



To: State Board of Education  
Re: Legislative Update  
Date: November 30, 2012

## **State Activity**

### **House Activity**

The House met on Wednesday and passed [House Bill 191](#) (Hayes, R-Harrison Township) by a vote of 53-38. This legislation would establish a minimum school year for districts, STEM schools and chartered nonpublic schools based on hours, rather than days.

The House met on Thursday and passed [House Bill 555](#) (Stebelton, R-Lancaster) by a vote of 58-27. This legislation would revise the current academic performance ratings system for public schools with a system under which districts and schools are assigned letter grades.

## **This Week's Committees**

### **Tuesday's House Education Committee**

The House Education Committee met on Tuesday and held its fourth hearing on [House Bill 462](#) (Pelanda, R-Marysville) with respect to a school district's withholding or transfer to another district or school of the grades and credits of a child who is alleged or adjudicated an abused, neglected, or dependent child. The committee amended the bill to include a provision allowing the school the student first attended to request a court order to transmit the records. The bill passed unanimously.

The committee also held a fourth hearing on [House Bill 555](#) (Stebelton, R-Lancaster) which would revise the current academic performance ratings system for public schools with a system under which districts and schools are assigned letter grades. The committee accepted an omnibus amendment to the bill that includes the following changes.

- Clarifies the deadline for ODE to prescribe quality practices for community school sponsors
- Permits the War Orphans Scholarship Fund to accept private donations
- Makes permanent two application windows for EdChoice Scholarships
- Clarifies which students are included in value-added calculations for closure purposes
- Clarifies existing law with respect to the gifted education performance indicator and specifies which data are subject to disaggregation
- Clarifies that a report card will be issued for each career planning districts and this report card may contain disaggregated data for each joint vocational school if applicable
- Permits limited access to student data for firms contracted with ODE to develop assessments
- Clarifies the definition of state aid
- Clarifies when a new community school's performance is included in sponsor evaluations
- Clarifies that reporting of data under new expenditure standards shall coincide to when schools and districts are required to report data under the new standards
- ODE may assume sponsorship of contracted, but not yet opened, community schools if the school's sponsor is found ineffective

- Removes the requirement that overall report card grades be determined through use of a performance profile
- Clarifies selection of assessments used to measure progress of dropout recovery students
- Inserts performance criteria for dropout recovery schools wishing to operate in multiple facilities
- Clarifies that ESCs approved by ODE as a statewide sponsor meet the criteria to authorize in a municipal school district
- Adds honors diploma and industry credentials to report card measures; establishes how report card measures will be grouped into components: Achievement, Progress, Graduation, K-3 Literacy Progress, Gap Closing (AYP alternative), Prepared for Success (formerly College- and Career-Ready)
- Restores ranking members of the Education Committees to the Advisory Accountability Committee and specifies that appointees have education experience or expertise
- Raises performance proficiency benchmark to 80% beginning in the 2013-2014 school year
- Restores five score levels for student test results (HB 1 had reduced the number to three) to align with new assessments
- Clarifies performance index weight for accelerated students scoring at the advanced level
- Clarifies which diagnostic tests are appropriate for assessing student reading levels
- Clarifies when intervention begins for students assessed and found to be below grade level in reading
- Revises benchmarks for Indicators Met and Performance Index to 90% for an 'A'; specifies the state board assign specific report card to building based on applicable grade levels
- Provides criteria for new e-schools once moratorium on new schools is lifted
- Clarifies ranking for college preparatory boarding schools
- Requires the state board by December 31, 2013 to specify additional non-report card measures that will be made available to the public
- Directs ODE to develop a method to include credit earned through International Baccalaureate on the report card; specifies that postsecondary credit earned for report card purposes must be transferable and not be classified as either remedial or developmental; establishes a benchmark for K-3 Literacy progress necessary to earn an 'A'
- Directs ODE to include students attending colleges or universities out of state in the remediation measure when possible
- Conforms Ohio's definition of graduation rate to the federal definition; clarifies deadlines for adopting rules for the report card and clarifies performance criteria for schools with respect to support or intervention by ODE as required by ESEA
- Adds performance of dropout recovery schools to community school sponsor evaluations beginning with the 2014-2015 school year

The committee heard testimony on the bill from the following witnesses:

- Larry Claypool, Superintendent of the Hardin Houston Local Schools
- Greg Harris, Students First
- Tom Gunlock, State Board of Education testifying on his own behalf
- Damon Asbury, Ohio School Boards Association
- Tom Ash, Buckeye Association of School Administrators
- Barbara Shaner, Ohio Association of School Business Officials
- Tony Podojil, The Alliance for High Quality Education
- Gary Stamm, Retired Educator

- Matt Cohen, Chief Research Officer at the Ohio Department of Education
- Randy Flora, Ohio Education Association
- Darold Johnson, Ohio Federation of Teachers

### **Wednesday's House Education Committee**

The House Education Committee met on Wednesday and passed [House Bill 555](#) (Stebelton, R-Lancaster) by a vote of 14-8. Before passing the bill, the committee added the following amendments:

- Requires the Department of Education to give a presentation to the House and Senate Education Committees on its recommendations at least 45 days before the State Board votes to adopt them
- Requires community school treasurers to be licensed
- Prevents the placement of students in remedial classes at the college level if there is no evidence they need remediation
- Two additional technical amendments

### **Next Week's Committees**

#### **Senate Finance Committee**

The Senate Finance Committee will meet on Wednesday, December 5 at 3:00 PM in the Finance Hearing Room to hear a presentation from "Students First" regarding public education reform.

#### **House Finance and Appropriations Committee**

The House Finance and Appropriations Committee will be meeting on Wednesday, December 5 at 9:30 AM in Room 313 to examine school funding and online instructional modules and hear testimony from witnesses with nationally recognized expertise in primary and secondary education funding.

#### **Senate Education Committee**

The Senate Education Committee will be meeting on Tuesday, December 4 at 10:00 AM in the South Hearing Room to hear the following bills:

- [House Bill 543](#) (Anielski, R-Walton Hills), to enact the "Jason Flatt Act" to require public schools to train staff in youth suicide awareness and prevention- 2<sup>nd</sup> hearing- all testimony
- [House Bill 555](#) (Stebelton, R-Lancaster), to create a new academic performance rating system for school districts and other public schools - 1<sup>st</sup> hearing- sponsor testimony

The Senate Education Committee will also be meeting on Wednesday, December 5 at 10:00 AM in the North Hearing Room to hear the following bills:

- [House Bill 543](#) (Anielski, R-Walton Hills), to enact the "Jason Flatt Act" to require public schools to train staff in youth suicide awareness and prevention- 3<sup>rd</sup> hearing- all testimony- possible vote
- [House Bill 555](#) (Stebelton, R-Lancaster), to create a new academic performance rating system for school districts and other public schools - 2<sup>nd</sup> hearing- all testimony

### **Federal Activity**

Congressional leaders continue to focus on the "fiscal cliff" discussions which involve negotiations on resolving pending tax initiatives and automatic spending cuts in the event that Congress doesn't act before the end of the calendar year. As for education, the automatic spending cuts, known as "sequestration", are estimated to reduce federal education funds by 8.2% starting on January 2, 2013, without a change in law.