



## Members Only Education Policy Update

July 2018

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*This members' only education policy update is a service of the Ohio ESC Association. This update is intended to provide an abbreviated, concise update on the latest legislative activity of interest to OESCA, its member ESCs and OESCA partners.*

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The spring session of the Ohio General Assembly came to an end with a flurry of activity including action on Senate Bill 216, the Public School Deregulation Act.

SB 216, sponsored by Representative Matt Huffman, advances a number of legislative changes requested by school district administrators from West Central Ohio and across the state. Additionally, a number of changes were made to the bill throughout the process up to and including its final passage including the addition of amendments on e-schools among other changes.

The changes adopted incorporated some elements of HB707 (Faber-Reineke), the newly introduced e-school reform legislation that builds on recommendations of Auditor of State Dave Yost. They also temporarily protect some schools, including Ohio Virtual Academy, from sanctions for poor academic performance because they took in large numbers of students from the recently closed Electronic Classroom of Tomorrow (eCOT).

Senate Bill 216 as passed does the following:

- Students in grades 3 take assessments in paper format or combination of paper and online;
- Licensure grade bands changed to Pk-5, 4-9, 7-12;
- Eliminates requirement that teacher of core subject by "highly qualified";
- Public teachers of core subject areas are no longer required to take exams to prove their knowledge of the subject;
- State Board of Education to adopt revised OTES framework;
- Eliminates a requirement that 50 percent of an evaluation consist of value-added student data and replaces it with at least two measures of "high-quality student data."
- District superintendent may assign teacher to subject or grade levels where teacher is not licensed under certain circumstances;

- Revise from 105 hours to 72 hours the threshold for consecutive absences from school that trigger automatic withdrawal;
- Require charter operators to indemnify schools for losses arising from a business or familial relationship;
- Directs the state superintendent to recommend definitions for online learning, student participation and other terms relevant to e-school regulation by Nov. 15 to the Joint Education Oversight Committee (JEOC);
- Establishes a study committee to explore creation of an e-school funding system based on competency, as well as requiring charter school operators to submit more detailed accounting reports on certain categories of expenses;
- Requires a study of the state's academic distress commission system for struggling schools, now in effect in Youngstown and Lorain;
- Maintains current law on textbook costs for College Credit Plus whereby schools cover the full cost, stripping language to allow schools to require families to pick up some of the cost;
- Details the process for the Joint Education Oversight Committee director to request data from the Ohio Department of Education.
- Nonteaching school employees who are newly hired must be employed between six and seven years — rather than between two and three years — before receiving tenure; and
- Beginning with the 2019-20 school year, school districts, charter schools, or STEM schools where less than 80 percent of students received proficient scores on the third-grade ELA assessment must establish a reading improvement plan supported by reading specialists.

More information on SB 216 can be found online at:

<https://www.legislature.ohio.gov/legislation/legislation-documents?id=GA132-SB-216>

A planned amendment to place a moratorium on district academic distress commissions was ultimately left out because of veto threats from Gov. John Kasich. Kasich's resistance to change also played a role in the committee's decision to pull plans for a vote on HB591 (Duffey), an overhaul of state report cards; the bill would eliminate the A-F report card system. Additional hearings will likely take place on HB 591 this fall (find bill text and analysis for HB 591 at <https://www.legislature.ohio.gov/legislation/legislation-documents?id=GA132-HB-591>).

In total, the House acted on 31 bills before recessing for the Summer including the following:

- HB502 (Anielski), which requires more frequent suicide prevention training for school personnel, passed 82-0. Bill and analysis available at: <https://www.legislature.ohio.gov/legislation/legislation-documents?id=GA132-HB-502>

- HB540 (Gavarone-Manning), changing the Ohio Teacher Evaluation System (OTES), passed 84-0. Bill and analysis available at: <https://www.legislature.ohio.gov/legislation/legislation-documents?id=GA132-HB-540>

Each of these will move on to the Senate for further consideration.

The House also concurred on Senate amendments to:

- HB87, regarding public money returned following an audit of a community school, by a vote of 70-22. Bill and analysis available at: <https://www.legislature.ohio.gov/legislation/legislation-documents?id=GA132-HB-87>
- HB318 (Patterson-LaTourette), to require the Ohio Facilities Construction Commission to study and report on school building security upgrades and school resource officers, to enact the "SAFE Act" on suspension and expulsion of students in grades pre-K through three, and to require public schools to implement positive behavior intervention and supports, by a vote of 69-20. Bill and analysis available at: <https://www.legislature.ohio.gov/legislation/legislation-documents?id=GA132-HB-318>

With House concurrence this bills are now headed to the Governor's desk.

Additionally, Governor Kasich signed 15 bills including the following education related bills:

- **HB8** (Hambley-Rezabek) exempts from the Public Records Law certain information concerning a minor that is included in a record related to a traffic accident involving a school vehicle in which the minor was an occupant at the time of the accident, allows the parent or guardian of the minor to request a record of the accident containing the exempted information, and exempts certain protected health information from the Public Records Law. Bill and analysis available at: <https://www.legislature.ohio.gov/legislation/legislation-documents?id=GA132-HB-8>
- **HB21** (Hambley) makes changes regarding the verification of community school enrollments, prescribes an annual public comment period for the community school sponsor evaluation system, exempts certain chartered nonpublic schools from state testing and graduation requirements, prescribes a one-year moratorium on the building code requirement for schools to have storm shelters, eliminates the current Education Management Information System (EMIS) Advisory Board, and requires the Department of Education to establish a new EMIS Advisory Council. Bill and analysis available at: <https://www.legislature.ohio.gov/legislation/legislation-documents?id=GA132-HB-21>

- **HB438** (Hambley-Kick) permits the addition of appointed members to educational service center boards, permits a local school district to sever its territory from one educational service center and annex that territory to an adjacent service center under specified conditions, authorizes educational service centers to establish local professional development committees, and modifies eligibility for community school classroom facilities grants. Bill and analysis available at: <https://www.legislature.ohio.gov/legislation/legislation-documents?id=GA132-HB-438>

So far, there have been approximately 150 education measures introduced in the 132<sup>nd</sup> General Assembly. Of those, 9 have been passed and enacted into law (excluding the biennial state operating budget). This fall, action is expected on several outstanding measures including but not limited to HB 591 sponsored by Representative Mike Duffey (R-Worthington), which seeks to simplify the state report card for schools and make the document more user-friendly among other things. Other bills, like HB 512 that sought to create a new Department of Learning and Achievement by consolidating ODE, the Office of Workforce Transformation and the Department of Higher Education, are not likely receive much further attention.

Taken together, these activities provide contextual background to the education policy related issues that have been front and center in the first half of the 132<sup>nd</sup> General Assembly and are likely to dominate the political discourse in the fall of 2018 before and following the mid-term elections that see the entire Ohio House and half of the Ohio Senate up for re-election as well as all statewide elected office holders.