



# OEA Legislative Watch

June 3, 2011

## **Senate Finance Committee Removes Senate Bill 5 Provisions from Budget Bill (HB 153): Makes Changes to Funding, Charter Schools and Vouchers**

### **Senate Bill 5 Provisions:**

The Senate Finance Committee accepted a new version of Substitute House Bill 153 this week. The OEA's advocacy successfully removed Senate Bill 5 provisions from the budget bill, which will protect and honor the right of Ohio's citizens to have their voices heard through the constitutional referendum process this November. The Senate Bill 5 provisions removed from the bill include:

- Teacher "performance pay" based schedule mandate;
- Teacher and principal evaluations, including requirement that at least 50% of evaluations be based on student test performance;
- Prohibition on new continuing contracts;
- Reduction in force order based on teacher "performance" rankings;
- Prohibition on charter school collective bargaining.

Governor Kasich and his staff are working to get the teacher "performance pay" and evaluation language back in the bill before it passes out of the Senate. Even if the Senate Bill 5 language stays out of the Senate passed version of the budget, Ohio House Speaker Bill Batchelder (R-Medina) has vowed to try to get it back into the bill during the conference committee process. This will be a struggle until the very end, so the OEA must maintain its vigilance in advocating to keep the Senate Bill 5 provisions out of the bill.

Go to <http://aces.ohea.org> to email your legislators, or use the Educator Call line at 1-888-907-7309, and urge them to protect the voice of Ohio's citizens and keep Senate Bill 5 provisions out of the budget.

### **K-12 Funding:**

The Senate Finance Committee added \$115 million for K-12 Education spending (of that total, \$85 million is directed toward the foundation formula, the remaining \$30 million would go to an incentive program for districts rated excellent as a \$17 per pupil supplement). The Senate states that this will ensure that each school district receives as much state foundation formula aid (minus federal stimulus) as they will have received in FY 11. However, this clearly does not resolve the fact that school districts still face significant and harmful education cuts in the budget. At this time, the decrease in overall "all funds" education funding is approximately \$2.9 billion over FY12-13 when compared to FY 11 amounts (\$1.2 billion cut in FY 12 and \$1.7 billion cut in FY 13).

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

Take action —  
Become an OEA Member Lobbyist

Questions?

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### **Charter Schools:**

The Senate Finance Committee removed numerous provisions added in the House that would reduce accountability and transparency of charter school operators. The bill retains language strengthening the performance criteria triggers for automatic closure of a charter school and has language prohibiting a sponsor from sponsoring additional schools based on performance criteria. However, the bill has new language permitting start-up charter schools with at least 75% students with disabilities in a “non-challenged school district,” if the Ohio Department of Education or the school district certify the need. Further, the bill adds to the definition of “challenged school districts” any district in the lowest 5%. This will overlap somewhat with the existing definition of “challenged school districts,” which includes districts in academic watch or academic emergency. The bill would also repeal the moratorium on new e-schools and qualified moratorium on new brick and mortar schools.

### **Special Education Vouchers:**

The substitute version of House Bill 153 would create a new, statewide special education voucher program that would permit up to 5% of Ohio’s special education students (approximately 13,000 students) to receive a voucher to attend alternative private or public special education programs. The OEA believes that the best way to serve special education students is to maintain and strengthen the current public system of education as it relates to special needs.

Under current law, all school districts are required to find ways to serve students with special needs—either by providing the services required under an IEP or contracting with another provider. Under this system, complaints are rare and parents have due process rights to make sure problems are resolved. The OEA opposes the use of taxpayer funded voucher programs to support private school tuition and urges that this provision be removed from the bill.

### **School Transportation Outsourcing:**

The substitute version of House Bill 153 contains language from Senate Bill 116 that would facilitate the outsourcing of school transportation services in non-Civil Service (local and exempted village) school districts. Outsourcing transportation services raises numerous safety and cost concerns. The OEA is seeking to remove this provision.