



OEA Legislative Watch

April 1, 2011

Governor Kasich Signs Senate Bill 5 After Passing House and Senate Votes on Senate Bill 5

Senate Bill 5 (R-Jones) was signed by Governor Kasich on March 31, 2011. It will become effective 90 days after being filed with the Secretary of State's Office (filing expected today). The bill severely restricts collective bargaining rights for public employees, including taking all collective bargaining rights from higher education faculty. Additional changes in the House will require 50% of teacher evaluations to be based on measures of student academic growth as specified by the Ohio Department of Education.

Senate Bill 5 will kill jobs and hurt Ohio's middle class and local economies. The OEA and its labor allies vehemently opposed this legislation. The House and Senate votes on the bill were as follows:

Ohio House Vote:

On Wednesday, March 30, 2011, the Ohio House voted to pass Senate Bill 5 (53-44). All House Democrats present voted against the measure. They were joined by five House Republicans who voted "no" on SB 5. The five Republican no votes were:

John Carey (R-Wellston); Randy Gardner (R-Bowling Green); Terry Johnson (R-McDermott); Casey Kozlowski (R-Pierpont); Ross McGregor (R-Springfield)

Two House members were not present: Barbara Boyd (D-Cleveland Heights) and Rex Damschroder (R-Fremont).

Ohio Senate Vote:

On Wednesday, March 30, 2011, the Ohio Senate voted 17-16 to concur with House amendments to Senate Bill 5. The makeup of the Senate concurrence vote was the same as the initial Senate vote passing the bill. This vote sent the final version of SB 5 to Governor Kasich for his signature. All Senate Democrats voted against the bill. They were joined by six Senate Republicans who voted "no" on SB 5. The six Republican no votes were:

Tim Grendell (R-Chesterland); Jim Hughes (R-Columbus); Gayle Manning (R-North Ridgeville); Scott Oelslager (R-North Canton); Tom Patton (R-Strongsville); Bill Seitz (R-Cincinnati).

Do you know that the political process affects virtually everything in your school day?

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Questions?

Contact your Governmental Services Team

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BE SURE TO THANK YOUR STATE REPRESENTATIVE AND STATE SENATOR IF THEY STOOD WITH OHIO'S PUBLIC EMPLOYEES AND VOTED "NO" ON SB 5.

Budget Bill (HB 153) Gets Hearings, Proposes Big Cuts to Education and Removing Teacher Salaries From Collective Bargaining

The following chart is based on "ALL FUNDS" dollars, not just General Revenue Fund dollars (state foundation aid).

Category	Current FY 2011	Proposed FY 2012	% from FY 2011	Proposed FY 2013	% from FY 2012
K-12 Education	\$11.5 billion	\$10.2 billion	(11.5%)	\$9.7 billion	(4.9%)
Higher Education	\$2.57 billion	\$2.3 billion	(10.5%)	\$2.4 billion	3.7%
DD (overall)	\$1.7 billion	\$1.78 billion	4.6%	\$1.98 billion	9.9%
DD County Board Subsidies	\$67 million	\$41 million	(38.7%)	\$44 million	8.7%
DRC	\$1.75 billion	\$1.58 billion	(9.9%)	\$1.57 billion	(.7%)
DYS	\$287.1 million	\$242.3 million	(15.6%)	\$251.9 million	4%
School For Blind	\$10.1 million	\$12.4 million	22.1%	\$12.4 million	0%
School For Deaf	\$12 million	\$11.9 million	(1.2%)	\$11.9 million	0%
State Library Board	\$22 million	\$21.6 million	(2.1%)	\$21.6 million	0%

The budget bill presents many significant concerns which the OEA will aggressively address. These include the following:

- \$3.1 billion "all funds" reduction in K-12 education funding and other funding cuts to agencies under which OEA members serve
- Remove teacher salaries (K-12, ESC & DD) from collective bargaining and allowing the employer to unilaterally set salary ranges and designate salaries for individual teachers based on teacher evaluations and other measures
- Restrict appeal options for teacher dismissal
- Require teacher testing in poor performing school districts
- Allow parent takeover of schools that could lead to replacing at least 70% of personnel
- Implement teacher bonuses based solely on student test scores
- Eliminate the cap on charter schools in "challenged" school districts
- Expand of vouchers from 14,000 to 60,000
- Require a 12/12 percentage split in employer/employee pension contributions, instead of 14/10
- Open the door to mandatory health care pooling and erode collective bargaining rights on health care benefits and premiums
- Require each state institution of higher education to require each full-time research or instructional faculty member to teach at least one additional course during each two year period beginning in the 2011-12 academic year
- Require privatization of five correctional institutions, some serviced by SCOPE

Senate Bill 86 (D-Sawyer) Receives Important Amendments

Senate Bill 86 would authorize a charter school inside Department of Rehabilitation and Corrections facilities to provide instruction towards a high school diploma. The OEA and its members in the State Council of Professional Educators (SCOPE) oppose this legislation, as SCOPE is already providing high quality instructional services for inmates seeking a high school diploma. SCOPE members Jack Rosenberry and Todd Dygert testified in opposition to the bill before the Senate Education Committee. OEA and SCOPE worked to secure three amendments that will improve the bill, although opposition to the bill will continue. The amendments will do the following: 1) make the charter school authorization a pilot program and require that it meet the parameters of an evaluation process; 2) prohibit the charter school from providing instructional services towards a GED inside a DRC facility and; 3) require appropriate security training for employees hired by the charter school. House Bill 164 (R-Blessing) is a similar bill in the House.

Calamity Day Bill Still Pending

A bill that would increase the number of calamity days for the 2010-11 school year is still pending in the legislature. House Bill 36, sponsored by Representative Casey Kozlowski (R-Pierpont), would increase the number of excused calamity days for the 2010-11 school year from three to five. The bill also extends the ability of school districts to make up calamity days by adding time to the school day. The bill has passed both the House and Senate. However, because the Senate made amendments, the House will need to vote to concur with those changes before the bill is sent to Governor Kasich for his signature. Additionally, the bill contains an emergency clause, meaning it would go into effect upon being signed into law. Emergency clauses require a two-thirds majority in order to pass.

HB 36 would require school district contingency plans to make up at least five days but allow additional flexibility to make up the first five unexcused days by adding time to the school day in half-hour increments. The bill continues current law that such a plan cannot conflict with an existing collective bargaining agreement. An amendment was added in the Senate that allows districts to make up as many as five days by allowing students to complete lessons posted online. Such a plan is optional and must include written consent by the local bargaining unit representing teachers. Another amendment dealt with busing for students enrolled in community schools. Due to objections to those issues by some Democrats, the concurrence vote that was to be held Tuesday, March 29, 2011 was delayed.