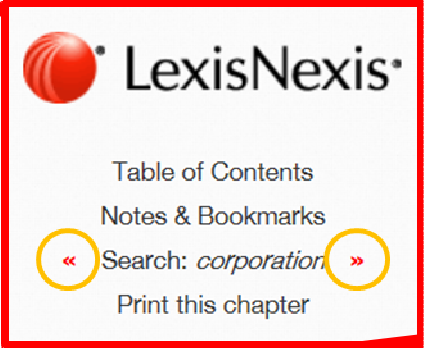
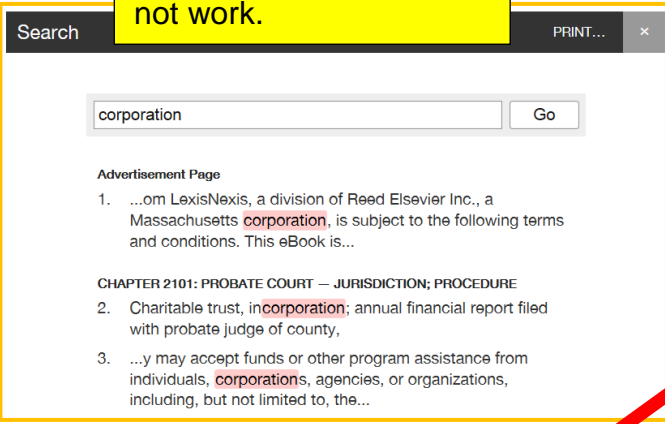
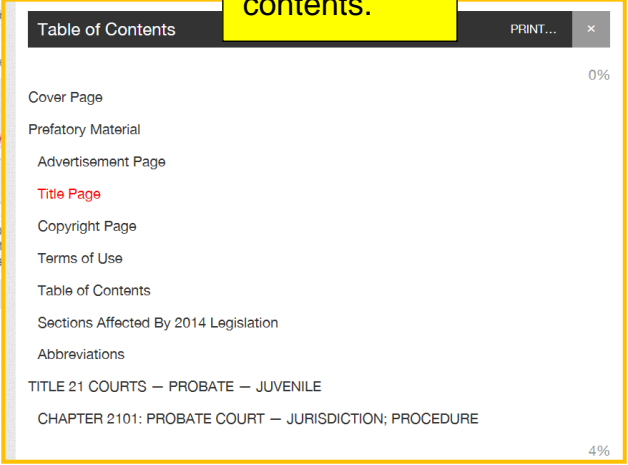
In our October 2015 issue, I discussed “How to Borrow an Ebook from the Law Library.” Now I would like to provide some quick tips on how to search within the book you have borrowed.



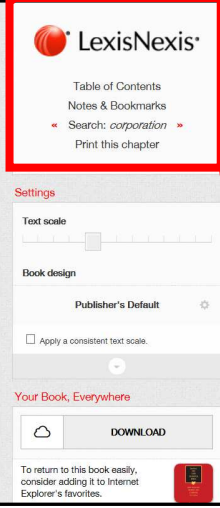
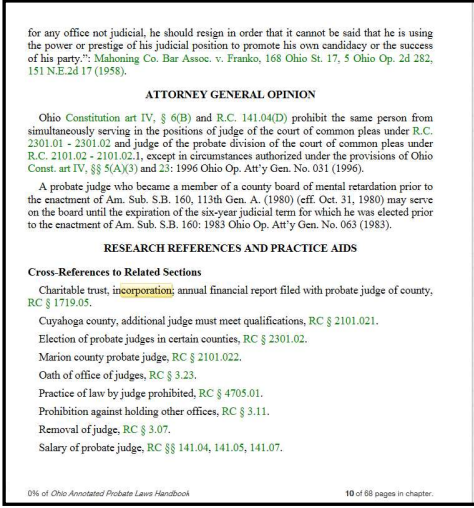
You may search for a single word or phrase without using quotation marks. Connectors such as, “AND” and “OR” will not work.



You may browse using the table of contents.



To navigate to the next search term, click on the double arrows next to the search.



Upcoming CLE

Free to subscribers; \$50 for non-subscribers
Registration is required.

To register, call 513.946.5300, email
reference@cms.hamilton-co.org, or
register via the website

[http://lawlibrary.hamiltoncountyohio.gov/
classes/cle/](http://lawlibrary.hamiltoncountyohio.gov/classes/cle/)

Sixty Apps in Sixty Minutes: Mobile Apps for Productivity and Research

Wednesday, February 24

Noon-1pm

Speaker: Mary Jenkins

With millions of applications available for Android and iOS mobile devices and no time to assess them, which ones are worth downloading? We will take a look at sixty free and low cost apps, focusing on those apps that make good sense for practice management, legal research and news, and productivity, all geared to keep you efficient and informed on the go between your office, home, and the courtroom.

Approved for 1.0 hour of general CLE credit in Ohio. Kentucky credit is pending.

Note: this program was previously offered for the Cincinnati Lawyers Club on August 20, 2015.

WestlawNext Advanced Searching

Wednesday, March 23

Noon-1pm

Speaker: Susan Reale

1.0 hour of general CLE in Ohio

Volunteers For CLE Presentations

We are seeking volunteers who would be willing to give a CLE presentation here at the Law Library. Here are some of the topics subscribers have requested:

- Firearms Law
- Criminal Law
- Ethics/Professionalism
- Tax
- FOIA Request
- Ohio Civil Practice

If you are willing to present on these, or any topic, please contact [Laura Dixon-Caldwell](#).

Notary Public Service

As a service to its users and the public, the Hamilton County Law Library provides notary services, with some limitations. We will administer oaths, notarize affidavits, take and certify acknowledgments of deeds, mortgages, liens, and powers of attorney, and other instruments of writing. We will not take depositions or receive, make, or record notarial protests. We will not notarize blank pieces of paper or documents with blank spaces. We cannot take the time to sit in meetings with attorneys and clients for document review. The fee for service is \$1.00 per signature, cash only, for taking and certifying signatures on an affidavit and for acknowledging all instruments in writing. Notary public service is available during library hours when either Mary or Lauren is available.

(Continued from page 1)

districts may be considered "operators" of their community schools. H.B. 2 provides that when an operator buys personal property (e.g., classroom furniture, computers, software, office equipment, etc.) for use in the school using state funds paid to the operator by the school, **the property is owned by the school**. This may differ from the way some school district sponsors and their community schools currently allocate such property. The bill also provides that an operator cannot lease real property to the school until an independent real estate professional verifies that the lease is "commercially reasonable."

ODE approval/revocation of sponsorship authority

(R.C. 3314.015; R.C. 3314.016)

With limited exceptions, beginning July 1, 2017 even existing school district (and Educational Service Center) sponsors **must be approved by and enter into written agreements with the Ohio Department of Education (ODE)** before renewing a sponsorship contract with an existing school or entering into a preliminary agreement or sponsorship contract with a new one. ODE may suspend or revoke the sponsorship authority of such sponsors in circumstances described in the bill, and any sponsor – whether or not required to obtain ODE's approval and enter into a written agreement with ODE – may lose its sponsorship authority if it fails to achieve specified annual sponsor ratings.

Community School Board Members and Others

(R.C. 3314.02(E); R.C. 3314.032; R.C. 3314.037)

H.B. 2 establishes many new requirements applicable to community school board members and others. For example, board members must file annual **disclosure state-**

ments identifying relatives or business associates employed by entities associated with the school during the previous three years; board members, and anyone engaged in "financial day-to-day management" of the school, must undergo **background checks**; sponsors must annually verify that there are **no findings for recovery** against board members, the operator, or any employee of the school; board members, fiscal officers, chief administrative officers, other administrative employees, and "all individuals performing supervisory or administrative services for the school under a contract with the operator of the school" must receive annual **Sunshine Law training**.

Fiscal officer to be employed or engaged by school

(R.C. 3314.011)

H.B. 2 requires the school's fiscal officer to be **employed by, or engaged under a contract with**, the school's governing authority. There is an exception for schools and sponsors that adopt a resolution waiving the requirement. The resolution must be submitted to ODE and re-adopted by the school and sponsor annually.

Annual sponsor expenditure report

(R.C. 3314.025)

In addition to current reporting requirements H.B. 2 requires sponsors to report to ODE and the school's governing board, by August 15 of each year, "the amount and type of expenditures made to provide monitoring, oversight, and technical assistance" to the school, including employee compensation, purchased services, materials and supplies, equipment and furniture, facilities, and such other types of expenditures as required by ODE to be reported.

Roll-Up of Performance Data to Sponsor District

(R.C. 3302.03(l)(1)(b))

A sponsor district that is exempt from the roll-

up of the school's performance data (because most of the school's students are enrolled in a drop-out prevention/recovery program) will now have attached as an addendum to the district's own report card the ratings and performance measures by which the community school is evaluated.

Funding and assessment of DOPR schools

(H.B. 2, Section 5(A))

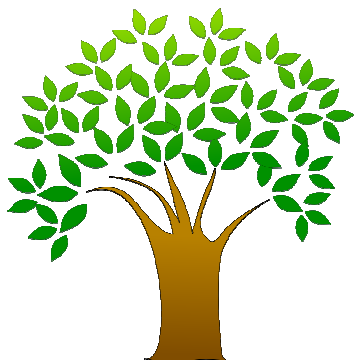
A committee is created by H.B. 2 that is to report to the General Assembly regarding (a) the definition of "quality" for purposes of certain drop-out prevention and recovery (DOPR) community schools, and (b) "the efficacy of a **completion or competency-based funding structure**" for such schools.

For more information, contact [Susan B. Greenberger](#).

Go Green and Get the News First!

Are you currently receiving the HCLL newsletter in print? Would you prefer it in digital format? HCLL subscribers who opt for the online version receive it before the print copy is mailed, plus the links for email and websites are active. We send out a summary via email each month with a link to the full text.

To switch from print to online, just email [our reference staff](#) with a request to switch formats.



2016 Subscriber Renewals

Most of our subscribers have renewed for 2016, planning to take good advantage of the Law Library's legal information, services, and education in the year ahead. We mailed second notices recently so it's time to remind some of you that we revoke subscriber privileges on March 1 for anyone who hasn't paid by February 29. We hate to do that! We know you value the research support, CLEs, coffee, and everything else that is bundled into the annual fee, but we have to cut off the service at some point. If you need more information or a replacement invoice, please contact [Mary](#) or [Vanessa](#).

Lockers Available at the Library

The Hamilton County Law Library has a limited number of lockers available for use by current law library subscribers and county employees on an annual and monthly basis. The non-refundable fee is \$20.00 for one year or \$2.00 for one month. Use of one of our convenient lockers is contingent upon agreement to a few reasonable terms. Contact [Vanessa](#) for a locker use agreement form.

HeinOnline Training and Help

HeinOnline, an excellent source of law reviews and other legal periodicals, federal legislative history, session laws, and state statutes, improved its search interface last year. If you don't use it often or if that change is confusing to you, here's a [five minute introduction](#) to HeinOnline searching basics.

Subscriber Benefits

All subscribers have access to the following valuable resources and services:

Circulation privileges to borrow from over 40,000 print volumes for up to six weeks at a time

Access to extensive electronic databases from the Law Library, including LexisNexis, Shepards', Westlaw, IntelliConnect, Hein Online Law Journals and Federal Register, and over 70 Aspen /LOISLaw treatises in 16 substantive areas

Wireless network throughout the Law Library

Polycom videoconferencing

Five meeting rooms with speaker phones

Professional reference service by our law librarians, available via e-mail, telephone, and in person

Free document delivery by fax or e-mail of print and electronic materials

Inexpensive CLE seminars throughout the year, on legal research and substantive Topics.

You and the Legal System: Landlord Tenant Law

Attorney Tom Hodges is our next speaker in the *You and the Legal System* series for the public. Mr. Hodges will discuss Landlord Tenant Issues on Friday, February 19 at noon in the Law Library.

The program is free to the public. To register, call 513.946.5300 or register via our website at <http://lawlibrary.hamiltoncountyohio.gov/classes/you-and-the-legal-system/>

Please note that this is not a CLE event; it is intended for the general public. However, attorneys are welcome to attend and may want to pass along the program announcement to clients, staff and community organizations. If you would like more information, please contact [Laura Dixon-Caldwell](#).

You and the Legal System is brought to you as a public service by the Hamilton County Law Library, in conjunction with the Cincinnati Bar Association's Lawyer Referral Service. Save the date for the next event in the *You and the Legal System* series. Arthur J. Southard will be presenting on Bankruptcy/ Debtor's Rights on March 18.



Landlord Tenant Resources

Law Library subscribers have access to a variety of resources on Landlord Tenant Law. If you have questions about accessing these resources, contact the reference staff at reference@cms.hamilton-co.org or 513.946.5300

American law of landlord and tenant
KF589 .S34 2013

Anderson's Ohio real estate law handbook
KFO112.Z9 O45

Baldwin's Ohio landlord tenant law
KFO117 .W45 2014

Baldwin's Ohio real estate law
KFO112 .H38 2013

Baldwin's Ohio real estate laws annotated
KFO112 .H38

Commercial leases
KFO117.3 .C65 2011

Every landlord's legal guide
KF590.Z9 S74 2010

Every tenant's legal guide
KF590.Z9 P67 2009

First-time landlord : your guide to renting out a single-family home
HD1394.5.U6 P67 2009

Friedman on leases
KF590 .F74 2014

Landlord-tenant law from A to Z [in Ohio]

KFO117 .L35 2010

Landlord and tenant law in a nutshell
KF590.Z9 H45 2011

Leases & rental agreements
KF590.Z9 S744 2009

Ohio eviction and landlord tenant law
KFO117 .I85 2012

Ohio real property law and practice
KFO112 .M35 2006-

Renters' rights : the basics
KF590.Z9 P673 2009

Online Resources-Remote Access*

Fastcase

Real Estate Law Library:

Commercial Real Estate Law Handbook

Commercial Real Estate Leases

State-by-State Guide to Commercial Real Estate Leases

EBSCO

Every Landlord's Guide to Finding Great Tenants

Every Landlord's Property Protection Guide

Every Landlord's Tax Deduction Guide

Leases & Rental Agreements

Secrets to a Successful Eviction for Landlords & Rental Property Managers

Research Guides

http://libguides.hamilton-co.org/landlord_tenant

*Remote access is available to subscribers who are solos or firm attorneys whose entire firm has a subscription to the Law Library.

Upcoming Events:

February 19: You and the Legal System: Landlord Tenant Law

February 24: Sixty Apps in Sixty Minutes: Mobile Apps for Productivity and Research

March 18: You and the Legal System: Bankruptcy/Debtor's Rights

March 23: WestlawNext CLE

Law Library Holidays:

The Law Library will be closed on Monday, February 15 in observance of Presidents' Day.



February 2016 Law Library Newsletter

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ADDRESS CORRECTION REQUESTED

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