



January 29, 2016

Sub. HB 420: OEA Strongly Opposes “Gotcha” School Employee Penalty Regarding Opt-Outs

We received word late yesterday that the sponsor of the bill will ask the House Education Committee to remove the school employee penalty provision from the bill.

Sub. HB 420 creates an extreme and misdirected penalty for school employees based on the wildly vague and subjective standard of “negligently suggesting” a student opt-out of a state assessment. OEA will not stand for this hostile “gotcha” legal trap and it must be removed from the bill. The House Education Committee held its first hearing on Sub. HB 420 (R-Roegner) on January 27, 2016.

Sub. HB 420 school employee penalty provision: The bill states that no employee of a school district or public school shall negligently suggest to any student, or parent, guardian, or custodian of that student, enrolled in the district or school that the student should choose to not take any state assessment (prohibition does not apply to IEP team determinations). If a state board of education investigation finds that a school employee holding a license has violated the prohibition, the employee’s license shall be suspended for one year. If a nonteaching employee is found to have violated this prohibition, it is grounds for termination.

OEA OPPOSITION

Educators will not stand for the “gotcha” school employee penalty regarding opt-outs in Sub. HB 420. This hostile legal trap must be removed from the bill.

- **OEA will fight to stop the cynical and misdirected “gotcha” school employee penalty.**

- Educators will not accept being unfairly targeted with baseless, vague and subjective legal traps that could take away their livelihoods.
- Ohio’s student-centered education professionals will defend their profession and fiercely oppose being bullied with the “gotcha” school employee penalty in Sub. HB 420.

SEND A MESSAGE TO YOUR LEGISLATORS OPPOSING THE “GOTCHA” SCHOOL EMPLOYEE PENALTY IN SUB. HB 420: [click here](#)

OEA Testifies Against Bill That Allows For Hiring of Unlicensed Teachers

On Wednesday, January 27, 2016, OEA Vice President Scott DiMauro testified against Senate Bill 3 before the House Education Committee. Of particular concern to OEA is a provision of the bill that would exempt certain districts, based on qualifications on the district report card, from certain education policies. These exemptions include requirements to hire licensed teachers, restrictions on class size and the mentoring component of the resident educator program.

In his testimony, DiMauro stated, “there is certainly merit in identifying regulations that may be unnecessarily burdensome. However, it is important to draw clear distinctions between ‘regulations’ and measures put in place to help students and support teacher quality and effectiveness.” He continued, “hiring qualified, licensed teachers; offering them support as they grow in the profession and keeping class sizes small to allow for more individual instruction are some of the key elements of helping students succeed.” Some of the provisions of SB 3 move in the opposite direction.

You can read the complete testimony [by clicking here](#). It is expected there will be a substitute version of SB 3 in the committee in the coming weeks. OEA opposes SB 3 in its current form and will continue to seek improvements in the bill.

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