

## **OEA Government Relations – State Budget Bill Analysis (HB 166)**

### **As Passed by the Ohio General Assembly – Signed by Governor 7.18.19**

*\*Fiscal provisions effective immediately; policy provisions effective 90 days after Governor signature.*

**July 18, 2017**

#### **Academic Distress Commissions (ADC) – State Takeovers**

- Temporarily prohibits the Superintendent of Public Instruction from establishing any new ADCs for the 2019-2020 school year and requires the Superintendent to resume establishing ADCs that meet the criteria specified under current law beginning October 1, 2020 (the provision does not affect ADCs established prior to the bill's effective date).
- It is being reported that the Senate has committed to passing HB 154 which was overwhelmingly approved by the House and which repeals ADCs, restores local control and requires locally developed improvement plans for “F” rated buildings with unspecified Senate amendments within the next 30 days.

#### **School Funding**

- Increases funding by \$381.8 million, or 4.1%, for the 2019-20 school year, and includes a 2% hike the following year.
- Also provides \$675 million over the biennium for wrap-around student support services for at-risk students and \$20 million for districts to purchase school buses.
- VETOED by Governor: Beginning in FY 2022, guarantees that each school district receives at least as much funding per-pupil as the state sends to chartered nonpublic (private) schools in state Auxiliary Services administrative support funds (about \$1,305 per-pupil in FY 2019). For example, any school district that currently receives less than \$1,305 per-pupil state funding will see a per-pupil funding increase to at least that amount beginning in FY 2022.

#### **Graduation Requirements**

- Revises graduation requirements, which take effect starting with the class of 2023 (students entering ninth grade on or after July 1, 2019). The new requirements are optional for students in the classes of 2018, 2019, 2020, 2021, and 2022.
  - In order to qualify for a high school diploma, a student must meet current curriculum requirements, and do both of the following: (1) attain a "competency score" on both the algebra I and English language arts II end-of-course exams (or use an alternative demonstration of competency) and (2) attain at least two state diploma seals, at least one of which must be the existing biliteracy seal, the existing OhioMeansJobs-readiness seal, or one of the new seals for which the State Board of Education establishes requirements.
  - Requires school districts to offer remedial support to students who fail one or both of the required competency exams, and requires such students to retake the respective exam at least once.

- Permits students who fail the retakes to demonstrate competency by (1) completing course credit through the College Credit Plus program, (2) providing evidence the student has enlisted in a branch of the U.S. Armed Forces, (3) completing at least one "foundational" option (including earning proficient scores on at least three of four state technical assessments in a single pathway, obtaining an industry-recognized credential, completing a pre-apprenticeship or apprenticeship, or providing evidence of acceptance into an apprenticeship program after high school) and either another "foundational" option or a "supporting" option (including completing 250 hours of work-based learning experience, obtaining an OhioMeansJobs-readiness seal, or attaining a score on the WorkKeys assessment).
- Requires a school district or chartered nonpublic school that requires a foreign language as an additional requirement for high school graduation (beyond the minimum curriculum requirements) to accept one unit of computer coding instruction toward meeting that requirement. Specifies that additional coding courses applied toward the requirement must be sequential and progressively more difficult.

### **Testing**

- Eliminates the English language arts I end-of-course exam for students entering ninth grade after July 1, 2019 (the Class of 2023) and requires ODE to seek a waiver from the U.S. Secretary of Education in order to make the algebra I end-of course exam the primary high school math assessment.
- Requires the Superintendent of Public Instruction, or designee, to conduct a public presentation before the House and Senate education committees that consider primary and secondary education legislation regarding the range of scores on the end-of-course exams designated by the State Board of Education.
- Prohibits a student from being required to retake the algebra I end-of-course exam or the English language arts II end-of-course exam in high school if the student achieved at least a proficient score or a "competency score" on the exam prior to high school.

### **Educator Licensure**

- VETOED by Governor: Eliminates the requirement that teachers providing instruction in core subject areas be "properly certified or licensed" to teach in the subject areas and grade levels in which they provide instruction.
- VETOED by Governor: Eliminates the requirement that community school paraprofessionals employed by a program supported with federal Title I funds be "properly certified" in order to provide academic support in core subject areas.
- For the 2019-2020 and 2020-2021 school years, allows an individual who holds a valid educator license in any of grades 7 through 12 to teach a computer science course if, prior to teaching the course, the individual completes a professional development program approved by the district superintendent or school principal that provides content knowledge specific to the course the individual will teach.

### **Report Cards**

- Modifies the grading scale used to determine letter grades assigned for the report card's value-added progress dimension, which computes "gain index" values based on the number of standard errors above or below the mean on a statistical measure of academic growth. Expected to result in higher value-added progress grades for some districts.
- Establishes a study committee, which must convene and elect a chairperson not later than 30 days after the bill's immediate effective date, to study the calculation and weighting of performance measures, components, and the overall letter grade on the report card. Also requires the committee to consider the report card's design principles, primary audience, and the manner in which it addresses student academic achievement. Requires the committee to submit a report to the General Assembly by December 15, 2019.

### **Teacher Minimum Salary**

- Sets the minimum salary (base salary) for teachers with bachelor's degrees is \$30,000, rather than \$20,000 as under current law.
- Makes changes to the other steps specified in the teacher salary schedule based on the change to the minimum salary, using the same percentages for each step as under current law (the stepped teacher salary schedule is based on the teacher's years of service and level of education or training).

### **Vouchers**

- Expands eligibility for *income-based* EdChoice scholarships to all students entering grades K-12 for the first time, beginning with the 2020-2021 school year. Income-based scholarships are paid directly by the state through a GRF appropriation and are limited by the appropriation (increases income-based EdChoice voucher appropriation by \$50 million in FY 2021).
- If the number of applicants for a *traditional* EdChoice scholarship for a school year exceeds 90% of the maximum number of scholarships permitted by statute for each year (60,000 under current law), requires ODE to increase the maximum number of scholarships permitted for the following school year by 5%. In FY 2019, approximately 23,000 scholarships were awarded under the traditional EdChoice Scholarship program.

### **Charter Schools**

- Reduces frequency of ODE evaluations of charter school sponsors from annually to once every five years for sponsors who are rated "effective" or "exemplary" for at least three consecutive years.
- Requires ODE, prior to the publication of the final ratings for charter school sponsors, to permit each sponsor to review the information used by ODE to determine the sponsor's rating on the academic performance component and to request an adjustment to the sponsor's rating for that component, if it believes there is an error in ODE's evaluation. (Current law permits sponsors to review and request adjustments only on the "adherence to quality practices" and "compliance with laws and rules" components of the sponsor evaluation system.)
- For dropout-prevention charter school report cards, lowers the threshold for the number of points a student must earn on end-of-course exams with regard to the school's state test passage rate indicator.

- Creates a committee to study and make recommendations regarding dropout-prevention charter schools that offer two or more of the following models: (1) blended learning, (2) portfolio learning, and (3) credit flexibility.
- Modifies the closure criteria for a dropout prevention and recovery charter school to those receiving a designation of "does not meet standards" on the report card for the three most recent school years, rather than for two of the three most recent school years as under current law.

### **School Facilities**

- Requires a school district to offer to sell or lease school facilities to charter schools, STEM schools, and college-preparatory boarding schools in the district if the facilities were once used for school operations, but have not been used for those purposes for one year, rather than two years as under current law.

### **School Transportation**

- Prohibits a school district from reducing transportation it has opted to provide to students the district is not required to transport after the first day of the school year (eliminates the option for districts to reduce transportation costs during a school year).
- Permits the following to perform the annual medical examination for bus drivers as required by State Board of Education rules: (1) licensed chiropractors; (2) medical professionals listed on the National Registry of Certified Medical Examiners; and (3) medical professionals currently authorized to perform the exams under State Board of Education rules.

### **School Breakfast Programs**

- Requires ODE to establish a program, under which higher-poverty public schools must offer breakfast to all enrolled students before or during the school day to be phased in over a three-year period, as described below.

### **Other**

- Abolishes the Joint Education Oversight Committee (JEOC) on October 1, 2019.
- Changes references of "limited English proficient student" to "English learner" to align with federal law.