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# Betty Montgomery Auditor of State

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## **Bulletin 2006-005**

**Date Issued:** May 31, 2006

**TO:** Local Boards of Health (County and City)  
General and Combined Health Districts  
MRDD Boards  
School District Superintendents and Treasurers  
JVSD Superintendents and Treasurers  
ESC Superintendents and Treasurers  
Community School Finance Officers

**FROM:** Betty Montgomery  
Ohio Auditor of State

**SUBJECT:** Jarod's Law/School Health Inspections (Sections 3701.93, 3701.931, 3701.932, R.C.)

Recently enacted House Bill 203, known as "Jarod's Law," requires local boards of health to annually inspect all school buildings and associated grounds to identify conditions dangerous to public health and safety. The findings from these inspections are to be reported to a number of entities, including the Auditor of State's Office (AOS). The purpose of this Bulletin is to briefly explain the requirements of the bill, as well as the means by which boards of health should submit their reports to the AOS.

### **Reporting Requirements (Sections 3701.93, 3701.931, 3701.932, R.C.)**

House Bill 203 was enacted following the tragic death of six-year-old Jarod Bennett after a mobile folding cafeteria table fell on him in his elementary school. Upon investigation, it was discovered that the type of table which ultimately killed Jarod had been identified by the federal Consumer Product Safety Commission as being dangerous and potentially life threatening, but awareness of the risks from the tables had not risen to a level that would initiate their removal from many school buildings.

Under the new law, each board of health is required to inspect each public and non-public school building and associated grounds, pursuant to guidelines established by the Ohio Director of Health. The purpose of the inspection is to identify conditions dangerous to the public health or safety. The findings from each inspection are to be reported to the following entities:

- The principal or chief administrator of the building;
- The administrator responsible for facility operations and maintenance;
- The superintendent and board of education of a school district;
- The educational service center or board of mental retardation and developmental disabilities, for a school operated by one of those entities; and
- The Auditor of State.

### **Method of Reporting**

Pursuant to the requirements described above, the AOS has established mechanisms to receive the reports from local boards of health. For those boards that would like to submit their reports electronically, which is the method preferred by the AOS, we have established a dedicated e-mail address to receive the reports: [JarodsLaw@auditor.state.oh.us](mailto:JarodsLaw@auditor.state.oh.us). **Please include the following information in the file name:** school district, building, county, and year.

**Example:** “HilliardCSD\_BrownES\_Franklin\_2006.”

If hard copies must be sent, please include a cover sheet with the name of the school district, the individual building, the county, and the year. Reports should be addressed in the following manner:

Ohio Auditor of State  
Attn: Clerk of the Bureau  
88 E. Broad Street, P.O. Box 1140  
Columbus, OH 43216-1140

Although the law does not require the Auditor of State to take any action with regard to these reports, R.C. § 117.102 does authorize the AOS to include references to recommendations from these reports in the audit reports of a school district or other entity covered by these requirements. Consequently, when received, the reports will be maintained by the audit regions responsible for the audits of those entities.

Please note that the reporting requirement described in R.C. § 3701.932 does not distinguish between public and non-public schools. However, because the AOS is not responsible for auditing non-public schools – and the provisions of R.C. § 117.102 described above apply only to public schools, no action will be taken with regard to reports of non-public schools and they should not be submitted to the AOS. For the purposes of this requirement, the term “public schools” is defined in R.C. § 3701.93 and encompasses schools (including preschools) operated by school districts, educational service centers, or boards of mental retardation and developmental disabilities, as well as community schools.

Questions regarding the reporting requirements described in this Bulletin should be addressed to the Clerk of the Bureau of the Auditor of State’s Office at 1-800-282-0370.

A handwritten signature in black ink that reads "Betty Montgomery". The signature is written in a cursive, flowing style.

Betty Montgomery  
Ohio Auditor of State