

June 29, 2017

Legislature Passes Budget Bill and Sends to Governor Kasich

This week, the Ohio Legislature finished its work on the state budget for FY 2018 and FY 2019 (House Bill 49). The final bill was produced by a Conference Committee that worked out the differences between the House and Senate. On Wednesday, the Senate voted 24-8. The House followed by voting in favor of the bill, 59-40. The bill is subject to possible line-item vetoes and must be signed by Governor Kasich by Friday, June 30, 2017.

The Conference Committee report is reflective of OEA's position in many key areas (listed below). OEA would like to express our gratitude to members of the Ohio General Assembly for listening to our members on these issues.

High School Graduation Requirements

The Conference Committee retained language in the Senate version of the bill that creates two alternative graduation pathways for the Class of 2018. These options that were based on the recommendations of the State Board of Education and a group of stakeholders convened to address the looming graduation crisis. OEA strongly supports this provision as it will provide additional opportunities for graduation that are not based on high-stakes testing.

Resident Educator Program

The Conference Committee adopted the House-passed language eliminating Ohio's Resident Educator Program. OEA supports the elimination of the current summative assessment of the program (years 3 and 4).

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Access to Student Data Verification Codes

The Conference Committee reinserted a House provision that allows the Ohio Department of Education (ODE) to know the identity of students associated with Statewide Student Identifiers (SSIDs) for the purpose of making per-pupil payments to charter schools. This provision is needed to help prevent duplicate SSIDs for the same student being entered into the Education Management Information System – School Options Enrollment System (EMIS – SOES). One result of duplicate SSIDs is that more than one per-pupil payment is made for the same student. In turn, more than one per-pupil deduction from a local school district is made for the same student.

Elimination of Higher Education Provisions

The Conference Committee retained the Senate’s elimination of provisions that OEA opposed. These include the proposal to reduce sick leave for higher education employees, the requirement for faculty who assign textbooks to file annual financial disclosure with the Ohio Ethics Commission, and the state requirement that each tenured professor have at least one post-tenure review every five years.

Paper Option for Testing

The Conference Committee retained House-passed language that would allow schools to choose to administer state achievement assessment in a paper format or in a combination of paper and electronic formats. The paper tests shall be provided to the school district free of charge.

Testing Reduction

The Conference Committee retained Senate language that eliminates the fourth and sixth grade Social Studies assessments.

Reporting of Victims of Student Violence

The Conference Committee retained a Senate proposal that requires reporting of violent behavior by students in the Education Management Information System (EMIS) to include the person or persons identified by their respective classifications (ex. student, teacher) against whom the behavior was directed. The EMIS data would be used to prepare a

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report indicating the frequency of violent behavior directed at school staff over a two-year period.

Summer Food Service Programs

The Conference Committee adopted the Senate provision that seeks to provide students with greater access to Ohio's summer food program by allowing an outside organization to use a school as a summer meal site if certain conditions are met.

Teacher Retirement Incentives

The Conference Committee adopted the Senate's removal of a House-passed provision dealing with early retirement incentives and severance pay that would have prevailed over collective bargaining agreements.

SCOPE: Early-release credit for completing high school education and other prison programs

The Conference Committee adopted a provision that allows an incarcerated person in the Department of Rehabilitation and Correction to earn 90 days of early-release credit, or a 10 % reduction of the person's sentence, whichever is less, for completing any of the following programs:

- Ohio high school diploma certified by the Ohio Central School System
- certificate of high school equivalence certified by the Ohio Central School System
- college certification program
- certificate of achievement and employability as specified in ORC 2961.22
- therapeutic drug community program
- all three phases of the Department of Rehabilitation and Correction's intensive outpatient drug treatment program

The credit is not available to a prisoner serving a mandatory prison term or a term for an a violent or a sexually oriented offense.

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Other provisions adopted by the HB 49 Conference Committee include:

School Funding

The Conference Committee adopted the Senate's version of the school funding formula. OEA acknowledges the funding challenges presented by the state's projected revenue shortfall and appreciates the legislature's efforts to keep school district reductions to a minimum.

OEA supports the Senate's modification to the ADM loss factor to a two-year look back for the purposes of calculating transitional aid. However, OEA remains troubled by the reduction in transportation funding for approximately half of Ohio's school districts and that the gain cap represents a significant underfunding of the formula.

The Conference Committee district-by-district total funding spreadsheets can be found [here](#) and [here](#).

SERS COLA Changes

The Conference Committee adopted language in the Senate's version of the bill that deals with cost-of-living adjustments (COLAs) granted by the School Employees Retirement System (SERS). OEA is supportive of action taken by the SERS Board in September 2016 to seek changes that would base the COLA on increases in the consumer price index, capped at 2.5% rather than a flat 3% increase as provided in current law. Further, COLA payments to current retirees would be frozen for three years and future retirees would not receive a COLA for three years. However, the language in HB 49 would grant the SERS Board permissive authority on whether to grant a COLA on an ongoing basis (rather than a three-year freeze). OEA had requested that this provision be drafted narrowly rather than granting the SERS Board broad ongoing authority over the COLA benefit.

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