



To: State Board of Education
Re: Legislative Update
Date: April 20, 2012

State Activity

Introduced Bills

[House Bill 519](#) (Patmon, D-Cleveland), to require public schools to install metal detectors in all classroom buildings unless they obtain a waiver from the superintendent of public instruction

Cleveland Plan Update

Mayor Frank Jackson, Cleveland Municipal Schools CEO Eric Gordon and Cleveland Teachers Union President David Quolke announced an agreement on a reform plan for the school district. According to Mayor Jackson, the agreement includes the following issues:

- Low-performing schools: Allows the district to quickly intervene in low-performing schools in consultation and collaboration with unions and clarifies that teachers and employees cannot and will not be fired just because they work in low-performing schools.
- Differentiated salary schedule: Ensures the development of a salary schedule that factors in performance, specialized training and other relevant experience, and that teachers will not receive pay cuts simply because a new pay schedule is created.
- Teacher assignments: Allows the district to fill teaching positions in all schools using hiring teams that include principals, teachers and parents, as opposed to simply assigning teachers based on seniority.
- Teacher evaluations: Protects the school district's and union's work on a modernized teacher development and evaluation system while expanding time lines and focusing on quality.
- Tenure and dismissal: Provides the district wider discretion about granting tenure and streamlines the dismissal process for poorly performing teachers by focusing on performance evaluation as the primary factor, while protecting the due process rights for school district employees.
- Reductions in force or layoffs: Aligns layoff decisions to teacher evaluations and teacher quality, and uses tenure and seniority as tiebreakers when needed.
- School year calendar: Allows the school district to set the school year and school day calendar for all district schools.
- Transformation Alliance: Clarifies that the Transformation Alliance must conduct public meetings, provide access to public records and adopt appropriate conflict-of-interest policies.

This Week's Committees

House Finance and Appropriations Committee

The House Finance and Appropriations Committee met on Tuesday and adopted a substitute version of [House Bill 487](#) (Amstutz, R- Wooster), the mid-biennium budget review. Below is a list of the education related changes made to the bill:

- Amends a provision in a previous operating budget regarding the exemption of public auction requirements of the sale of school district property to allow the land to be used for residential, not only commercial property as the statute stated
- Permits a school district board of education to offer real property for sale to a state university whose main campus population is between 17,000 and 22,000 rather than to a community school in the districts area or public auction, if the property is within 100 feet of another university building
- Sunsets the Digital Learning Taskforce to June 30, 2012 instead of June 30, 2013
- Harmonizes the amounts of the Cleveland Scholarship with that of the Educational Choice Scholarship
- Repeals statutes concerning the Legislative Office of Education Oversight which was eliminated in 2005.

Senate Education Committee

The Senate Education Committee met on Tuesday and Thursday to hear testimony on [Senate Bill 316](#), the education MBR. The committee heard testimony from the following witnesses:

- Stan Heffner, Superintendent of Public Instruction
- Richard Hickman, Director of the Ohio School Facilities Commission
- Damon Asbury, Ohio School Boards Association
- Tom Ash, Buckeye Association of School Administrators
- Barbara Shaner, Ohio Association of School Business Officials
- Michele Winship, Ohio Education Association
- Melissa Cropper, Ohio Federation of Teachers
- Stephanie Siddens, Ohio Department of Education's Office of Early Learning and School Readiness
- Michael McCreight, Ohio Department of Job and Family Services' Assistant Director of Health and Human Services
- Bethany Sanders, Independent Home Childcare Providers
- Peg Burns, Ohio Council of Behavioral Health and Family Service Providers
- Bruce Madsen, Ohio Department of Job and Family Services
- Andrea Applegate, Columbus Chamber of Commerce
- Paul Jarvis, Ohio Developmental Disabilities Council
- Ann Sheldon, Ohio Association of Gifted Children
- Katie Kelly, Groundwork

House Education Committee

The House Education Committee met on Wednesday and held their first hearing on [House Bill 466](#) with Representative Patmon (D-Cleveland) offering sponsor testimony. This legislation would require that employees and students at state institutions of higher education who work with children receive training in child abuse prevention.

The committee also held its second 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 accepted an amendment to the bill that does the following:

- Adds IEPs and 504 plans to the list of documents that must be transferred
- Requires districts to annually report to ODE the number of pupils for whom the board sent transcripts under the bill and the total of unpaid fees lost

The following individuals offered proponent testimony:

- Greg Kapcar, Public Children Services Association of Ohio
- Sharon Robinson-Walls, Chief Magistrate of the Union County Probate and Juvenile Court
- Sarah Biehl, Ohio Poverty Law Center

The last piece of business before the committee was a third hearing on [House Bill 437](#) (Roegner, R-Hudson and Patmon, D-Cleveland) which would increase the number of miles a school district board may authorize its motor vehicles for out-of-state travel. No witnesses were present. The committee unanimously passed the bill.

Next Week's Committees

Senate Education Committee

The Senate Education Committee will meet on Tuesday, April 24 at 9:30 AM in the South Hearing Room to hear testimony on the charter school and dropout recovery provisions in [Senate Bill 316](#).

The Senate Education Committee will meet again on Wednesday, April 25 at 10:30 AM in the North Hearing Room to hear testimony on the academic performance ratings, third grade guarantee, teacher evaluation and teacher testing provisions in [Senate Bill 316](#).

The Senate Education Committee will meet again on Thursday, April 26 at 10:00 AM in the South Hearing Room to hear testimony on the academic performance ratings, third grade guarantee, teacher evaluation and teacher testing provisions in [Senate Bill 316](#).

House Education Committee

The House Education Committee will meet on Wednesday, April 25 at 5:00 PM in Room 313 of the Statehouse to hear the following bills:

[House Bill 233](#) (Letson, D-Warren and Huffman, R-Lima), to authorize school districts to sell commercial advertising space on school buses- 3rd hearing- proponent testimony

[House Bill 377](#) (Duffey, R-Worthington and Stinziano, D-Columbus), to grant student members of the boards of trustees of state universities and the Northeast Ohio Medical University voting power and the authority to attend executive sessions- 3rd hearing- all testimony- possible amendment/ possible vote

[House Bill 191](#) (Hayes, R-Harrison Township and Patmon, D-Cleveland), to establish a minimum school year based on hours, rather than days, of instruction- 7th hearing- all testimony- possible vote

The committee will also be hearing testimony on the new academic performance ratings and third grade guarantee from the following:

- Mary Laura Bragg, Foundation for Excellence in Education
- Patricia Levesque, Foundation for Excellence in Education
- Marcus Winters, The Manhattan Institute

House Finance and Appropriations Committee

The House Finance and Appropriations Committee will be meeting on Tuesday, April 24 at 1:30 PM in Room 313 of the Statehouse to hear the following bill:

[House Bill 487](#) (Amstutz, R-Wooster), the mid-biennium budget review- 6th hearing- possible amendments/ possible vote

Federal Activity

There is no federal activity to report for this week.