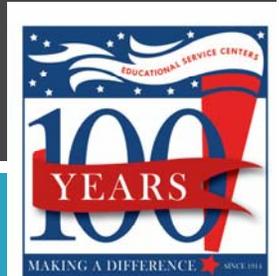




WHAT EVERY SCHOOL LEADER SHOULD KNOW...

12/15/2014

OESCA Advocacy Workshop



Presenter

- ***Craig Burford***, Executive Director
 - Previous Experience: LSC Intern; Senate Staff; Director of Communications & Government Relations Ohio, SchoolNet Commission

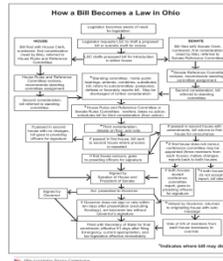


Presentation Overview

1. Setting the Context



2. How a Bill Becomes a Law (Really)



3. Implementation: The Rule Making Process & Why it Matters



4. The State & Federal Budget Processes



5. Effective Advocacy



6. Informational Tools & Resources



Agenda

- **9:30:** **Welcome & Overview**
- **9:45:** **The State Legislative Process**
- **11:00:** **Break**
- **11:10:** **The State Budget Process**
- **12:30:** **Lunch**
- **1:00:** **Federal Budget and Policy**
- **2:00:** **Effective Advocacy**
- **3:00:** **Tools You Can Use**
- **3:30:** **Adjourn**

Outcomes

- **Recognition of the political context in Ohio**
- **Enhanced understanding of state legislative and budget processes**
- **Understanding of the intersection of federal and state policy**
- **Knowledge of effective advocacy tools**

SETTING THE CONTEXT



Setting the Context: The 131st General Assembly

- Ohio Legislature is a Part-time, bi-cameral legislature
- General Assemblies meet on a 2-year session schedule
- The legislative calendar is similar to the school calendar



Setting the Context:

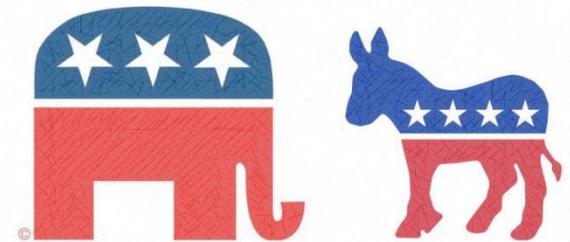
The 131st General Assembly *(Cont.)*

- ▣ Ohio House Terms are 2-year Terms
- ▣ Ohio Senate Terms are 4-year Terms
- ▣ Ohio has legislative term limits – 8 Consecutive years in each Chamber

Setting the Context:

The 131st General Assembly (Jan 2015 – Dec 2016)

- Republicans Control All Branches of State Government
- Ohio's Congressional Delegation has a majority of Republicans (12-4)
- Ohio has 1 Republican and 1 Democrat U.S. Senator
- Obama won Ohio 50-48%

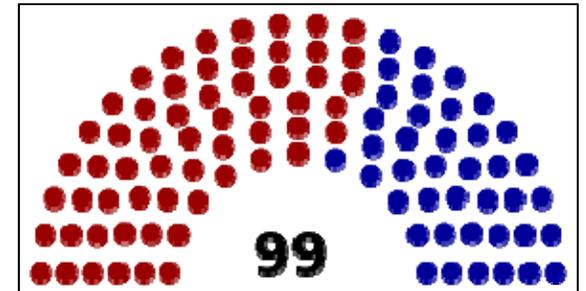


Setting the Context:

The 131st General Assembly (Cont.)

Ohio House

- 29 of 99 Members are New
 - 26 new and 3 returning former legislators
- Republicans Control the Ohio House 65-34(was 60-39)



Setting the Context:

The 131st General Assembly (Cont.)

House Leadership

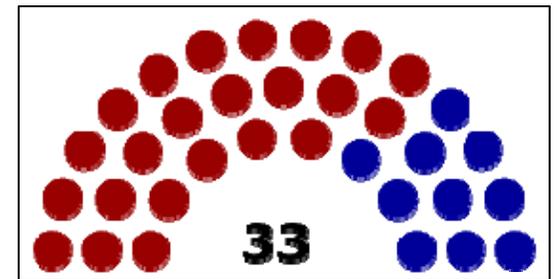
- Majority
 - Speaker *Cliff Rosenberger*
 - Speaker Pro Tempore *Ron Amstutz*
 - Majority Floor Leader *Barbara Sears*
 - Assistant Majority Floor Leader *John Buchy*
 - Majority Whip *Mike Dovilla*
 - Assistant Majority Whip *Dorothy Liggett Pelanda*
- Minority
 - Minority Leader *Fred Strahorn*
 - Assistant Minority Leader *Nicholas J. Celebrezze*
 - Minority Whip *Kevin Boyce*
 - Assistant Minority Whip *Nickie Antonio*

Setting the Context:

The 131st General Assembly *(Cont.)*

Ohio Senate

- Some Continuity/Stability
- 4 of 33 Members are “New”
 - Representatives now Senators Yuko, Williams and Hottinger
 - Only 7 term-limited (2016)
 - Republicans Control the Ohio Senate 23-10



Setting the Context:

The 131st General Assembly *(Cont.)*

Senate Leadership

- ▣ Majority
 - Senate President Keith Faber
 - Senate President Pro Tempore Chris Widener
 - Senate Majority Floor Leader Tom Patton
 - Senate Majority Whip Larry Obhof
- ▣ Minority
 - Minority Leader Joe Shiavoni
 - Assistant Minority Leader Charleta Tavares
 - Minority Whip Edna Brown
 - Assistant Minority Whip Lou Gentile

Setting the Context: Ed Policy

The 131st General Assembly *(Cont.)*

What to Expect On Education Policy Front in 2013

Education Governance

- ▣ ODE
- ▣ Ohio Board of Regents

Education Funding

- ▣ Primary & Secondary Education
- ▣ Higher Education

Accountability

- ▣ Waivers

Early Childhood

- ▣ Preschool Expansion

Innovation

- ▣ Straight A Fund Continuation

Rural Schools

- ▣ School Improvement
- ▣ Access to HQ Educational Opportunities

Choice

- ▣ Accountability

Student Learning

- ▣ Third Grade Reading Guarantee
- ▣ Blended Learning

Curriculum & Assessments

- ▣ New Assessments

HOW A BILL BECOMES A LAW



Enacting Legislation: How a Bill Becomes a Law

- ▣ How Government Works in Ohio - Speaker Husted, 2008



Jon A. Husted, Secretary of
State, Former Speaker of the
House

Enacting Legislation

- Two Major Categories:
 - Resolutions
 - Bills
 - Two types of bills:
 - “standard” non-appropriation bills
 - Appropriation bills

Enacting Legislation

How Many Budget Bills are There?

Historically there are:

- ▣ Main State Operating Budget
- ▣ Bureau of Workers' Compensation
- ▣ Ohio Industrial Commission
- ▣ Transportation & Public Safety
- ▣ Capital Appropriations
- ▣ Capital Re-appropriations

6 Different
Appropriations
bills

Enacting Legislation

How Many Budget Bills are Today?:

- ▣ Mid Budget Review MBR

~~6~~ 7 Different
Appropriations
bills

Enacting Legislation

- ▣ Resolutions
 - Joint
 - Concurrent
 - Simple

Enacting Legislation

▣ Joint Resolutions

- Used to ratify amendments to U.S. constitution, calls for federal constitutional convention, or when required by custom or statute (e.g., amendments to Ohio Constitution).
- Requires approval of both Houses
- Must be filed with Secretary of State.

Enacting Legislation

▣ Concurrent Resolutions

- Used to memorialize Congress as to positions of General Assembly
- Used to invalidate an agency rule
- Determine joint procedural actions such as adjournment
- Or for commendations of groups or individuals
- Require approval by both Houses
- Not required to file with Secretary of State

Enacting Legislation

▣ Simple Resolutions

- Relate to organization of the chamber in which they are offered (i.e., organization, appointments, officers)
- Commendations from a single chamber

Enacting Legislation: How A Bill Becomes a Law

- ▣ Idea
- ▣ Bill
- ▣ Act
- ▣ Law

4 Key steps to Enactment

How a Bill Becomes a Law: Idea

- Anyone can come up with the idea for legislation
- Bills are drafted by the Non-Partisan Ohio Legislative Service Commission (LSC)
- LSC provides legislative research and analysis services for members of the Ohio General Assembly

How a Bill Becomes a Law: Sponsorship/Co-sponsorship

- ▣ “Lead Legislator” is the bill sponsor
- ▣ Draft bills are often circulated for co-sponsorship prior to introduction

How a Bill Becomes a Law: Three Considerations

- ▣ The Ohio Constitution requires that each bill receive consideration on at least 3 separate days by each House before enactment.
 - This can be suspended if 2/3 of the House in which the bill is being acted upon vote to suspend.

How a Bill Becomes a Law: Three Considerations *(Cont.)*

- ▣ First Consideration

- Introduction and number assignment of the bill on the floor of either chamber by the Clerk of that chamber.

How a Bill Becomes a Law: Three Considerations *(Cont.)*

▣ Second Consideration

- House or Senate Rules & References reports back to Clerk of the respective chamber with recommendations (or reference) for assignment to a standing committee.
 - This report is considered 2nd consideration.

How a Bill Becomes a Law: Three Considerations *(Cont.)*

- ▣ Third Consideration
 - Final Floor Action in Either Chamber of the Ohio General Assembly Constitutes Third Consideration
 - Committee Action Precedes this and is explored in the following slides...

Committee Action: House Standing Committees

- ▣ Agriculture and Natural Resources
- ▣ Commerce and Labor
- ▣ Economic and Small Business Development
- ▣ Education
- ▣ Finance and Appropriations
- ▣ State Government & Elections
- ▣ Transportation, Public Safety, & Homeland Security

- ▣ Financial Institutions, Housing and Urban Development
- ▣ Health and Aging
- ▣ Insurance
- ▣ Judiciary and Ethics
- ▣ Local Government
- ▣ Public Utilities
- ▣ Rules and Reference
- ▣ Veterans Affairs
- ▣ Ways and Means

Committee Action: Senate Standing Committees

- ▣ Rules
- ▣ Reference
- ▣ Ways and Means
- ▣ Agriculture
- ▣ Civil Justice
- ▣ Commerce & Labor
- ▣ Criminal Justice
- ▣ Education
- ▣ Energy & Natural Resources
- ▣ Finance (and 3 subcommittees)

- ▣ Insurance & Financial Institutions
- ▣ Medicaid, Health & Human Services
- ▣ Public Safety, Local Government & Veterans Affairs
- ▣ Public Utilities
- ▣ State Government Oversight & Reform
- ▣ Transportation
- ▣ Workforce & Economic Development

How a Bill Becomes a Law:

Committee Action

- Appointment to Committees
 - Members make committee requests
 - Speaker of the House, Senate President in both Chambers make appointments to committees
 - Minority Leaders make recommendations on membership and ranking minority members of committees
- Minority members on standing committees usually reflects the proportion the minority bears to the total membership

How a Bill Becomes a Law:

Committee Action *(Cont.)*

- Committee assignments are generally made based on member seniority, subject matter interest and expertise.
- Speaker, Minority Leader and Speaker Pro Tempore are ex-officio, non-voting members of all committee.
- The Senate President may be substituted as a voting member of any standing committee
- The Senate Minority leader is an ex officio non-voting member of every committee but may also be substitute voting member upon request.

How a Bill Becomes a Law: Committee Action *(Cont.)*

- Standing Committees of the Ohio General Assembly
 - Hold public hearing, amend, combine or substitute bills
 - May refer issues to subcommittee
 - May postpone, defeat or favorably report a bill
 - May discharge a bill from further consideration

How a Bill Becomes a Law: Committee Action *(Cont.)*

- Standing Committees of the Ohio General Assembly
 - Offer Sponsor, Proponent, Opponent & Interested Party Testimony During Public Hearings
 - House Rules require 5-day public notice of hearings
 - Senate Rules require the notice be posted in the Clerk's office 2 days prior to a hearing
 - Rules of both Chambers prevent members from voting on a bill unless they are present at the committee hearing in which the bill was acted upon.

How a Bill Becomes a Law:

Committee Action *(Cont.)*

- If bill is amended, substituted, et cetera the bill number will be changed accordingly. For example:
 - House Bill 1
 - Am. H.B.1
 - Sub. H.B. 1
 - Am. Sub. H.B. 1

How a Bill Becomes a Law:

Committee Action (*Cont.*)

- If a vote is taken and the bill passes favorably, the legislation is reported back to Clerk (as a committee report) and assigned to the Rules/Reference Committee for possible floor action.

How a Bill Becomes a Law:

Third Consideration

- Rules & Reference Committee Schedule Bills for Floor Debate and Vote
- Bills are placed on Session Calendar
- A Quorum is required to hold a session of the Ohio House or Senate
- The House Speaker and the Senate President are the Presiding Officers

How a Bill Becomes a Law:

Third Consideration *(Cont.)*

- Rules of Parliamentary Procedure govern the action on the House and Senate floors.
- Upon Third Consideration (Floor Action) bills may be amended, laid upon the table, referred back to committee, postponed, approved, defeated, re-considered or acted on in several ways as specified in the rules of each chamber.

How a Bill Becomes a Law:

Action in the Second Chamber

- ▣ The process is repeated in the Second Chamber.
- ▣ If the Second Chamber makes no changes the bill is passed, enacted and enrolled, a final printed copy is signed by the Senate President and Speaker of the House. At this point the bill becomes an act and is presented to the Governor for signature or veto.

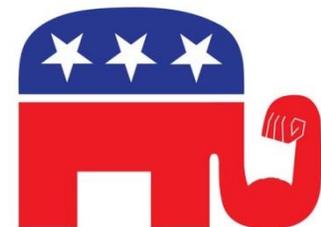
How a Bill Becomes a Law:

Action in the Second Chamber *(Cont.)*

- However, if the bill is amended, it must then go back to the originating Chamber with two possible outcomes:
 1. Concurrence; or
 2. Conference Committee

How a Bill Becomes a Law: Required Votes

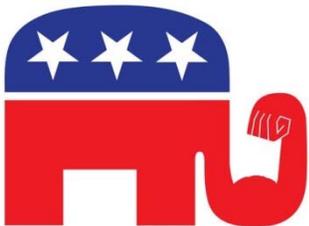
Type	Minimum Number of Votes Required	
	<u>Senate</u>	<u>House</u>
Majority (Simple Majority)	17	50
3/5 Majority	20	60
2/3 Majority	22	66



How a Bill Becomes a Law: Required Votes *(Cont.)*

Examples of Measures that require different majorities in order to prevail

Measure	Type of Majority
Quorum	Simple Majority
Bill (without an emergency clause)	Simple Majority
Emergency Clause	2/3 Majority
Overriding Governor's Veto (except for bills needing 2/3 majority for passage)	3/5 Majority
Joint resolutions proposing amendments to the Ohio Constitution	3/5 Majority



How a Bill Becomes a Law: The Role of the Governor

- The Ohio Constitution requires each act passed by the General Assembly be presented to the Governor before it becomes law.
 - Governor signs act where upon it becomes law and files with the Secretary of State
 - If Governor fails to sign or fails to veto within 10 days (excluding Sunday) it becomes law
 - Or the Governor may disapprove any act of the General Assembly or any items in any act including appropriation.

How a Bill Becomes a Law:

Overriding a Veto

- Upon veto of an Act or part of an Appropriation Act, the Governor must return it to the originating chamber along with written objections
- That chamber must publish objections in the chamber's journal and may reconsider the act
- It takes a 3/5 majority of both chambers to override a veto – originating chamber votes first
 - Exception – if a 2/3 super majority was required for initial passage a similar margin is required to override a veto

How a Bill Becomes a Law: Effective Dates of Legislation

- The Ohio Constitution requires 90 days to elapse before a law goes into effect in order to permit any possible referendum petition to be circulated and filed by the electorate.
- The Constitution also states that laws providing for appropriations, tax levies and emergency laws necessary for “the immediate preservation of the state’s health, peace or safety” are effective immediately.

How to Read a Bill

Elements of a Bill

- ▣ Title
- ▣ Style Clause
- ▣ Amending or Enacting Clause
- ▣ Body
- ▣ Repeal Clause (if necessary)

How to Read a Bill *(Cont.)*

Technical Rules to Remember

1. Language added to an existing section of law is underlined
2. Proposed new codified law is underlined
3. Proposed uncodified law appears at the end of a bill and is not underlined
4. With few exceptions letters are not capitalized in codified law unless they are the first letter in a sentence or the first letter of a proper noun
5. Language, numbers and punctuation to be deleted from existing law are stricken-through (e.g., ~~delete~~)
6. An existing section of law being amended requires repeal of the section as it existed prior to amendment and re-enactment of the section with the amending language. Sections being repealed totally and not amended are not printed in the bill but rather a statement that the section is being repealed appears in the title and repeal clause.
7. Numerical references to money or population are spelled out in codified sections; however, dates and tables of numbers are in numerical form

How to Read a Bill *(Cont.)*

Technical Rules to Remember

- ▣ Uncodified law in the appropriations section of any budget bill is considered “temporary law”.
 - Temporary law in an appropriations bill is only effective for the 2-year biennium for which the budget was passed.

How to Read a Bill (Cont.)

<i>Elements of a Bill</i>	
	As Introduced
	129th General Assembly Regular Session 2011 - 2012
	S. B. No. 100
	SENATOR OHIO
	A BILL
<i>TITLE</i>	To amend section 5748.06 and to repeal section 5748.07 of the Revised Code to increase the credit senior citizens may take against school district income taxes.
<i>STYLE CLAUSE</i>	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:
<i>AMENDING OR ENACTING CLAUSE</i>	Section 1. That section 5748.06 of the Revised Code be amended to read as follows:
<i>BODY</i>	Sec. 5748.06. For a taxpayer sixty-five years of age or older during the taxable year, a credit shall be permitted against the tax otherwise due under this chapter for such year equal to fifty <u>sixty</u> dollars for each return required to be filed under section 5748.08 of the Revised Code for taxes levied under this chapter. The credit allowed under this section shall not exceed the tax otherwise due.
<i>REPEAL CLAUSE</i>	Section 2. That existing section 5748.06 and section 5748.07 of the Revised Code are hereby repealed.

sec. 29 09 . 02

 | | | |

 (1) (2) (3) (4)

(1) = **Title number.** The 3rd or the 3rd and 4th digits to the left of the decimal point. If there is only one digit to the left of the decimal point, the reference is to the General Provisions, an unnumbered title.

(2) = **Chapter number.** The 1st and 2nd digits to the left of the decimal point.

(3) = **Section number.** The 1st and 2nd digits to the right of the decimal point.

(4) = **Supplemental section number.** One or more additional digits to the right of the section number.

<i>Titles of the Ohio Revised Code</i>	
	General Provisions
1	State Government
3	Counties
5	Townships
7	Municipal Corporations
9	Agriculture-Animals-Fences
11	Financial Institutions
13	Commercial Transactions-Uniform Commercial Code
15	Conservation of Natural Resources
17	Corporations-Partnerships
19	Courts-Municipal-Mayor's County
21	Courts-Probate-Juvenile
23	Courts-Common Pleas
25	Courts-Appellate
27	Courts-General Provisions-Special Remedies
29	Crimes-Procedure
31	Domestic Relations-Children
33	Education-Libraries
35	Elections
37	Health-Safety-Morals
39	Insurance
41	Labor and Industry
43	Liquor
45	Motor Vehicles-Aeronautics-Watercraft
47	Occupations-Professions
49	Public Utilities
51	Public Welfare
53	Real Property
55	Roads-Highways-Bridges
57	Taxation
58	Trusts
59	Veterans-Military Affairs
61	Water Supply-Sanitation-Ditches
63	Workforce Development

How to Read a Bill *(Cont.)*



Simple but IMPORTANT Rule to Remember:

Pay Attention to the version of the bill you are reviewing

(e.g., “As Introduced”, “As Passed by Senate ____ Committee”, et cetera)

How a bill (really) becomes a law

By Lee Lambert and Charles DeWitt

With the 126th session of the Ohio legislature only a week old, it's the perfect time to explain some fundamentals for new state senators and representatives, and for those needing a refresher course. Here's how the game is played: You be the bill. Take turns flipping an Ohio bicentennial quarter. Heads: Advance 1 space. Tails: Advance 2 spaces. The first player to become a law wins.

In textbooks

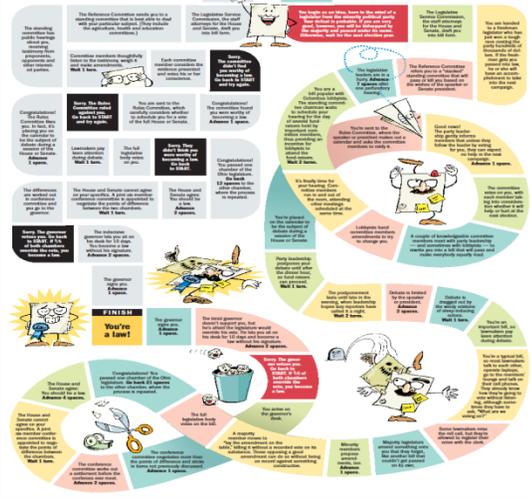
There are two ways to play the game. In the textbook — for teachers — you use a real bill. In the real world — for students — you use a real bill.

START

START

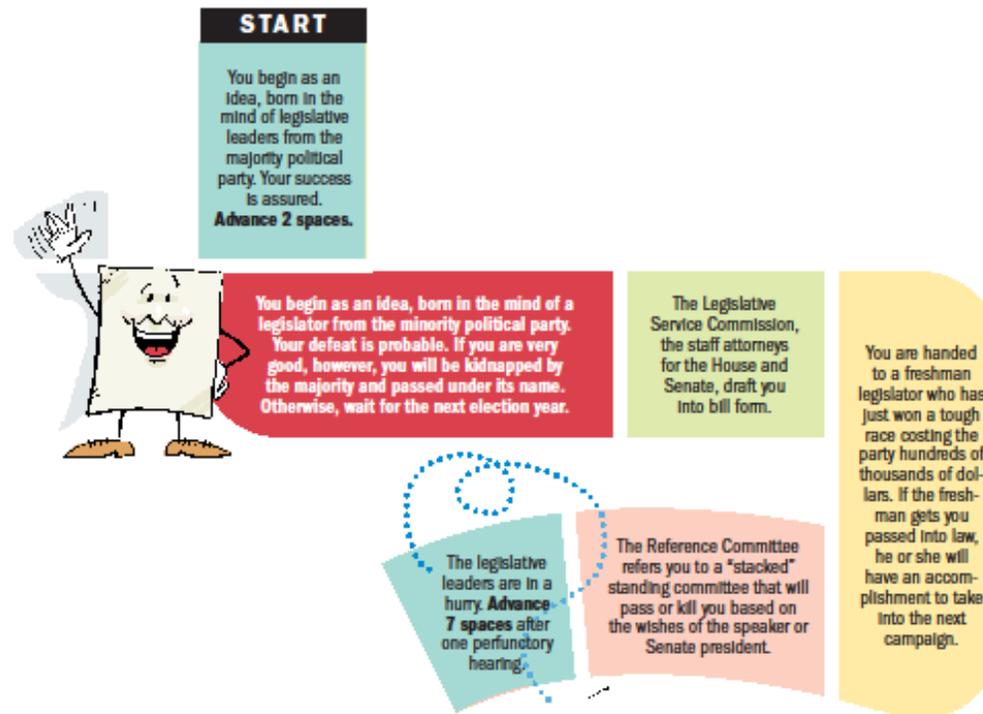
In the Real World

There are two ways to play the game. In the textbook — for teachers — you use a real bill. In the real world — for students — you use a real bill.



HOW A BILL REALLY BECOMES A LAW

How a Bill Really Becomes a Law



Creator/Author: Lee Leonard
Source: Columbus Dispatch
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How a Bill Really Becomes a Law

- ▣ So where do ideas for legislation come from?
 - Government Agencies
 - Business Organizations
 - Lobbyists and Special Interest Groups
 - Campaign Contributors
 - National Policy Organizations (ALEC)
 - State Government Associations (NGA, CSG, NCSL, NASBO)

How a Bill Really Becomes a Law

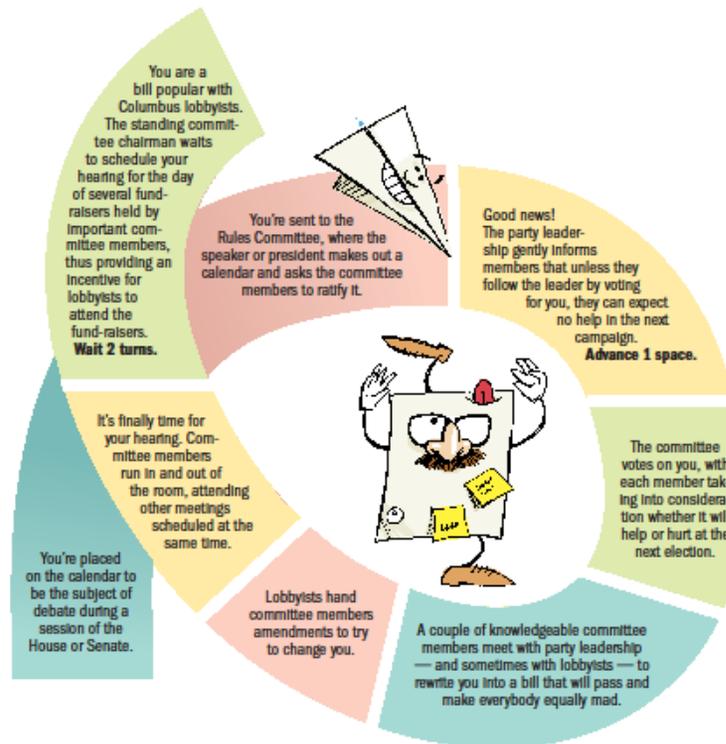


- ▣ Legislation can be a “political tool”
 - Bills of significance can be given to freshman legislators or those in difficult districts. A political win can be carried into the next election.

How a Bill Really Becomes a Law

- ▣ Any idea can be drafted into bill format, but....
... not every bill gets introduced or referred to committee
- ▣ And, not every bill voted out of committee is guaranteed a floor vote.

How a Bill Really Becomes a Law



Creator/Author: Lee Leonard
Source: Columbus Dispatch
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How a Bill Really Becomes a Law

- ▣ There are many people and issues competing for legislators' time and attention
 - Committee members may check in but leave and attend other meetings or hearings scheduled at the same time
 - Members must first check in before being able to vote on a measure – committee chairs can keep the roll open

How a Bill Really Becomes a Law

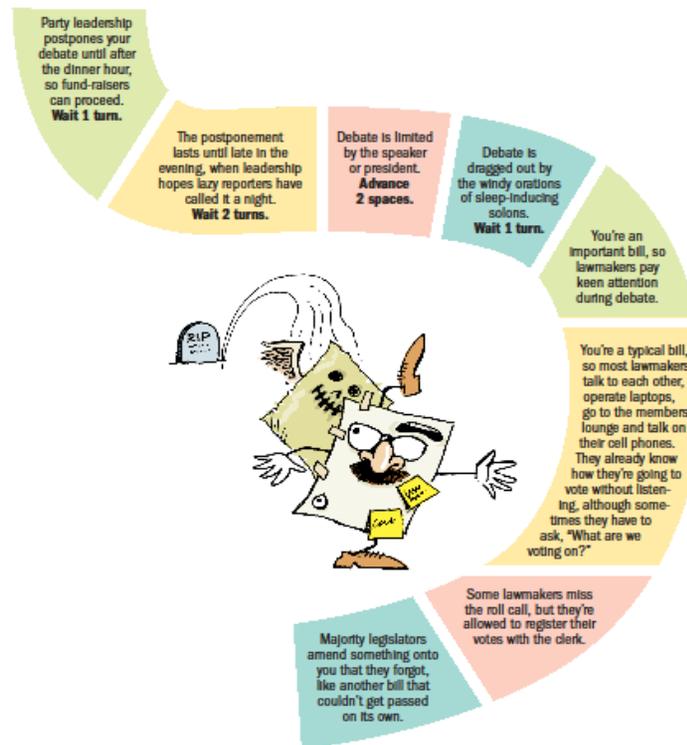
- ▣ The Role of your professional associations is important
- ▣ Building ongoing relationships with legislators and legislative staff is important
 - Make relationships when you don't need them so they are there when you do

How a Bill Really Becomes a Law



- Good Policy Makes for Good Politics, but..... You must appeal to their own self-interest

How a Bill Really Becomes a Law



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How a Bill Really Becomes a Law

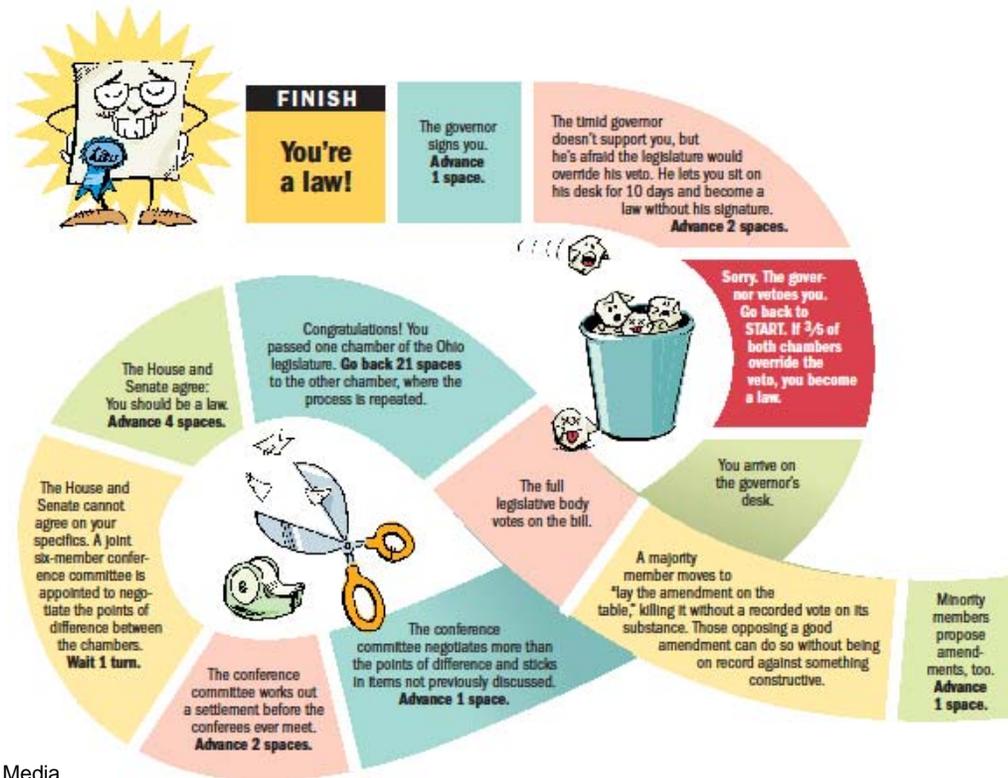
▣ Remember Majority Rules

- Majority Caucus leadership controls which bills are referred to which committees and whether bills make it to the floor
- Committee Chairs control committee schedules, testimony and votes
- Committee membership being proportional to the make up of each chamber requires, in most cases, majority party support

How a Bill Really Becomes a Law

- ▣ Other Issues or Terms to Know:
 - Single Subject Rules
 - Omnibus Amendments
 - “Christmas Tree” bills

How a Bill Really Becomes a Law



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How a Bill Really Becomes a Law

- ▣ The Only Constant is Change
 - Bills will likely be amended at every stage of the process
 - Amendments come from affected parties, the legislative service commission and others
 - Pay attention to words like “may” and “shall”
 - Little words can have big consequences

How a Bill Really Becomes a Law

- ▣ Bills may pass on the merits but political considerations are always important
 - If a bill you care about is of marginal consequence but can be the vehicle for something majority party leadership cares about it can enhance your chances of passage

How a Bill Really Becomes a Law

- ▣ Referenda have become the newest form of “legislation”
- ▣ Referenda can be citizen initiated or initiated by the General Assembly
 - Often viewed as a way to put an idea, particularly a more controversial idea, in the hands of voters

What are the Chances?

What are a bill's chances of being enacted into law?

- The 129th General Assembly (All Bills):
 - 1,106 total bills introduced
 - 200 passed and enacted into law – 19.6%
- Education Only
 - 79 Education-focused bills were introduced
 - 13 were enacted – 16.6%*

IMPLEMENTATION

The Rule Making Process

Implementation:

The Rule Making Process

- Administrative Rule Making
 - When the subject of a statute is technically complex, the General Assembly often creates or authorizes an administrative agency to implement the statute – Rule Making is an important tool to empower agencies to implement statute.

Implementation:

The Rule Making Process *(Cont.)*

- Why is Understanding Administrative Rules and the Rule Making Process Important?
 - Administration Rule has the same power as law
 - An Administrative Rule is law only after its adopting agency has put it through a statutorily prescribed rule-making procedure.

Implementation:

The Rule Making Process (*Cont.*)

- ▣ Rule-making Procedure – 2 Major Approaches:
 - **“119 Rules”** pursuant to Chapter 119 of the Revised Code.
 - **“111 Rules”** or **“Abbreviated Rules”** pursuant to Section 111.15 of the Revised Code

Implementation:

The Rule Making Process (*Cont.*)

- ▣ **“119 Rules”** require an agency to give public notice of its intention to adopt a rule and then holds a public hearing or hearings on the rule
- ▣ **“111 Rules”** do not require public notice nor public hearings

Implementation:

The Rule Making Process *(Cont.)*

5 Primary Steps in “119 Rules” Procedure

1. Agency gives 30 day public notice prior to initial scheduled hearing
2. 65 days before adoption, the agency files notice, proposed rule, and a rule summary and fiscal analysis of the proposed rule with the Secretary of State and LSC
3. Agency holds a public hearing on the proposed rule no earlier than the 31st day nor later than the 40th day after filing with SOS and LSC
4. 66 days after filing the proposed rule, and if time for legislative invalidation has expired, the agency may adopt the proposed rule
5. Agencies must make a reasonable effort to inform those affected by the rule of its adoption and be able to distribute the rules upon request.

Implementation:

The Rule Making Process *(Cont.)*

□ Emergency Rules

- The Governor, at the request of an agency, can suspend the normal rule making process upon determining an emergency exists
- Emergency rules take effect immediately but only remain in effect for 90 days unless they are readopted through the normal rule making process
 - Emergency 111 rules do not require a Governor's authorization

Implementation:

The Rule Making Process *(Cont.)*

- ▣ Rule Making Process Guides
 - Agencies that adopt 119 rules publish rule-making process guides to assist members of the public to participate in the agency's rule making

Implementation:

The Rule Making Process *(Cont.)*

- ▣ Rule Summary and Fiscal Analysis (RSFA)
 - An RSFA accompanies certain rule filings and explains the rule and its expected effects.

Implementation:

The Rule Making Process *(Cont.)*

- ▣ Rule Review

- Different Types of Review:

- JCARR (Joint Committee on Agency Rule Review); and
 - LSC

Implementation:

The Rule Making Process *(Cont.)*

■ JCARR

- JCARR is responsible for reviewing proposed rules
- JCARR does not have the authority to invalidate rules – this authority rests only with the General Assembly
- JCARR can recommend invalidation of a rule

Implementation:

The Rule Making Process *(Cont.)*

▣ Invalidation of a Rule

■ A rule can be invalidated by the GA if:

1. It is not accompanied by a complete and accurate RSFA
2. It improperly incorporates a text or other material reference
3. It conflicts with another rule
4. It exceeds the scope of the statute authorizing its adoption
5. It conflicts with legislative intent of authorizing statute

Implementation:

The Rule Making Process *(Cont.)*

- ▣ Cyclical Review

- A rule subject to review must be reviewed at intervals not to exceed 5 years to determine if the rule requires amendment or rescission

Implementation:

The Rule Making Process *(Cont.)*

Common Sense Initiative

- The Common Sense Initiative (CSI) was established by Executive Order 2011-01K and placed within the Office of the Lieutenant Governor.
- Under the CSI Initiative, state agencies should balance the critical objectives of all regulations with the costs of compliance by the regulated parties.
- Agencies should promote transparency, consistency, predictability, and flexibility in regulatory activities. Agencies should also prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

Implementation:

The Rule Making Process *(Cont.)*

Other Review

- LSC

- The Legislative Service Commission reviews rules to ensure they have been prepared in compliance with technical drafting requirements.

- Department of Aging

- Rules that primary affect person 60 years of age or older are subject to review and comment by the Ohio Department of Aging

Implementation:

The Rule Making Process *(Cont.)*

Public Oversight

- All meetings and hearings that are part of the rule making process are subject to Ohio's "sunshine" or open meeting laws

Implementation:

The Rule Making Process *(Cont.)*

- Administrative rules, written statements of law adopted by an administrative agency pursuant to authority granted by the General Assembly to carry out the policies and intent of a statute enacted by the General Assembly, are codified in the [Ohio Administrative Code](#) once they are adopted. For proposed rules, search the [Register of Ohio](#).
 - “internal management rules” – those that govern an agencies day-to-day staff and operations – are also published in the Register of Ohio.

THE STATE BUDGET PROCESS

“Every Action Has an Equal & Opposite Reaction”

The State Budget Process

- **Newton's laws of motion** are three physical laws that form the basis for classical mechanics. They describe the relationship between the forces acting on a body and its motion due to those forces. THEY ALSO DESCRIBE THE STATE BUDGETING PROCESS
 - An object in motion continues in motion with the same speed and in the same direction unless acted upon by an unbalanced force.
 - Acceleration is produced when a force acts on a mass. The greater the mass (*of the object being accelerated*) the greater the amount of force needed (*to accelerate the object*).
 - For every action there is an equal and opposite re-action.

The State Budget Process

How Many Budget Bills are There?

Historically there are:

- ▣ Main State Operating Budget
- ▣ Bureau of Workers' Compensation
- ▣ Ohio Industrial Commission
- ▣ Transportation & Public Safety
- ▣ Capital Appropriations[^] Mid Budget Review (MBR)
- ▣ Capital Re-appropriations

6 Different
Appropriations
bills

Legal Foundations of the Budget

- ❑ Only the Ohio General Assembly has appropriation authority.
- ❑ A biennial capital bill for public improvement projects is submitted during the 2nd year of a biennium.
- ❑ The Governor has line item veto authority to disapprove “any item or items in any bill making an appropriation of money” under Article II, Section 15 of the Ohio Constitution.
- ❑ The state is obligated to maintain a balanced budget by the operation of two provisions of the Ohio Constitution: *Article VIII, Section 3* and *Article XII, Section 4*

Legal Foundations of the Budget



- Appropriations for the current expenses of state government and laws providing for tax levies go into immediate effect and are not subject to the referendum.
- One General Assembly cannot bind the appropriation actions of a future General Assembly through the enactment of a law, because the future General Assembly has the power to amend or repeal that law.

The State Budget Process

Functions of the State Budgets

- ❑ A Means of Controlling Expenditures
- ❑ A Way of Planning the Use of Resources
- ❑ A Document to Express Public Policy
- ❑ A Public Information and Public Relations Tool
- ❑ The Means of Allocating Resources

The State Budget Process



**The Budget Funds the Primary
Functions of State Government. We...**

Educate. Medicate.

Incarcerate.

Types of Budgeting

- **Line Item Budgeting** – The Foundation for Ohio Budgeting
- **Performance Budgeting**
 - Program Planning and Budgeting
 - Zero-Based Budgeting
 - Target-Based Budgeting
 - Management by Budgeting
 - Results-Based Budgeting
- **“Blended Budgeting”** – Ohio’s Budgeting Process, though based on the line-item approach incorporates aspects of Performance Budgeting

5 Phases of Budget Development

1. Issuance of Budget Guidelines (including Gov's priorities)
2. Evaluation of agency budget requests
3. Submission to the governor of central budget office recommendations
4. Public release of the governor's executive budget
5. Legislative review of the executive budget request

Budget Calendar

Strategic Planning	Government Agencies Establish Their Mission & Performance Goals
June-July (year prior to Budget Bill intro)	OBM distributes budget guidelines to agencies including assumptions for budget development and budget request forms.
September-October	State Agencies Finalize and Approve Agency Budget Priorities.
October-November	Agencies submit budget requests (and caseload projections as appropriate) to OBM. Budget submissions are reviewed for technical accuracy and additional data is sought from agencies as necessary.
December-January	OBM prepares revenue estimates for the upcoming biennium. Recommendations are made to the governor on funding priorities

Budget Calendar *(cont.)*

Strategic Planning	Government Agencies Establish Their Mission & Performance Goals
January-February (first year of GA)	A new General Assembly is seated in odd-numbered years. Governor release executive budget or “Blue Book”. LSC prepares the budget bill for introduction based on the Governor’s recommendations.
February-March	Budget bill is introduced and referred to House Finance & Appropriations committee. OBM and LSC conduct independent analysis. Subcommittees of the House Finance committee review the bill and recommend changes.
March-April	Full House Committee acts on subcommittee recommendations and amends the appropriations bill. LSC drafts both permanent and temporary law amendments. House passes the amended bill and

Budget Calendar *(cont.)*

Strategic Planning	Government Agencies Establish Their Mission & Performance Goals
June	<p>The Senate passes the bill with changes, and it is sent to a Conference Committee of the House and Senate. OBM and LSC provide updated revenue forecasts and caseload projects. LSC produces budget analyses comparing the House and Senate changes to the appropriations bill. The Conference Committee works out differences between the House- and Senate-passed versions of the bill. The House and Senate vote on the Conference Committee report, which is not subject to amendment. The governor signs the appropriations bill by June 30, usually line item vetoing several matters.</p>

How to Read an Operating Appropriations Bill

- The FY 2014-2015 General State Operating Budget was 3,747 pages (*500 pages more than previous*).
 - ▣ It amended 1,638 sections of law in the Ohio Revised Code, enacted 342 new sections of the code, and repealed 162 sections of the Revised Code.
 - ▣ 3,367 pages of permanent law
 - 435 pages of permanent law changes to education
 - ▣ 380 pages of appropriations and temporary law changes
 - ▣ Additionally, it included thousands of line item appropriations, hundreds of provisions delimiting those line items, and numerous provisions of temporary laws.

How to Read an Operating Appropriations Bill *(Cont.)*

Section	What its Provisions Do
Sections 1 and 2: Permanent Law Provisions	<ul style="list-style-type: none">• Amend how programs now operate• Establish new programs• Convert temporary law into permanent law• Reorganize state government• Make changes in general laws such as criminal and civil laws unrelated to appropriations
Section 3: Appropriations	<ul style="list-style-type: none">• Authorizes spending on specified sums on specified programs in specified agencies• Authorizes spending pending the enactment of separate legislation• Subdivides or earmarks the appropriations through “provisos”• Attaches provisos to specific appropriations concerning the operation of the programs for which the appropriations are made; provisos expire when the appropriation expires.

How to Read an Operating Appropriations Bill *(Cont.)*

Section	What its Provisions Do
Remaining Sections: Temporary Law	<ul style="list-style-type: none">• Separate sections concerning the operation of programs for which there are specific appropriations elsewhere• Establish new programs• Earmark money in a larger appropriation• Establish reporting and accountability requirements• Require agencies to conduct studies• Provide various boilerplate provisions necessary to satisfy legal requirements

How to Read an Operating Appropriations Bill *(Cont.)*

Single Subject

- In 1999 the Ohio Supreme Court ruled the practice of including numerous provisions of permanent law in budget bills is a violation of the Ohio Constitution requiring bills to contain only a single subject.
 - Avoid “logrolling” – the “exchange” of votes for provisions of political significance to legislators

- Despite the ruling the practice continues.

Taxing Power & Revenue

- ❑ All Governments have the power to tax
- ❑ Taxes are the main source of government income to support government spending
- ❑ Article XII, Section 4, “The General Assembly shall provide for raising revenue, sufficient to defray the expenses of the state, for each year, and also a sufficient sum to pay principal and interest as they become due on the state debt.”

Sources of Revenue

- ❑ Federal Grants and Entitlements
- ❑ Other Intergovernmental Receipts
- ❑ Agency Receipts
- ❑ State Receipts

Sources of Revenue: Federal

- ▣ Grants
- ▣ Entitlements
- ▣ Franchise Fees

Sources of Revenue:

Intergovernmental Receipts

- Ohio Receives money from local units of government through matching moneys required for various state grants.
 - Not counted as revenue but deducted from grants local governments receive from the state

Sources of Revenue: State Agency Receipts

- State agencies often raise revenues from their own programs and retain those revenues for their own program use. Agency receipts come from a variety of sources:
 - Fees for mailing and distributing documents
 - Charges for publications
 - Various fines and fees
 - Intradepartmental charges

Sources of Revenue: State Receipts

- ▣ State Receipts come from 3 sources:
 - Taxes
 - Non-tax revenues
 - Gaming receipts

Sources of Revenue: State Receipts

State Taxes

- ❑ General Sales Tax
- ❑ Selective Sales of motor fuels, public utilities, tobacco, insurance and alcohol
- ❑ Individual Income
- ❑ Corporate Franchise or Commercial Activity
- ❑ Licenses

Sources of Revenue: State Receipts

Non-Tax Revenues

- ▣ Refunds and Recoveries
- ▣ Fines and Forfeitures
- ▣ Sales of Goods and Services
- ▣ Receipts from Local Government

Sources of Revenue: State Receipts

Gaming Receipts

- Horse Racing
- State Lottery
 - Created to generate profits for primary and secondary education
- Casino Gross Revenue Taxes
 - 90% (local)/10% (state)

Sources of Revenue:

Local Government Receipts

In addition to shared state revenues, federal receipts, municipal income taxes, and county sales taxes, the major sources of revenue for local governments are real and personal property taxes, lodging, and house trailer taxes.

- According to OH Dept of Taxation 2007 data Ohio's state tax burden as a percentage of personal income was only 38th among the states. Its local tax burden, was among the nation's top 10.

Operating Fund Groups

General Funds

- ▣ Budget Stabilization
- ▣ Education Improvement
- ▣ General Revenue
- ▣ General Services

Special Revenue Funds

- ▣ Advanced Energy
- ▣ Clean OH Conservation Pgm
- ▣ Coal Rsch & Development
- ▣ Cultural & Sports Facility Building
- ▣ Facilities Establishment
- ▣ Federal Special Revenue
- ▣ Higher Education Improvement

- ▣ Highway Operating
- ▣ Highway Safety
- ▣ Job-Ready Site Development
- ▣ Local Infrastructure Improvement
- ▣ Local Transportation Improvement
- ▣ Lottery Profit Education
- ▣ Revenue Distribution
- ▣ School Building Assistance
- ▣ State Special Revenue
- ▣ Third Frontier R & D
- ▣ Tobacco Settlement
- ▣ Waterways Safety
- ▣ Wildlife Fund

Operating Fund Groups (Cont.)

Capital Projects Funds

- ❑ Administrative Building
- ❑ Adult Correctional Building
- ❑ Highway Capital Improvement
- ❑ Highway Safety Building
- ❑ Infrastructure Bank Obligations
- ❑ Juvenile Correctional Building
- ❑ Mental Health Facilities Improvement
- ❑ Ohio Parks and Natural Resources
- ❑ Parks and Recreation Improvements
- ❑ Transportation Building

Debt Service Funds

- ❑ Debt Service

Agency Funds

- ❑ Accrued Leave Liability
- ❑ Agency
- ❑ Holding Account Redistribution
- ❑ Volunteer Fireman's Dependents

Enterprise Funds

- ❑ Liquor Control
- ❑ Office of Auditor of State
- ❑ State Lottery
- ❑ Underground Parking
- ❑ Workers' Compensation

Operating Fund Groups (Cont.)

Figure A-4: The State's Budget Fund Groups

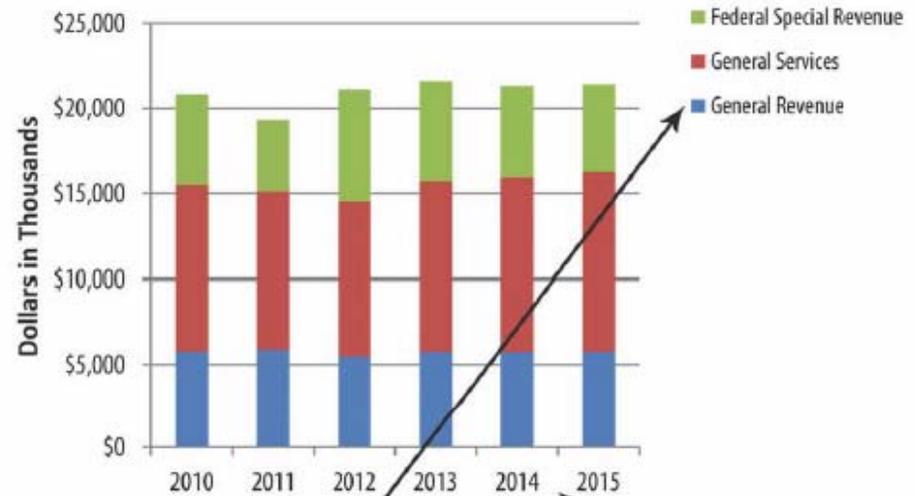
<u>Budget Fund Group</u>	<u>Abbreviation</u>	<u>Budget Fund Group</u>	<u>Abbreviation</u>
Accrued Leave Liability	ALF	Job-Ready Site Development	7012
Administrative Building	7026	Juvenile Correctional Building	7028
Adult Correctional Building	7027	Liquor Control	LCF
Advanced Energy	AEN	Local Infrastructure Improvement	LIF
Agency	AGY	Local Transportation Improvement	7052
Budget Stabilization	7013	Lottery Profit Education	LPE
Clean Ohio Conservation Pgm.	CLF	Mental Health Fac. Improvement	7033
Coal Research & Development	7046	Office of Auditor of State	AUS
Cultural & Sports Fac. Bldg.	7030	Ohio Parks & Natural Resources	7031
Debt Service	DSF	Parks & Recreation Improvement	7035
Education Improvement	7006	Revenue Distribution	RDF
Facilities Establishment	7037	School Building Assistance	SBA
Federal Special Revenue	FED	State Lottery	SLF
General Revenue	GRF	State Special Revenue	SSR
General Services	GSF	Third Frontier Research & Dev.	7011
Higher Education Improvement	7034	Tobacco Settlement	TSF
Highway Capital Improvement	7042	Transportation Building	7029
Highway Operating	HOF	Underground Parking	UPG
Highway Safety	HSF	Volunteer Firefighter Dependents	7085
Highway Safety Building	7025	Waterways Safety	WSF
Holding Account Redistribution	7090	Wildlife	WLF
Infrastructure Bank Obligations	7045	Workers Compensation	WCF

Operating Fund Groups



Reading Budget Tables and the Budget

Budget Fund Group Information



The first summary of budget history and recommendations table summarizes information by budget fund group.

The "Recommended" columns show the Governor's recommendation for fiscal years 2014 and 2015.

Budget Fund Group	Actual			Est.	% Change FY 12-13	Recommended			
	FY 2010	FY 2011	FY 2012			FY 2014	% Change	FY 2015	% Change
General Revenue	5,782	5,899	5,475	5,764	5.3%	5,760	-0.1%	5,760	0.0%
General Services	9,715	9,212	9,067	9,959	9.8%	10,209	2.5%	10,498	2.8%
Federal Special Revenue	5,300	4,217	6,583	5,879	-10.7%	5,304	-9.8%	5,120	-3.5%
Total	20,796	19,327	21,125	21,603	2.3%	21,273	-1.5%	21,379	0.5%

Operating Fund Group

Reading Budget Tables and the Budget

Program series name

Program Series 1: Library Services To Ohio Government (7800A)

Fund	ALI	ALI Name	Estimated		Recommended		
			FY 2013	FY 2014	% Change	FY 2015	% Change
GRF	350321	Operating Expenses	3,188,438	3,274,289	2.7%	3,295,141	0.6%
1390	350602	Intra-Agency Service Charges	9,000	8,000	-11.1%	8,000	0.0%
Total for Library Services To Ohio Government			3,197,438	3,282,289	2.7%	3,303,141	0.6%

One line item can fund multiple program series. Recommendations within program series add up to the line item summary table by budget fund group at the end of each agency section.

Total recommended funding for Program Series 1: Library Services to Ohio Government (7800A).

Program series name

Program Series 2: Services to Ohio Library Communities (7810A)

Fund	ALI	ALI Name	Estimated		Recommended		
			FY 2013	FY 2014	% Change	FY 2015	% Change
GRF	350321	Operating Expenses	1,868,926	1,783,075	-4.6%	1,762,223	-1.2%
GRF	350401	Ohioana Rental Payments	124,437	120,114	-3.5%	120,114	0.0%
4590	350603	Library Service Charges	2,086,180	3,237,430	8.4%	3,526,368	8.9%
4540	350604	Ohio Public Library Information Network	5,689,788	5,689,788	0.0%	5,689,788	0.0%
3130	350601	LSTA Federal	2,017,281	2,165,563	7.4%	2,200,396	1.6%
Total for Services to Ohio Library Communities			12,686,612	12,995,970	2.4%	13,298,889	2.3%

Total recommended funding for Program Series 2: Services to Ohio Library Communities (7810A).

Operating Fund Groups

Reading Budget Tables and the Budget

Line Item Restructuring Analysis

Fund	ALI	ALI Name	Estimated	Recommended			
			FY 2013	FY 2014	% Change	FY 2015	% Change
5MJ0	195683	TourismOhio Administration	\$5,000,000	\$8,300,000	66.0%	\$8,000,000	-3.6%

Estimated spending for fiscal year 2013 is shown as if the restructuring already existed. This allows a direct, meaningful comparison with fiscal years 2014 and 2015.

Recommended funding for fiscal years 2014 and 2015 is when the restructuring will actually occur.

Operating Fund Group

Reading Budget Tables and the Budget

Line Item Summary By Budget Fund Group

Fund	ALI	ALI Name	Actual			Estimated	Recommended			
			FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	% Change	FY 2015	% Change
GRF	350321	Operating Expenses	5,059,845	5,192,033	4,774,607	5,057,364	5,057,364	0.0%	5,057,364	0.0%
GRF	350400	Ohio Public Library Information Network	15,128	0	0	0	0	0.0%	0	0.0%
GRF	350401	Ohioana Rental Payments	124,437	124,437	117,721	124,437	120,114	-3.5%	120,114	0.0%
GRF	350502	Regional Library Systems	582,469	582,469	582,469	582,469	582,469	0.0%	582,469	0.0%
Total General Revenue			5,781,879	5,898,939	5,474,797	5,764,270	5,759,947	-0.1%	5,759,947	0.0%
1390	350602	Intra-Agency Service Charges	14,182	0	16,819	9,000	8,000	-11.1%	8,000	0.0%
4590	350603	Library Service Charges	2,073,468	2,217,942	2,544,699	2,986,180	3,237,430	8.4%	3,526,368	8.9%
4540	350604	Ohio Public Library Information Network	5,244,515	5,079,443	5,228,354	5,689,788	5,689,788	0.0%	5,689,788	0.0%
5680	350605	Library for the Blind	1,274,194	1,274,194	1,274,194	1,274,194	1,274,194	0.0%	1,274,194	0.0%
5600	350606	Gates Foundation Grants	1,108,378	640,276	3,156	0	0	0.0%	0	0.0%
Total General Services			9,714,737	9,211,855	9,067,022	9,959,162	10,209,412	2.5%	10,498,350	2.8%
3130	350601	LSTA Federal	5,299,781	4,216,636	6,583,314	5,879,314	5,303,693	-9.8%	5,120,639	-3.5%
Total Federal Special Revenue			5,299,781	4,216,636	6,583,314	5,879,314	5,303,693	-9.8%	5,120,639	-3.5%
Grand Total State Library Board			20,796,397	19,327,430	21,125,133	21,602,746	21,273,052	-1.5%	21,378,736	0.5%

The two "% Change" columns show the percent change between (1) the FY 2013 estimate and FY 2014 recommended columns and (2) the FY 2014 and FY 2015 recommended columns.

Subtotals are shown for each budget fund group.

Reductions appear as negative entries.

The State Budget and Education

- ▣ For each budget since 1975, a primary budget driver has been the desire of each legislative chamber to add more money to primary and secondary education, often at the expense of gubernatorial priorities in other budget spending areas.

The State Budget and Education

- Under Governor Taft, Ohio introduced a separate education budget.
- HB 282 and HB 283 were introduced as separate bills to address residual budgeting claims under *DeRolph v. State of Ohio*
- Primary and Secondary Education have become an “entitlement” (foundation funding), higher education has become discretionary.

The State Budget and Education

(Cont.)

- But ... Is Primary and Secondary Education Keep Pace?
 - ▣ Examine trends.

Trends

- ▣ Slow Growth Economy
- ▣ Declining Manufacturing Activity
- ▣ Transition to Service Sector and Knowledge Economy
- ▣ Slow Population Growth
- ▣ Aging Population

Result? A constraint on Ohio's revenue base and an expanded demand for public services.

THE POLITICS OF THE STATE BUDGET

Interest Groups and Advocacy

The Politics of the State Budget

- ❑ Ohio has a balanced budget requirement
- ❑ There is a finite pot of resources
- ❑ Every action has an equal and opposite reaction
- ❑ This makes the budget an important policy vehicle and a very political process
- ❑ Important to have broad view of policy and funding priorities

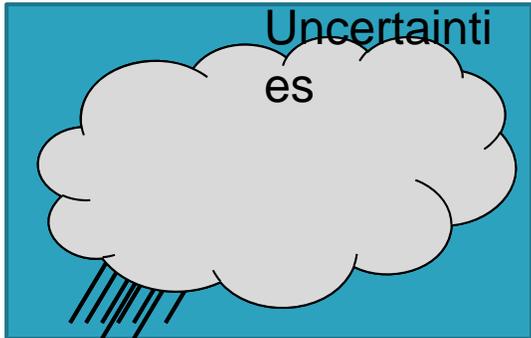
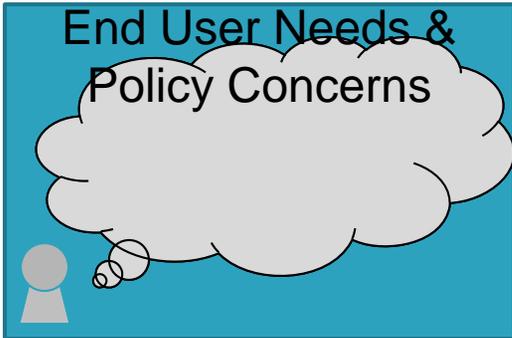
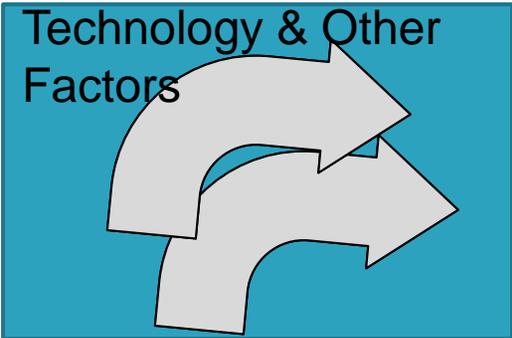
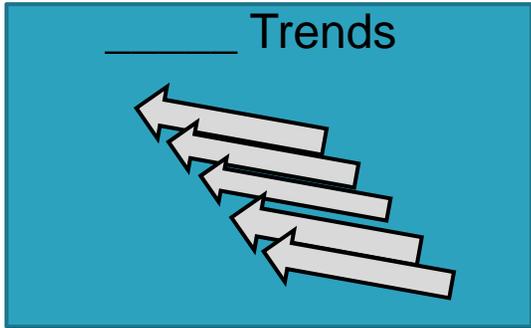
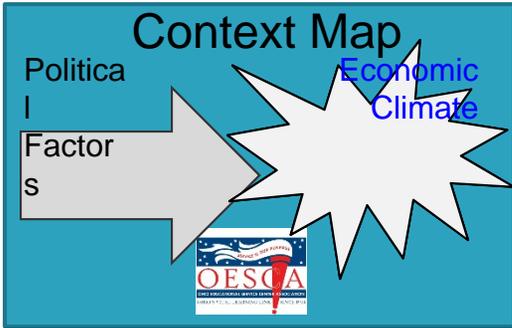
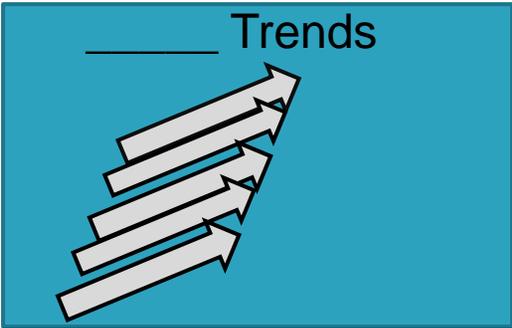
Role of Interest Groups

1. Articulate the demands, grievances and creative ideas of the many publics which comprise a democratic order.
2. Provide busy legislators with expert opinions on highly complex matters.
3. Mutually suspicious watchdogs which (monitor) each other's subtle importunities and make these visible to preoccupied (policymakers).
4. Serve as media for disseminating information about public issues to ...the community.
5. Act as mediating devices within their own, often variegated membership, and help to lower the temperature of social conflict.

EFFECTIVE ADVOCACY

Working with Policymakers

Context Mapping



Context Mapping (LCESc Example)

The collage consists of six hand-drawn notes on context mapping for LCESc:

- Top Left:** Titled "Policy Trends", it features a downward arrow labeled "\$ ↓ or flat" and "Accountability", and an upward arrow labeled "More Choice Opportunities". Below these is the text "Cyclical BASED on Political Priorities - Kasich/Strickland".
- Top Middle:** Titled "CONTEXT MAP", it shows a map of Lake County with "Lake County Educational Service Center" in the center. Surrounding notes include "Political factors" (Leadership change, Choice, Merit pay, District Relationships, Lake C. "Smalls" Role, Active Engage & Stake, State R/D, State Courts, Counterproductive Conventions) and "Economic Climate" (Under scrutiny, Disparity within, Need to raise money/Account, Close of ESC, Drive for Statewide, Opportunity for larger, The same value per student, Changing ESC, Disruptive models, Low Risk, High Reward).
- Top Right:** Titled "Local Trends", it features a downward arrow labeled "Personnel Turnover" and "District-to-District Activity (Lack)", and an upward arrow labeled "Difficulty for some districts to capture opportunities" and "Need to capture opportunities".
- Bottom Left:** Titled "Technology Factors", it lists: "Districts shut out of [unclear] of [unclear] (policy issues)", "LECA / Monitor [unclear] SIS (policy issues)", "Different Platforms / Broad [unclear] issues", "Connectivity / Broad [unclear] some block", "Content interactive - some as some deny", "Different Access on Broad - some as some deny", "Use of Social Media - some as some deny", "ESC could better utilize", "More effort to bring tech people together to discuss in planning", "Online assessments - challenge in [unclear] (assess)".
- Bottom Middle:** Titled "Customer + Stakeholder Needs", it lists: "Inundate vendors + need to review", "Aligned Infrastructure", "Need to Communicate/collaborate/collaborate", "Technology Capacity", "OTES/OPES - TIPS", "OVERWHELMED", "Critical Friend", "Access to Experts".
- Bottom Right:** Titled "Uncertainties", it lists: "State Initiatives", "Whats Next?", "Education Policy", "ODE Capacity", "ESC's as 'state asset' or 'valued partner'", "KNOWING WHAT YOU DON'T KNOW".

U.S. Constitution: 1st Amendment

- ▣ **Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.**
- However...The right to petition the government does not include a requirement that the government listen to or respond to members of the public. United States Supreme Court in 1984: *"Nothing in the First Amendment or in this Court's case law interpreting it suggests that the rights to speak, associate, and petition require government policymakers to listen or respond to communications of members of the public on public issues."*

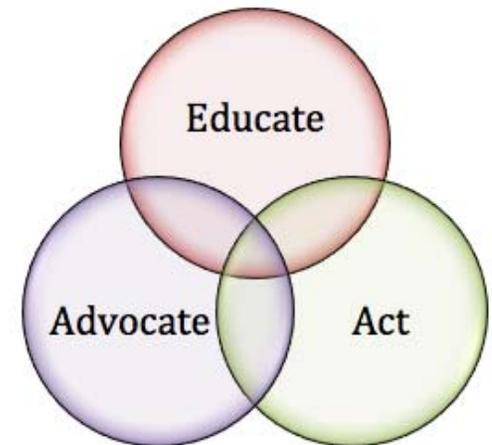
Advocacy

□ What is Advocacy?

ad·vo·ca·cy [ad-vuh-kuh-see]

noun, plural ad·vo·ca·cies.

the act of pleading for, supporting, or recommending; active espousal: “*He was known for his advocacy of states' rights.*”



Advocacy *(Cont.)*

- Advocacy is ongoing -24/7/365
- Advocacy is a process not an event

Advocacy (Cont.)

- Educate
- Act
- Advocate



The Advocacy Plan

Developing an Advocacy Plan

- Biennial or Annual Activity
- Includes:
 - ▣ Priorities
 - ▣ Position statements
 - ▣ Goals
 - ▣ Strategies
- Consider the environment and ability to achieve success

Developing an Advocacy Plan

Step 1

- Priorities
 - ▣ List your priorities (educate, act, advocate)
 - ▣ Consider the environment
 - ▣ Consider your abilities
 - ▣ Prioritize your priorities

Developing an Advocacy Plan

Step 2

□ **Position Statements**

- For each priority have a clear, concise and brief position statement
- Explain potential effects of a position statement.
- Use data or detail to “back up” your claims.
- Position statements should suggest solutions to a clearly defined problem.

Developing an Advocacy Plan

Step 3

□ **Goals**

- Set clear, measureable goals for your advocacy plan
- Be realistic
- Differentiate Between Achievable versus Desirable

Developing an Advocacy Plan

Step 4

□ **Strategies**

- From your goals develop strategies.
- Know your target audience.
 - Varies for each goal
 - Different Audiences require different tactical methods

Developing an Advocacy Plan

Step 5

□ **Tactics**

- Within your strategies, develop appropriate tactics:
 - Constituents & Key Contacts; Public testimony; Letters or email; Phone calls; Coalition building; Use of the media; Lobbying.

Advocacy Tactics

- Constituents & Key Contacts
 - Grassroots Advocacy (E.g., schools, health and human services agencies, other local related organizations)
 - “Grasstops” Advocacy (e.g., identifying people within your community that are in a position of influence with targeted legislators)

Advocacy Tactics *(Cont.)*

- Public Testimony
 - ▣ Secure your spot;
 - ▣ Write and Submit your testimony;
 - ▣ Be respectful;
 - ▣ Address all comments through the chairperson;
 - ▣ Don't "fake it to make it" – If you don't know the answer, let the committee know you will get back to them.

Advocacy Tactics *(Cont.)*

- Letters
 - ▣ Keep to 1 page and personalize (no form letters)
 - ▣ Be factual, use personal stories
 - ▣ Offer to assist or provide further information
 - ▣ Ask them for support and thank them for their time.

Advocacy Tactics *(Cont.)*

□ Phone Calls

- ▣ Be courteous to whom ever answers the phone;
- ▣ Don't expect to speak to the Grasstop but don't be shocked if you do;

Advocacy Tactics *(Cont.)*

- Email
 - Grasstops receive a lot of email;
 - Expect delayed responses;
 - E-blasts, however, can be effective.

Advocacy Tactics *(Cont.)*

- Media

- Advocacy tools

- Press releases & Letters to the Editor
 - Social Media

Advocacy Tactics (Cont.)

□ Press Releases

- Editors report that more than 50% of their stories are prompted by press releases (e.g., “baiting the hook”);
- Should be interesting and news worthy;
- Should be clear, concise and accurate;
- Headlines 4-6 words;
- Answer who, what, when where, why in first 2-3 sentences.
- 1 page or less; and
- Don't use acronyms and don't exaggerate.

Advocacy Tactics *(Cont.)*

- Letters to the Editor
 - Great way to get message out to the community and initiate debate on your issue;
 - Consult local paper for guidelines;
 - Include name, address, phone number and email;
 - Keep to 1 page;
 - Articulate main points in first sentence and again at the end.
 - Avoid personal attacks.

Advocacy Tactics *(Cont.)*

- Coalition Building
 - ▣ Be selective – establish “selection” criteria;
 - ▣ Can enhance position;
 - ▣ Typically like minded;
 - ▣ Numbers count – coalitions bring numbers to your advocacy effort.

Advocacy Tactics *(Cont.)*

- **Mastering the elevator speech**
 - ▣ Who are you? What do you do? Why do you care? Why should I care?
 - ▣ My Perspective is Your Reality

ACTIVITY

Advocacy and Lobbying

- **What** is lobbying?
 - ▣ Lobbying means to “attempt to influence a lawmaker or executive agency decision maker.”

Lobbying Handbook

Ohio Joint Legislative Ethics Committee

- **What** is effective lobbying?
 - ▣ Effective lobbying or advocacy is getting the votes!



Why Lobby?

- Reasons for lobbying are many and varied:
 - ▣ To gain better laws
 - ▣ To protect favorable laws
 - ▣ To repeal unfavorable laws
 - ▣ To stop unfavorable proposals (bills) from becoming law.
 - ▣ To impact state executive agency decision making

Why Lobby?



"These new regulations will fundamentally change the way we get around them."

Who Can Lobby?

- Individuals
- Corporations
- Public Entities
- 501 (c)(3) — limited to a percent of their budget
- 501(c)(4) or 501 (c)(6) — unlimited when advancing the organization's tax-exempt purpose.

Who do we Lobby?

- ❑ **Special Interest Groups**
- ❑ **Legislators**
- ❑ **Legislative Staff**
- ❑ **Executive Agencies**
- ❑ **Office of the Governor**
- ❑ **Media**
- ❑ **The Public**

The “How”: *Top 10 Ways to Working with Legislators Successfully*

1. Get Involved
2. Understand the Political Process
3. Know the Political Environment
4. Get “Like-Minded” People Involved
5. Understand Interested Party Positions
6. Simplify Your Message with Facts
7. Be Helpful to Legislators and Staff
8. Follow Through
9. Recognize Legislators’ Efforts
10. Stay Actively Involved.

#1-Get Involved

- You are the experts in your field – legislators are primarily generalists.
- Effective Advocacy is education centered and constituent driven.
- Don't sit on the sidelines - You have to be in the game to make the big play.
- Constituents are a lawmakers first concern – they can get them elected and “un-elected”.

#2-Understand the Political Process

- Understand how a bill becomes a law - this is the “road map” for getting a bill through the legislature.
- Learn and Understand the legislative process (e.g., committees, legislative rules, amendment process, etc)
- Know which is the committee of reference with jurisdiction over your issue (e.g. education, health and human services, etc).
- Understand the probabilities of a bill being enacted into law
 - ▣ In Ohio, 21% of introduced bills are actually enacted into law.

#3-Know the Political Environment

- Party Control
 - ▣ Divided State Government: Democrat Governor, Republican-Controlled House and Senate
- Know the Party Leaders
 - ▣ House Minority Leader and Speaker
 - ▣ Senate Minority Leader and President
- Understand Political Nuances — (e.g., House and Senate have appropriation authority, but Governor has line-item veto).
- Know the Parties' Policy Priorities

#4-Get “Like-Minded” People Involved

- Coalitions are indispensable; they exist for advantage.
- Never pre-qualify or disqualify a potential partner.
- Coalitions multiply your power and influence.
- Build “critical mass”
- An ideal coalition consists of all special interests that could affect your issue before the legislature.

#5-Understand Interested Party Positions

- Legislators will ask you what the positions are of other interested parties and if you have met with them.
- Know the opposition side and the proponent side of every issue.
- “Legislatures respond, they seldom lead.” – Jack Davies, Minnesota Senate
 - ▣ You must be able to explain and/or refute the positions of interested parties.
- **Controversy kills bills** – understand interested party positions and understand when negotiation may be necessary.

#6-Be Helpful To Legislators & Staff

- ❑ There is no unimportant staff person.
- ❑ Lobby staff, then members.
- ❑ The more work you do for lawmakers and staff the more likely your ideas will become law.
- ❑ Legislators appreciate a simple message with a clear supportable position that enable them to do their jobs.

#7-Be Able to Support Your Position

- ❑ Cross all your “T’s” and dot all of your “I’s”.
- ❑ Have data to support your position.
- ❑ Enlist experts to support your position.
- ❑ Provide credible research and resources.
- ❑ Become a valued and trusted resource.

If you lose your trustworthiness and integrity it will be difficult to regain it.

#8-Follow Through

- Getting a bill enacted into law is only the first step.
- Agencies are often charged with enabling language to implement new laws.
- This begins the next phase of advocacy – ensuring state agencies implement the law in a manner consistent with legislative intent and your interests.
- Like Popeye, be “strong to the finish” – Follow through from proposal to passage from enactment to implementation.

#9-Recognize Legislators Efforts:

Support those Who Support You

- Recognize through association newsletters, press releases or awards.
- Support through campaign contributions.
 - ▣ “Money is the mother’s milk of politics” *Jesse M. Unruh, Speaker, CA Assembly (1954-1970)*
- Volunteer for legislative campaigns.
- Support those that support your issues and your profession.

#10-Stay Involved

- Don't just lobby members of the legislature or governor's office when you need something.
- The best time to lobby is when you don't need anything.
- Be personally engaged. Do Not Expect your Professional Organizations to Carry Your Water for You.

KEEPING INFORMED

Tools & Resources

Keeping Informed:

Informational Tools & Resources

In Person

- ▣ LSC Bill Room (Statehouse)
 - Senate/House Journals, Calendars, Digest of Enactments, Status Reports, Bills, Bill Analyses, Fiscal Notes, Laws of the State of Ohio
- ▣ LSC Library (Riffe Building)
- ▣ State Library of Ohio
- ▣ Ohio Historical Society

Online Informational Tools & Resources - Examples

Public Sources

- <http://www.legislature.state.oh.us>
 - Bills, Analyses, Committee Notices, schedules, important links
- <http://www.lsc.state.oh.us>
 - Bill Analyses
 - Fiscal Notes
 - Status Report of Legislation
 - Budget in Detail
 - Budget Footnotes
- <http://www.ohio.gov/obm>
 - Executive Budget Proposals
 - Monthly Budget Reports

News Sources

- Columbus Dispatch:
 - <http://www.dispatch.com>
- Cleveland Plain Dealer:
 - <http://www.cleveland.com/plaindealer/>
- State Impact Ohio:
 - <http://stateimpact.npr.org/ohio/>
- Hannah News:
 - <http://www.hannah.com>
- Gongwer News Service:
 - <http://www.gongwer-oh.com>

Online Informational Tools & Resources - Examples

State Education Associations

- Buckeye Association of School Administrators
 - www.basa-ohio.org
- Ohio Association of School Business Officials
 - www.oasbo-ohio.org
- Ohio School Boards Association
 - www.ohioschoolboards.org

National Education Associations

- Association of Educational Service Agencies (AESA)
 - <http://www.aesa.us>

National Policy Organizations

- Stateline:
 - www.stateline.org

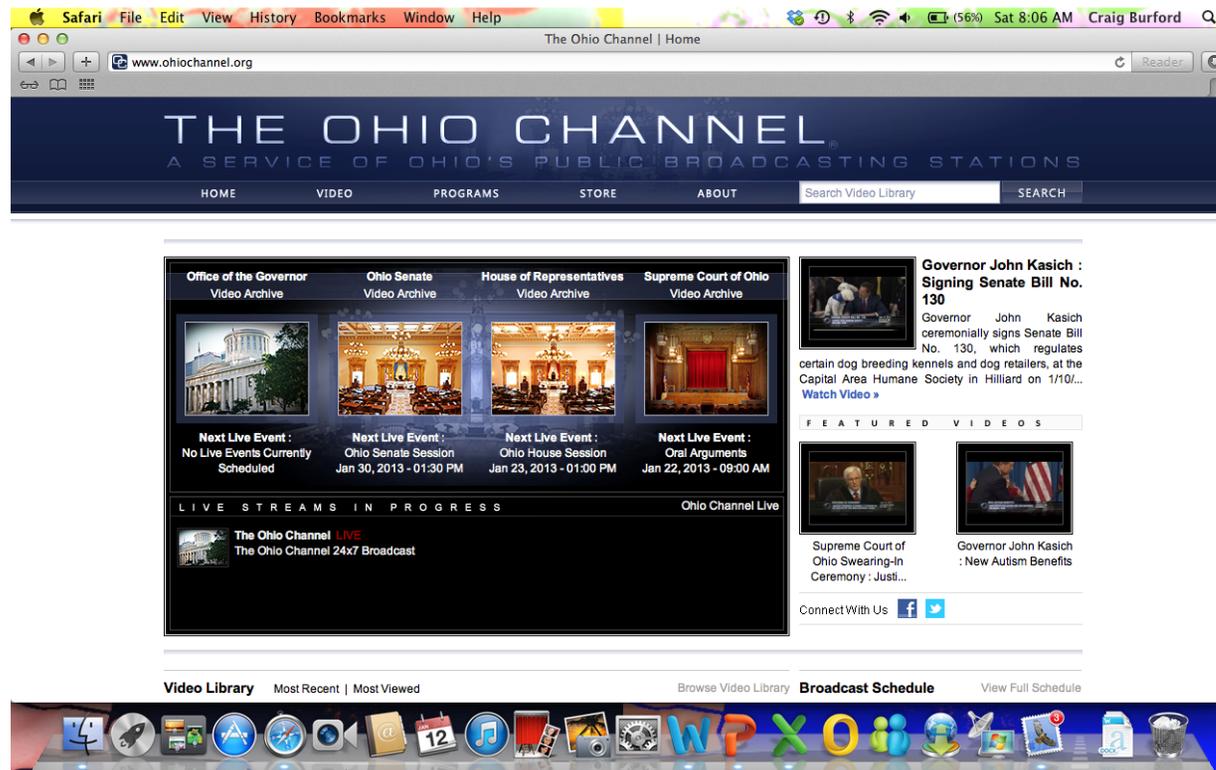
Ohio Policy Organizations

- Policy Matters Ohio:
 - <http://www.policymattersohio.org>
- Center for Community Solutions:
 - <http://www.communitysolutions.com>
- Ohio Department of Education
 - <http://www.ode.state.oh.us>

Online Informational Tools & Resources - Examples

The Ohio Channel

<http://www.ohiochannel.org>



Online Informational Tools & Resources - Examples

Others to Consider

- ❑ Ohio Department of Taxation
- ❑ Ohio Department of Health
- ❑ Ohio Department of Mental Health
- ❑ Ohio Department of Developmental Disabilities
- ❑ Ohio Association of County Boards of Developmental Disabilities
- ❑ Ohio Association of Gifted Children
- ❑ Ohio Coalition for the Education of Children with Disabilities
- ❑ American Association of School Administrators (AASA)
- ❑ National Association of State Budget Officers (NASBO)
- ❑ Center for Budget and Policy Priorities
- ❑ Congressional Budget Office (CBO)
- ❑ And many others...

DISCUSSION QUESTIONS

Implementing a Course of Action

Discussion Questions

1. How often do you or should you engage with legislators, legislative staff or State Board of Education members?
2. What information do you collect and share with elected representatives? When?
3. What role can you play in advocating for your agency? For your clients?
4. How can you engage your staff and constituents in effective advocacy for your organization?
5. How do you build consensus with your colleagues around common policy issues of interest or concern?
6. What are the most effective ways to build trusting, sustained relationships with elected officials?



- **Contact OESCA**

- Email: info@oesca.org; Phone: 614-846-3855

- **Check OESCA Out Online**

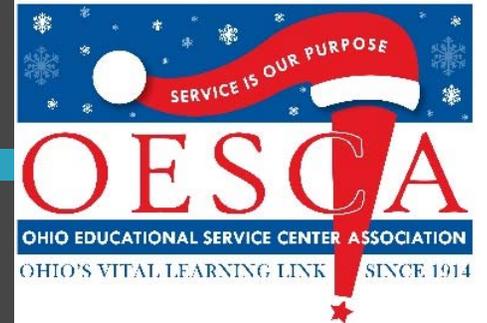
- www.oesca.org

- www.twitter.com/oesca

- **Join the Discussions on LinkedIn through the Ohio ESC Association Group**

- http://www.linkedin.com/groups/Ohio-Educational-Service-Center-Association-2600939?gid=2600939&trk=hb_side_g

Q & A: Open Discussion



□ Sources:

- Ohio Legislative Service Commission
- Joint Committee on Agency Rule Review
- Hannah News Service
- Gongwer News Service
- Ohio Senate
- Ohio House of Representatives