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**State Board  
of Education**

# Legislative Update

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To: State Board of Education  
Re: Legislative Update  
Date: February 21, 2014

## State Activity

### Introduced Bills

[Senate Bill 284](#) (Coley, R- Liberty Twp) To provide additional calamity day relief for schools and to declare an emergency. Am. 733.10 of Am. Sub. H.B. 59 of the 130th General Assembly

[House Bill 450](#) (Patterson, D-Jefferson) To provide a three-day sales tax "holiday" each August during which sales of back-to-school clothing, school supplies, personal computers, and personal computer accessories are exempt from sales and use taxes. Am. 5739.02 and 5739.05.

[House Bill 454](#) (Gonzales, R-Westerville) To expand and clarify the authority of a concealed handgun licensee to possess a handgun in a school safety zone. Am. 2923.122.

### Passed in the House

[House Bill 416](#) (Hill, R-Zanesville, Burkley, R- Paulding) to permit payment in fiscal year 2015 to school districts and STEM schools that exceed, by up to four days, the number of permitted 'calamity' days in fiscal year 2014 and to declare an emergency was passed in the house with a vote of 80-16. The bill was amended to add an additional week for the reporting of test scores and allowed school districts to use two of the additional four calamity days as teacher in-service days.

### Passed in the Senate

[Senate Bill 231](#) (Gardner, R-Bowling Green/ Hite, R- Findlay) with respect to the distribution of proceeds from the sale of school district real property was passed out of the Senate chamber with a vote of 32-0.

### This Week's Committees

#### **House Economic Development & Regulatory Reform Committee**

The House Economic Development and Regulatory Reform Committee scheduled for Tuesday, February 18<sup>th</sup> was canceled. No legislation was heard in this committee this week.

#### **House State & Local Government: Shared Services & Government Efficiency Subcommittee**

The Shared Services and Government Efficiency Subcommittee scheduled for Tuesday, February 18<sup>th</sup> was canceled. No legislation was heard this week in this committee this week.

### **Senate Finance Committee**

The Senate Finance Committee met on Tuesday, February 18<sup>th</sup>. [Senate Bill 231](#) (Gardner, R-Bowling Green/Hite, R- Findlay) with respect to the distribution of proceeds from the sale of school district real property was favorably reported out of committee with no additional testimony on its 4<sup>th</sup> hearing.

[House Bill 107](#) (Baker, R- Westlake) to create a grant program for businesses that employ high school students in career exploration internships. No testimony was provided at the bill's 4<sup>th</sup> hearing.

### **Senate Medicaid, Health & Human Service Committee**

The Senate Medicaid, Healthy & Human Services Committee met on Wednesday, February 19<sup>th</sup> for the 2<sup>nd</sup> hearing of [House Bill 296](#) (Johnson, R-McDermott/ Duffey, R- Worthington) which would permit public schools to procure epinephrine auto injectors in accordance with prescribed procedures and to exempt them from licensing requirements related to the possession of epinephrine auto injectors. Proponent testimony was given by the bill's sponsor, Representative Johnson (R-McDermott). Additional testimony was provided by:

- Dennis Elliott, Ohio field office executive of the American Camp Association
- Ohio Association of School Nurses President Kate King
- David Stukus, an allergist and pediatrician at Nationwide Children's Hospital
- Michele Wilmoth, a licensed school nurse and director of School Health Services at Akron Children's Hospital and
- Jeff Sczpanski, member of the Ohio Athletic Trainer Association.

Written testimony in support was provided by:

- Summit Shah, Columbus-based pediatric allergist
- Dr. Sarah Denny, Nationwide Children's Hospital Emergency Department Pediatrician and Assistant Clinical Professor of Pediatrics at Ohio State University
- Lillian Mendieta, attorney

Although a possible vote was scheduled, further action was not taken on the bill.

### **Senate Public Utilities Committee**

The Senate Public Utilities Committee met Wednesday, February 19<sup>th</sup> to hear [Senate Bill 59](#) (Beagle, R-Tipp City) which would authorize an eligible regional council of governments to establish itself as an education energy council for the purpose of issuing debt to pay for school district energy purchases. Although scheduled for a vote, no testimony was offered and no further action was taken at the 4<sup>th</sup> hearing on the bill.

### **Senate Public Safety, Local Government & Veterans Affairs Committee**

The Senate Public Safety, Local Government & Veterans Affairs Committee met Wednesday, February 18<sup>th</sup> and adopted a substitute version of [Senate Bill 6](#) (Schaffer, R-Lancaster) which would establish education programs and continuing education requirements for the fiscal officers of townships and municipal corporations, to establish procedures for removing those fiscal officers, county treasurers, and county auditors from office, and to create fiscal accountability requirements for public schools, counties, municipal corporations, and townships. Senator Schaffer (R-Lancaster) provided remarks about the substitute bill.

Also testifying on the bill were the following individuals:

- Mike Morrison, representing the County Treasurers Association of Ohio, testified in support.
- Heidi Fough, of the Ohio Township Association, testified as an interested party.
- Tom Pappas, representing the County Auditors Association of Ohio, as an interested party.

### **House Education Committee**

The House Education Committee met on Wednesday, February 19<sup>th</sup>. [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, was amended and reported favorably out of committee. The amendment would require the psychological evaluation required under the bill to be used only to determine if the student poses a danger to himself or others. No additional testimony was given at the 5<sup>th</sup> hearing of the bill.

[House Bill 241](#) (Hagan, C., R-Alliance) would prohibit an employee of a public or nonpublic school or institution of higher education from engaging in sexual conduct with a minor who is enrolled in or attends that 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 had its 2<sup>nd</sup> hearing. Testify in support of the bill were:

- Katie Hanna, executive director of the Ohio Alliance to End Sexual Violence
- Sarah Fowler, a member of the State Board of Education, on behalf of herself
- John Murphy, executive director of the Ohio Prosecuting Attorneys Association
- Judy Carr, an educator in Florida, provided written testimony in support of the bill

[House Bill 290](#) (Stebelton, R-Lancaster) regarding the use of school district premises by members of the public and immunity from civil liability for a school district and schools when permitting members of the public to use school premises. At the 2<sup>nd</sup> hearing of the bill, Cresha Auck Foley, government relations director for the American Heart Association and Mary Chace, professor of public health education at Wright State University testified in support of the bill. Venezuela Robinson, PTA member in Bedford, and Heather Vilvens, executive director of the Buckeye Healthy Schools Alliance, provided written testimony in support of the bill.

The committee received written proponent testimony from Don Davies, director for AoD and Dual Diagnosis for Connections: Health Wellness Advocacy on [House Bill 367](#) (Driehaus, D-Cincinnati/Sprague, R- Findlay) which would require the health curriculum of each school district to include instruction in prescription opioid abuse prevention for the bill's 2<sup>nd</sup> hearing.

[Senate Bill 69](#) (Beagle, R-Tipp City) would establish the Course and Program Sharing Network and to make an appropriation. For the bill's 2<sup>nd</sup> hearing, Karen Rafinski, interim president of the Ohio Association of Community Colleges provided proponent testimony on the bill. Board of Regents Chancellor John Carey provided written testimony in support of the concept of the program and the intent of the bill.

### **Senate Education Committee**

The Senate Education Committee met on Wednesday, February 19<sup>th</sup>. Scheduled but not heard were the following bills:

- [House Bill 111](#) (Duffey, R-Worthington) State universities-student trustees- vote/ attend executive session. -4<sup>th</sup> hearing-All testimony- Possible amendment & vote
- [House Bill 193](#) (Brenner, R-Powell) High school diploma requirements- revise. -1<sup>st</sup> Hearing- Sponsor Testimony
- [Senate Bill 241](#) (Sawyer, D-Akron) To modify the membership structure of the Straight A Program Governing Board.

Sponsor testimony was given by both sponsors of [House Bill 171](#) (McClain, R- Upper Sandusky/ Patmon, D- Cleveland) which would permit students to receive credit for released-time, off-site religious courses.

No testimony was provided on [House Bill 342](#) (Brenner, R- Powell/ Driehaus, D-Cincinnati) which makes changes to the Straight A Program and provides educational service center eligibility for a grant and makes changes to project goals. The committee favorably reported the bill out of committee with amendments. Amendments to the bill included:

- Permits ESC's to partner with clients other than their own, as long as at least one partner is a client district.
- When two or more Straight A Fund grant applicants have the same score, preference will be given to the applicant that demonstrates cost savings.
- Reduces the amount a single school district could be awarded from \$5 million to \$1 million.
- Allows a county board of developmental disabilities that provides education services to be eligible for a grant.
- Lengthens the time the Straight A Board has to make a determination from 75 days to 90 days.
- Corrects technical and grammatical errors.

Also voted favorably out of committee was [Senate Bill 96](#) (LaRose, R-Akron) which would require high school curriculum to have one unit of world history. An amendment was added to the bill that would replace "cultures" with the word "civilizations."

The committee also had an informal hearing of [Senate Bill 284](#) (Coley, R- Liberty Twp) To provide additional calamity day relief for schools and to declare an emergency. Senator Coley gave remarks on the bill. The Buckeye Association of School Administrators, Ohio School Boards Association, and Ohio Association of School Business Officials offered testimony as interested parties.

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

#### **House State & Local Government: Shared Services & Government Efficiency Subcommittee**

The Shared Services and Government Efficiency Subcommittee will meet on Tuesday, February 25<sup>th</sup> at 11:00am in room 113 for the 4<sup>th</sup> hearing and all testimony on the DataOhio legislative package. It includes the following bills:

[House Bill 321](#) (Duffey, R- Worthington/ Hagan, C., R-Alliance), To create the DataOhio Board, and to specify requirements for posting public records online

[House Bill 322](#) (Duffey, R-Worthington/ Hagan, C., R-Alliance), to require the Auditor of State to adopt rules regarding a uniform accounting system for public offices

[House Bill 323](#) (Duffey, R-Worthington/Hagan, C., R-Alliance), to establish an online catalog of public data at data.Ohio.gov

[House Bill 324](#) (Duffey, R-Worthington), to establish the Local Government Information Exchange Grant Program and to make an appropriation.

#### **House State and Local Government Committee**

The House State and Local Government Committee will meet Tuesday, February 25<sup>th</sup> at 1:00pm in Room 121 to hear the following two bills regarding the Controlling Board:

[Senate Bill 228](#) (Widener, R-Springfield) To limit the Controlling Board's authority to approve the expenditure of certain funds and to require state agencies to provide certain information to the Controlling Board regarding requested purchases from out-of-state suppliers. -2nd Hearing-Proponent testimony

[House Bill 328](#) (Young, R- LeRoy/ Hagan, C., R-Alliance) To modify the authority of the Controlling Board to approve certain expenditures. -3rd Hearing-All testimony

#### **Senate Finance Committee**

The Senate Finance Committee will meet on Tuesday, February 25<sup>th</sup> at 2:30pm in the Senate Finance Hearing Room to hear [House Bill 107](#) (Baker, R- Westlake) to create a grant program for businesses that employ high school students in career exploration internships. -5<sup>th</sup> Hearing- All testimony – Possible Vote

#### **Senate Medicaid, Health & Human Service Committee**

The Senate Medicaid, Healthy & Human Services Committee will meet on Wednesday, February 26<sup>th</sup> at 9:00am in the South Hearing Room for the 3<sup>rd</sup> hearing of [House Bill 296](#) (Johnson, R-McDermott/ Duffey, R- Worthington) which would permit public schools to procure epinephrine auto injectors in accordance with prescribed procedures and to exempt them from licensing requirements related to the possession of epinephrine auto injectors. – 3<sup>rd</sup> hearing –Opponent and Interested Party testimony

#### **Senate Education Committee**

The Senate Education Committee will meet Wednesday, February 26<sup>th</sup> at 10:45am in the North Hearing Room to hear the following bills:

[House Bill 416](#) (Burkley, R-Paulding/Hill, R-Zanesville) Schools-calamity days-2013-14 school year- allow up to 4 extra- 1<sup>st</sup> hearing – Sponsor & All other testimony- Possible vote

[Senate Bill 284](#) (Coley, R-Liberty Twp.) Schools – Additional calamity days – 1<sup>st</sup> hearing-Opponent and Proponent Testimony

### **House Education Committee**

The House Education Committee will meet Wednesday, February 26<sup>th</sup> at 5:00pm in Room 313 to hear the following bills:

[House Bill 393](#) (Baker, R-Westlake) To require public high schools to publish annually a career decision guide in its newsletter or on its web site. -1st Hearing- Sponsor testimony-Possible substitute bill

[House Bill 413](#) (Stautberg, R-Cincinnati) To prohibit the administration of the assessments developed by the Partnership of Assessment of Readiness for College and Careers for the 2014-2015 school year, to prohibit the renewal of the state’s memorandum of understanding with the Partnership, and to declare an emergency. -1st Hearing-Sponsor testimony

[House Bill 228](#) (Brenner, R- Powell) To reform the system of funding elementary and secondary education. -2nd Hearing-Proponent testimony

[House Bill 362](#) (Scherer, R- Circleville/ Derickson, R- Oxford) To authorize the STEM Committee to grant a designation of STEM school equivalent to a community school or chartered nonpublic school and to make other revisions to the law regarding STEM schools. -3rd Hearing-All testimony-Possible amendment & vote

[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. -3rd Hearing-All testimony-Possible amendment & vote

### **Federal Activity**

There is no federal update this week.