

# Legislative Update

To: State Board of Education

Re: Legislative Update
Date: April 19, 2013

## **State Activity**

# **Budget Activity**

The House Finance Committee met and passed <u>House Bill 59</u> (Amstutz, R-Wooster), the biennial budget. They made the following changes before passing the bill:

- Tweaks the pilot program in the Cleveland Municipal and Cincinnati Public School Districts to teach agricultural education created in the substitute bill by providing an additional \$5,000 per year for the Cincinnati Public School District.
- Allows a school district that levies a combined levy for current expenses and permanent improvements to replace or renew the levy solely for permanent improvements and to change the term of the levy.
- Requires the State Board of Education to review performance levels and benchmarks for report cards issued to dropout recovery community schools by December 31, 2014.
- Permits the Department of Education to decline sponsoring a community school whose contract has been terminated.
- Eliminates any education group from being eligible to receive grants from the Local Government Innovation Fund in FY14 and loans from the fund in FY15.
- Requires the Department of Education to create a study on gifted education funding.
- Increases GRF 200550, Foundation Funding, by \$250,000 each year and earmarks that amount for home-schooled students to take Post-Secondary Enrollment Options Program courses.
- Increases the accountability for school district funds that are held by an Educational Service Center.
- Appropriates \$5 million per year for a new line item, Ready to Learn, and directs the
  Department of Education to contract with public and private early childhood education
  providers to fund early childhood education for children below 200% of the federal poverty
  level.
- Clarifies that the Department of Education cannot reimburse a college through the Post-Secondary Enrollment Options Program for courses that are not included in, or are equivalent to either a transfer module or transfer agreement guide developed by the Chancellor.
- Permits an e-school that serves at least grades one through eight to divide into two schools as long as the sponsor agrees and the division is accomplished in either the 2013-2014 or 2014-2015 school year.
- Includes gifted unit funding in the list of core funding components. Requires a school district to use the funding it receives for gifted coordinator services or gifted intervention specialist services only for that purpose. Permits a school district to assign its gifted funding units to another education entity as part of an arrangement to provide gifted services.
- Provides the amount equal to the difference between the aggregate amount paid in the current fiscal year for special education services for students with a severe behavioral handicap and the amount that would have been calculated for those students in FY01.

- Allows the Superintendent of Public Instruction to create an academic distress commission for any district found by the State Auditor to have knowingly manipulated student data with the intent to deceive.
- Provides that an e-school is eligible to receive career technical education funding in addition to the core opportunity grant and special education funding.
- Removes the requirement for the State Board of Education to revise minimum operating standards.
- Permits a community school to charge tuition to a student who is not an Ohio resident.
- Clarifies that preschool students identified as developmentally disabled are category two special education students for purposes of funding.
- Maintains phonics as a part of reading instruction.
- Prohibits the teaching of sexual education coursework that endorses student nonabstinence as an acceptable behavior or promotes sexual gateway activity.
- Increases funding for GRF 200-550, Foundation Funding, by \$700,000 per year for the Private Treatment Facility Project and provides funding for a youth in a residential treatment center for approved education programs at or near the center.
- Provides that a school district may charge tuition for a student enrolled in all-day kindergarten as long as the student is counted as less than one full time equivalent student.
- Restores current law related to financial reporting by school districts.
- Renames the E-Tech Ohio Commission as the Broadcast Educational Media Commission and adjusts appropriations related to the re-establishment of this agency.
- Revises the bill's definition of "total student count" as it relates to an ESC.

The House passed <u>House Bill 59</u> (Amstutz, R-Wooster), the biennial budget, by a vote of 61-35 on Wednesday. The House accepted a floor amendment that included the following education related changes:

- Removes the provisions of the bill that do the following:
  - Prohibit the instruction of sexual education coursework by an individual who, or an organization that, endorses student nonabstinence from sexual activity as an acceptable behavior, or promotes, endorses, advocates, or condones "gateway sexual activity."
  - Specify prohibitions, conditions and exemptions for sexual education course instruction when dealing with contraception, sexual demonstrations, sexual materials, and sexual activity in sexual education instruction.
  - O Define "gateway sexual activity" as a "sexual contact," as that term is defined under current law in the Criminal Code, which is the touching of another person in an erogenous zone.
- Eliminates a requirement in the House-reported bill that the expenditure plan the Department of Education must develop for a \$10 million earmark of GRF appropriation item 200426, Ohio Educational Computer Network, to increase the broadband capacity of school districts be aligned with the capacity and timeline requirements of the achievement assessments developed by the Partnership for Assessment of Readiness for College and Careers (PARCC). Requires the expenditure plan to facilitate (rather than be aligned with, as under the House-reported bill) instructional technology/blended learning initiatives.

Staff is working to prepare a comprehensive summary of the House version of the bill. In the meantime, the comparison document of the Executive and House versions of the bill is available <a href="here">here</a>.

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

#### **House Education Committee**

The House Education Committee will be meeting on Wednesday at 5:00 pm in Room 121 of the Statehouse to hear the following bills:

- o <u>House Bill 8</u> (Roegner, R-Hudson/ Kunze, R-Hilliard), to revise school safety laws- 1<sup>st</sup> hearingsponsor testimony- possible substitute bill
- House Bill 14 (Pelanda, R-Marysville), with respect to a school districts withholding or transferring to another district or school of a child who is alleged or adjudicated an abused or neglected child-1<sup>st</sup> hearing- sponsor testimony
- Senate Bill 21 (Lehner, R-Kettering), to revise the requirements for reading teachers under the third grade reading guarantee and to declare an emergency- second hearing- proponent testimony

#### **Senate Finance Education Subcommittee**

The Senate Finance Education Subcommittee will hold the following meetings next week:

Tuesday, April 23 at 11:00 am in the South Hearing Room

- Ohio Higher Education Funding Commission
- Ohio Board of Regents

Wednesday, April 24 at 9:30 am in the South Hearing Room

- Ohio Department of Education
- Office of 21<sup>st</sup> Century Education

Thursday, April 25 at 9:00 am in the South Hearing Room

- Ohio Facilities Construction Commission
- Ohio Lottery Commission
- Ohio Tuition Trust Authority
- Capitol Square Review and Advisory Board
- Ohioana Library Association
- Ohio State School for the Deaf
- Ohio State School for the Blind
- State Board of Career Colleges and Schools
- Ohio Historical Society
- Ohio Higher Education Facilities Commission

### **Federal Activity**

There is no federal activity to report.