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**State Board
of Education**

Legislative Update

To: State Board of Education
Re: Legislative Update
Date: December 6, 2013

State Activity **Introduced Bills**

[House Bill 367](#) (Driehaus, D- Cincinnati/ Sprague, R- Findlay) To require the health curriculum of each school district to include instruction in prescription opioid abuse prevention. Am. 3313.60

[House Bill 370](#) (Phillips, D-Albany) To make a board of education of a school district or the governing board of an educational service center subject to the Prevailing Wage Law for public improvement contracts.

[House Bill 374](#) (Patterson, D- Jefferson/ Rogers, D- Mentor on the Lake) To make an appropriation for additional funding for the Straight A Program.

[House Bill 376](#) (Derickson, R-Oxford/ Patmon, D-Cleveland), to enact the Ohio Religious Freedom Restoration Act

[Senate Bill 248](#) (Cafaro, D- Hubbard) To require a public children services agency to recommend whether a child should be admitted to an internet- or computer-based community school or excused by a school district superintendent from attendance at school for home education. Am. 3313.60, 3314.06, and 3321.04 and to enact sections 2151.4210, 2151.4211, 2151.4212, 2151.4213, 2151.4214, 3314.063, 3321.042, and 3321.043.

Legislation- passed in the House

[House Bill 215](#) (DeVitis, R- Uniontown) To authorize a board of education or governing authority of a school to enter into an agreement with a volunteer who is a current or retired law enforcement officer to patrol school premises to prevent or respond to a mass casualty event, to generally provide to a board of education or governing authority of a school and to such a volunteer immunity from civil liability for injury, death, or loss arising from the volunteer's services and to provide a tax credit for volunteer service. (62-27)

Legislation- passed in the Senate

[Senate Bill 229](#) (Gardner, R- Bowling Green) Changes requirements of teacher performance evaluations. (33-0)

This Week's Committees

House Education Committee

The House Education Committee met twice this week.

On Monday, December 2nd the following bills were heard:

- [House Bill 113](#) (Antonio, D- Lakewood, Henne, R- Clayton) had no additional testimony at its 4th hearing and was favorable reported out of committee with a vote of 12-3. The bill would specify that school districts and chartered nonpublic schools may excuse from high school physical education students who participate in a school-sponsored athletic club.

- [House Bill 181](#) (Brenner, R-Powell) to prohibit submission of a student's personal identifiable information to the federal government without direct authorization of the local school board had its 5th hearing no additional testimony.
- [House Bill 193](#) (Brenner, R-Powell) revises current high school diploma requirements including state-administered assessments. At its 6th hearing Ann Sheldon, executive director for the Ohio Association of Gifted Children and Dan Dodd, executive director with Ohio Association of Independent Schools both testified on behalf of the bill.
- [House Bill 334](#) (Hayes, R- Harrison Twp./ Hottinger, R-Newark) With respect to the expulsion of a student from a school district, community school, or STEM school for actions that endanger the health and safety of other students or school employees and to declare an emergency. For the 3rd hearing of the bill, the committee heard testimony from Erin Davies, staff attorney for the Children's Law Center, Dennis Leone, retired school superintendent teaching in the college of education at Ashland University, and Sarah Biehl, policy director for the Children's Defense Fund of Ohio.

On Wednesday, December 4th the following bills were heard:

- [House Bill 181](#) (Brenner, R-Powell) to prohibit submission of a student's personal identifiable information to the federal government without direct authorization of the local school board had its 6th hearing and no additional testimony was heard. It was favorably passed out of committee.
- [House Bill 242](#) (Hagan, D- Youngstown/ Foley, D-Cleveland) was scheduled for its first hearing but not heard in committee at the sponsor's request. It would require the Chancellor of the Ohio Board of Regents to consider creating a pilot program called "Pay Forward, Pay Back" to replace the current tuition system at state institutions of higher education and to declare an emergency.
- [House Bill 254](#) (Lynch, R-Chagrin Falls/ Retherford, R-Hamilton) had its 1st hearing on the bill that would prohibit state institutions of higher education from providing in-state residency status to undocumented aliens. Sponsors of the bill, Representatives Lynch and Retherford, both provided testimony in support of the bill.
- [House Bill 334](#) (Hayes, R- Harrison Twp./ Hottinger, R- Newark) With respect to the expulsion of a student from a school district, community school, or STEM school for actions that endanger the health and safety of other students or school employees and to declare an emergency. The bill was scheduled for a vote at its 4th hearing although one was not taken. Opposition testimony was provided by Robert Cole, managing attorney for the education practice for Advocates for Basic Legal Equality, Kate Mitchell, staff attorney at Legal Aid of Western Ohio Inc., Darold Johnson, legislative director for the Ohio Federation of Teachers and written testimony was provided by a group of general and developmental pediatricians, psychologists and psychiatrists

at Cincinnati Children's Hospital Medical Center and Michael Kirkman, executive director of Disabilities Rights Ohio.

- [House Bill 342](#) (Brenner, R-Powell/ Driehaus, D- Cincinnati) which permits an educational service center to be a partner or the lead applicant of an education consortia seeking a grant under the Straight A Program and to modify the goals of projects supported by the program. The committee amended the bill to give the Department of Education the authority to revoke funding from Straight A grant recipients if funding is not used as intended. The change came at the request of the auditor of state's office. The bill was then favorably passed out of committee after its 3rd hearing.

Senate Education

The Senate Education Committee met on Tuesday, December 3rd. The committee heard three bills, including a vote on one of them.

[Senate Bill 167](#) (Tavares, D- Columbus) had its first hearing and Senator Tavares gave sponsor testimony on a bill that would create school district policies for violent, disruptive, or inappropriate behavior.

The committee favorably passed out of committee and subsequently passed out of the chamber, a substitute version of [Senate Bill 229](#) (Gardner, R- Bowling Green) Adjustments to the teacher performance evaluations. Testimony in support of the bill came from Susan Bodary, partner with Education First, Ohio Federation of Teachers President, Melissa Cropper, and Greg Harris, state director for StudentsFirst.

Senator Schaffer gave sponsor testimony at the first hearing of [Senate Bill 239](#) (Schaffer, R-Lancaster) which gives districts the ability to adopt a longer expulsion policy for students from a school district, community school, or STEM school for actions that endanger the health and safety of other students or school employees and to declare an emergency.

Senate Finance Committee

The Senate Finance Committee met Tuesday, December 3rd for the first hearing and sponsor testimony on [Senate Bill 231](#) (Gardner, R-Bowling Green/Hite, R- Findlay) Which permits a board of education to use the proceeds received from the sale of school district real property for the construction or acquisition of permanent improvements.

Senate Public Utilities

[Senate Bill 59](#) (Beagle, R- Tipp City) was scheduled to have its 3rd hearing and vote but the committee was canceled so no testimony was heard.

State Activity (continued)

Next Week's Committees

House Education Committee

House Education Committee will be meeting on Wednesday, December 11th at 5:00pm in room 313.

Bills scheduled to be heard include:

[House Bill 241](#) (Hagan, C., R- Alliance) To prohibit an employee of a public or nonpublic school or public or nonpublic school or who is enrolled in or attends that institution of higher education and is also enrolled in or attends a public or nonpublic school. --1st Hearing-Sponsor testimony

[House Bill 158](#) (Brenner, D-Powell/ Patmon, D- Cleveland) To authorize nonrefundable tax credits for donations to nonprofit entities providing scholarships to low-income students enrolling in nonpublic schools. --3rd Hearing-All testimony

[House Bill 171](#) (McClain, R- Upper Sandusky/ Patmon, D-Cleveland) To permit public school students to attend and receive credit for released time courses in religious instruction conducted off school property during regular school hours. --3rd Hearing-All testimony-Possible amendments & vote

[House Bill 178](#) (Phillips, D- Albany) With respect to school safety drills. --3rd Hearing-All testimony-Possible amendments & vote

[House Bill 193](#) (Brenner, R- Powell) To revise current high school diploma requirements including state-administered assessments. --5th Hearing-All testimony-Possible amendments & vote

House State and Local Government

The House State and Local Government Committee will meet Tuesday, December 10th at 3:00pm in room 121 to hear [House Bill 328](#) (Young, R-Leroy/ Hagan, C., R- Alliance) which modifies the authority of the Controlling Board to approve certain expenditures. --1st Hearing-Sponsor testimony-Possible amendments

Senate Education Committee

The Senate Education Committee will not be meeting next week.

Federal Activity

There is no federal update this week.