

OEA GOVERNMENT RELATIONS

LEGISLATIVE UPDATE – Fall 2019 Representative Assembly

November 19, 2019

House Bill 122: Statewide Income-Based Voucher Program

House Bill 122, sponsored by Representative Kyle Koehler (R-Springfield) would eliminate the current EdChoice and Cleveland voucher programs and replace them with a statewide voucher program with eligibility based on family income. OEA opposes this bill.

Under HB 122, students would be eligible for a voucher with family incomes up to 400% of the federal poverty guidelines (\$103,000 for a family of four). The full voucher amount would be \$5,000 for K-8 and \$7,500 for grades 9-12. The voucher amount would be on a sliding scale with those with family income at 400% of the poverty guideline receiving 50% of the full amount and those with family income at or below 200% receiving the full amount.

The bill would also establish an education savings account for a student whose voucher exceeds the tuition and fees charged by the private school. Account balances could be used to pay for other primary and secondary education expenses.

House Bill 123 – School Safety Training

House Bill 123, sponsored by Representatives Gayle Manning (R-North Ridgeville) and Glenn Holmes (D-Girard), is currently pending in the Senate Education Committee. The bill, better known as the Safety and Violence Education (SAVE) for Students Act aims to address school safety in our schools. OEA supports the legislation. The bill's primary provisions are listed below:

- Requires the Ohio Department of Education to develop a statewide anonymous reporting program to report any dangerous or violent activity that may occur or that has already occurred on school property or that relates to the school community. Requires each school to participate beginning the first school year after the bill's effective date.
- Requires the Ohio Department of Public Safety and the Ohio Department of Education to develop a model policy and a list of approved training programs to serve as a guide for school threat assessment teams.
- Requires each public school to create a threat assessment team for each building serving grades 6-12, not later than two years after the bill's effective date. Permits an existing school safety team to also serve as a threat assessment team.

- Requires each member of a school threat assessment team to complete an approved threat assessment training certification program upon appointment and once every three years thereafter.
- Requires the administrator of each public school to develop, adopt, and incorporate a school threat assessment plan into the building's existing emergency management plan.
- Requires various state departments to maintain a list of approved training programs for instruction in suicide awareness and prevention, violence prevention, and in social inclusion.
- Requires each public school to provide instruction in both suicide awareness and prevention, safety training and violence prevention, and social inclusion for students in grades 6-12.
- Requires each public school to create a student-led violence prevention club in each building under its control serving grades 6-12. An existing club may satisfy this provision of the bill.

House Bill 154 (Academic Distress Commissions)

OEA continues to work with the Senate on a House Bill 154 (R-Don Jones/D-Joe Miller) substitute bill that will immediately release Youngstown, Lorain and E. Cleveland City Schools from state takeover status and return collective bargaining rights. Over the last month, OEA has attended numerous meetings with legislators and representatives of the Governor's office to discuss progress on the bill. OEA is in communication with House allies. Senate Education Committee Chair Peggy Lehner is hosting stakeholder meetings on to discuss proposed amendments.

House Bill 165 – Health Education Standards

House Bill 165, sponsored by Representatives Beth Liston (D-Worthington) and Tavia Galonski (D-Akron), would require the State Board of Education to adopt either the most recent health education standards developed by the American Association for Health Education or to develop health education standards. These standards would be provided to all school districts but would not require them to be utilized. The bill is currently pending in the House Education Committee. OEA supports the legislation.

House Bill 166 - State Budget Bill Analysis (Fiscal Years 2020 and 2021)

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

Primary and Secondary Education

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

- The state formula for base aid is frozen for the current biennium, each district gets what it received in revenue in FY 2019 in both fiscal years 2020 and 2021.
- Provides approximately \$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 previous classes.
- 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 readiness seal for “OhioMeansJobs” 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 a readiness seal for "OhioMeansJobs" 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.
- Requires each school district (by June 30, 2020) to establish policies and procedures to identify students at risk of not graduating and providing notification to a student's parent or guardian each year a student is identified as at risk. The policy must require the district or school to assist at-risk students with additional instructional and support services to help the students qualify for graduation.
- The policy also requires each district or school to develop a graduation plan for each high school student. The plan must be developed jointly by a student and representative of the district or school and updated annually. A student's parent/guardian must be invited to assist in developing or updating the plan.

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.
- 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.

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.

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.

Territory Transfer

- Creates a new process for transferring territory between school districts. Ohio Revised Code section 3111.242, allows residents who live within a township containing more than one school district to initiate a petition to transfer territory to an adjacent school district. If the majority of voters, within the proposed transferred territory approve, township trustees would negotiate the terms of the transfer with the school district gaining the territory. According to Policy Matters Ohio, more than 500 school districts in Ohio share a township with another district.

OEA is opposed to the new territory transfer law and is seeking legislative repeal.

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.

Higher Education

Higher Education	HB 166 As Enacted				
	FY 2019	FY 2020	% Change	FY 2021	% Change
Total (State GRF)	\$2,588,363,615	\$2,721,287,310	5.14%	\$2,807,425,214	3.17%
All Funds Total (GRF + Fed)	\$2,636,508,258	\$2,770,630,350	5.09%	\$2,856,734,465	3.11%
State Share of Instruction	\$1,977,370,954	\$2,019,202,822	2.12%	\$2,039,394,850	1.00%
Ohio College Opportunity Grant	\$97,758,480	\$122,260,500	25.06%	\$148,200,000	21.2%
Choose Ohio First Scholarship	\$12,381,711	\$26,169,310	127.51%	\$40,177,613	42.63%
Shawnee State Supplement	\$2,537,456	\$4,037,456	59.11%	\$4,037,456	0.00%

- For the State Share of Instruction calculations for community, state community and technical colleges for FY 2020, requires the Chancellor to include students who are subsidy- eligible and students who were included in the calculation prior to July 1, 2019. For the same calculations for FY 2021, prohibits the Chancellor from including non-Ohio resident students. Requires that 50% of the SSI appropriation for universities in each fiscal year be reserved for support of associate, baccalaureate, masters, and professional level degree attainment. Specifies that this funding be allocated to

universities in proportion to each campus' share of the total statewide degrees granted, weighted by the cost of the degree programs.

- Authorizes the board of trustees of a state community college district to levy a property tax for permanent improvements, or a combination bond issuance and tax levy for that purpose. Specifies that the tax is subject to voter approval and that it may be levied for a specified number of years or for a continuing period of time. (The tax levy authorized by this provision is nearly identical to a tax levy authorized under continuing law for community college districts, except that the community college district levy can also be used for operating expenses.)
- Earmarks \$50,000 in each year for the Center for Urban and Regional Studies at Youngstown State University.
- Requires the Ohio Department of Higher Education, with assistance from the Ohio Department of Job and Family Services, to establish the Community College Acceleration Program to enhance financial, academic, and personal support services to students in need of support from local social services agencies.

Tuition

- Authorizes, for academic years 2019-2020 and 2020-2021, each state institution of higher education to increase its in-state undergraduate instructional and general fees by no more than 2% over what the institution charged for the previous academic year.
- Authorizes each community college, state community college, or technical college to increase its in-state undergraduate instructional and general fees no more than \$5 per credit hour in each academic year over what the college charged in the previous academic year.
- Exempts the following fees from the above limits: (1) room and board, (2) student health insurance, (3) fees for auxiliary goods or services provided to students at the cost incurred to the institution, (4) fees assessed to students as a pass-through for licensure and certification examinations, (5) fees in elective courses associated with travel experiences, (6) elective service charges, (7) fines, (8) voluntary sales transactions, and (9) fees that offset the cost of providing textbooks to students, which may appear directly on a student's tuition bill as assessed by the institution.
- Requires, instead of authorizes, state universities to establish tuition guarantee programs. Changes from 60 months to 36 months the timespan of the consumer price index average on which tuition increases under tuition guarantee programs are partly based.

Other

- Earmarks \$500,000 in each fiscal year from the Appalachian New Economy Workforce, to be allocated to the Mahoning Valley Innovation and Commercialization Center.
- Requires the Chancellor, in collaboration with the Superintendent of Public Instruction, and with the assistance of specified stakeholders, to develop a statewide plan that permits a high school student enrolled in a career-technical planning district (CTPD) to receive post-secondary credit on a college transcript in a manner comparable to the College Credit Plus program for the completion of a course that is approved through either the Career-Technical Assurance Guide statewide articulation agreements or an articulation agreement between a CTPD and a state institution of higher education.
- Requires the Chancellor to convert higher education institutions in the training and implementation of best practices regarding sexual violence. Requires the Chancellor, in conjunction with institutions of higher education, to continue to develop model best practices.

Developmental Disabilities

Developmental Disabilities	HB 166 As Enacted				
	FY 2019 (estimated)	FY 2020	% Change	FY 2021	% Change
Total (State GRF)	\$679,962,005	\$735,826,663	8.22%	\$751,961,612	2.19%
Medicaid Services	\$584,720,282	\$672,567,500	15.02%	\$687,978,323	2.29%
All Funds Total (GRF + Fed)	\$2,923,920,532	\$392,577,816	13.43%	\$3,542,503,101	6.81%

County Board Subsidies and County Board Case Management Line Items

Beginning in FY 2020, the budget proposal consolidates line items. The County Board Subsidies line item that provided funding to county board to assist with the cost of services and administration and the County Board Case Management line item that provided direct support to county boards for case management services are now appropriated in the Medicaid Services line item.

Fiscal Issues

- Requires each county DD board to annually submit to ODODD a five-year projection of revenues and expenditures. Authorizes ODODD to conduct additional reviews to assess a county DD board’s fiscal condition. Additionally, allows ODODD to issue recommendations to discontinue or correct fiscal practices or budgetary conditions discovered by the additional review and requires the superintendent of a county DD board to respond in writing to any recommendations within the time frame specified by ODODD.

- Establishes a limit on the balance that may be held in a county DD board's reserve balance account; and (2) specifies that any balance in a county DD board's reserve balance account or capital improvements account that does not exceed statutory limits cannot be considered by a county budget commission when determining whether to reduce the amount of taxes that a county may levy on the board's behalf.
- Requires that, when a county budget commission is determining whether to reduce the amount of taxes that a county may levy on behalf of a county board of developmental disabilities, the commission must take into account the board's 5-year projection of revenues and expenditures. Requires notice and a hearing before the commission may make such a reduction.

Other

- Removes the sunset provisions that would, on January 1, 2020, eliminate Employment First Task Force charged with improving the coordination on the state's efforts to address the needs of individuals with developmental disabilities who seek community employment.
- Requires the Director of ODODD to establish an interagency workgroup on autism to improve the coordination of the state's efforts to address the service needs of individuals with autism spectrum disorders.
- Requires a county DD board, before placing an individual on a waiting list for home and community-based services to direct the individual to the searchable database of vacancies in licensed residential facilities to be included in ODODD's website.
- Codifies in state law a federal requirement that individuals with developmental disabilities who are eligible to receive ICF/IDD services have the right to receive the services from any willing and qualified provider.
- Permits individuals with developmental disabilities who are eligible for both ODODD administered home and community-based services and ICF/IID services to choose which of the services to receive.
- Requires ODODD, or hiring DD entity, to request a criminal records check before conditionally employing an applicant.
- Requires each county DD board to develop an annual plan, instead of a three-year calendar year plan, regarding waiting lists and home and community-based services.

State Council of Professional Educators (SCOPE)

HB 166 (State Biennial Budget) – Final Bill Analysis (As signed by the Governor)

Department of Rehabilitation and Correction (DRC)

Increases overall agency funding in FY 2020 by 3.1% to \$1,916,656,147. Increases agency funding by 3.7% in FY 2021 to \$1,987,653,370.

Education Services: Increases funding in FY 2020 by 8.7% to \$4,546,081. Increases FY 2021 funding by 2.51% to \$4,660,000.

Institution Education Services: Increases funding in FY 2020 by 5.58% to \$35,154,257. Reduces funding in FY 2021 by 2.88% to \$34,142,490.

Postsecondary Education Programs:

- Earmarks \$1,450,000 in each fiscal year from Institution Education Services funding to be used to pay for the costs associated with providing postsecondary education programs to eligible students.
- Earmarks up to \$620,500 in each fiscal year from Institution Education Services to funding to expand postsecondary education programming to security level 3 and 4 correctional institutions. Provides the Director of Rehabilitation and Correction with sole discretion on the allocation of these funds based upon needs of the security level 3 and 4 correctional institutions and those individuals classified as such. Permits any unused balance of these funds in each fiscal year to be used to cover the costs of postsecondary education programs other than security level 3 and 4 correctional institutions or individuals classified as such.
- Earmarks \$329,293 in each fiscal year from Institution Education Services funding to expand the current certificate offering for students eligible for postsecondary education programs to attain degree credentials in employment fields of study.
- Earmarks \$1,308,500 in FY 2020 from Institution Education Services funding to be used for the Ashland University Correctional Education Expansion Program.

Department of Youth Services (DYS)

Increases overall agency funding in FY 2020 by 4.61% to \$238,440,338. Increases FY 2021 agency funding by 3.8% to \$247,500,982.

Education Services: Increases funding in FY 2020 by 24.54% to \$3,204,678. Increases FY 2021 funding by 2.76% to \$3,292,983.

- The Education Services line-item is used to fund the operating expenses of providing educational services to youth supervised by the Department of Youth Services, including, but not limited to, teachers' salaries, maintenance costs, and educational equipment.

Education: Increases this additional education funding line-item in FY 2020 by 38.62% to \$1,003,161. Increases funding in FY 2021 by 1.66% to \$1,019,832.

Vocation Education: Increases funding in FY 2020 by 3.31% to \$1,463,162. Maintains FY 2021 funding at \$1,463,162.

ODE - Adult Education Program Funding (portions available to DRC and DYS)

Increases ODE adult education program funding in FY 2020 by 11.13% to \$10,207,674. Maintains FY 2021 funding at \$10,207,674. Specifically earmarks up to \$6,900,000 of this funding in each fiscal year for the 22+ Adult High School Program and specifies that a portion of the appropriation be used to make payments for the other programs supported by the line item.

- Adult Education Program funding is used to make payments to institutions participating in the Adult Diploma Pilot Program; to make payments under the 22+ Adult High School Program to participating school districts, charter schools, technical colleges and university branches for students ages 22+ who enroll to earn a high school diploma; and to reimburse career-technical planning districts (CTPDs) for the vouchers provided to students who take an approved high school equivalency exam for the first time.
- Permits any remaining funds in each fiscal year to be reimbursed to the **Department of Youth Services** and the **Department of Rehabilitation and Correction** for individuals in these facilities who have taken an ODE approved high school equivalency examination for the first time (application or examination fees in excess of \$40, up to a maximum reimbursement of \$80).
- Permits any unexpended funds in each fiscal year for the Adult Diploma and 22+ Adult High School programs to be encumbered by ODE and remain available for payment within two years of the fiscal year in which the funds were originally appropriated, in accordance with guidelines established by the Superintendent of Public Instruction.
- Permits a portion of the appropriation to be used for program administration, technical assistance, support, research, and evaluation of adult education programs including high school equivalency examinations approved by ODE.

Career-Technical Education Enhancements (available to DRC, DYS, OSD and OSB)

Allocates up to \$2,563,568 in each fiscal year to fund secondary career-technical education at **correctional institutions**, the **School for the Deaf**, and the **School for the Blind**. Specifies the funding be distributed using a grant-based methodology.

School for the Blind (OSB)

Increases overall agency funding in FY 2020 by 20.63% to \$14,084,081. Increases funding in FY 2021 by 1.04% to \$14,230,088.

Education Reform Grants: Increases funding in FY 2020 by 46.19% to \$200,000. Maintains FY 2021 funding at \$200,000.

Library for the Blind: Earmarks \$1,274,194 in each fiscal year through the State Library Board for the Library for the Blind.

Early Intervention: Earmarks \$750,000 in each fiscal year from Department of Developmental Disabilities (Part C Early Intervention funding) to be used to contract with Ohio's sight centers in Cleveland, Cincinnati, and Northwest Ohio to provide early intervention services and family support for children under the age of three with blindness or low vision.

School for the Deaf (OSD)

Increases overall agency funding in FY 2020 by 15.52% to \$13,938,679. Increases funding in FY 2021 by 3.71% to \$14,455,847.

Services for Individuals with Disabilities (available to OSB and OSD)

- Allocates \$150,000 in each fiscal year to increase access to vocational rehabilitation services for eligible students enrolled at the **Ohio State School for the Blind** and the **Ohio School for the Deaf** to prepare these students for transition to college or employment. Requires these earmarked amounts to be used as state match for the federal vocational rehabilitation grant.
- Allocates \$27,580 in each fiscal year to be used to support community centers for the deaf (Opportunities for Ohioans with Disabilities Agency).

State Library Board (SLB)

Increases overall agency funding in FY 2020 by 3.99% to \$21,891,780. Maintains FY 2021 funding at \$21,891,780.

Library for the Blind: Earmarks \$1,274,194 in each fiscal year through the State Library Board for the Library for the Blind.

Policy provisions:

- Requires state government entities to notify the State Library of the online availability of documents or other publications intended for general public use and distribution.
- Requires the OPLIN Board to research and assist local libraries with regard to emerging technologies and methods of controlling access to obscene and illegal materials.
- Requires OPLIN, INFOhio, and OhioLINK to coordinate their purchases of electronic databases.

All State Agencies – Regulatory Restrictions

- Requires state agencies to identify which of their rules contain regulatory restrictions and to produce an inventory of regulatory restrictions before December 31, 2019.
- Requires agencies to post the inventory regulatory restrictions on their websites and transmit copies to JCARR. Requires JCARR to review the inventory and transmit it to the House Speaker and Senate President.

- Prohibits these agencies, during FYs 2020, 2021, 2022, and 2023, from adopting a new regulatory restriction unless they simultaneously remove two or more existing regulatory restrictions.

House Bill 239: The Testing Reduction Act

OEA supports House Bill 239 which bi-partisan legislation aimed at reducing testing and return instruction time to the classroom. HB 239 is jointly sponsored by Representatives Gayle Manning (R- North Royalton) and Erica Crawley (D-Columbus). Known as the Testing Reduction Act, HB 239 has had three hearings and is pending in the House Education Committee.

The bill would do the following:

- Reduce state-required tests to the federal minimum by eliminating two high school tests (American History and American Government);
- Make the ACT/SAT voluntary for students (subject to a parental opt-out);
- Require school districts to convene working groups comprised of teachers, parents and administrators to review the amount of district-required testing and make recommendations for ways to reduce the testing load on students.
- Require districts that exceed statutory testing limits to annually pass a school board resolution and report the action to the Ohio Department of Education (ODE).
- Require ODE to issue an annual report on the time spent on state- and district-required testing in Ohio's schools.

House Bill 305 – Fair School Funding Proposal

OEA believes that Ohio must enact a student-centered formula that is equitable, adequate, and predictable and that ensures that all students have the resources to succeed regardless of where they live or their family's income.

House Bill 305, better known as the Fair School Funding Proposal (FSFP), is jointly sponsored by Representatives Bob Cupp (R-Lima) and John Patterson (D-Jefferson) and has over 65 co-sponsors. The bill develops a rational and understandable method for computing the base cost and directly funds charter and voucher students.

HB 305 is a step in the right direction. OEA believes that the FSFP funding formula focuses on what students need to receive a high-quality education. It is building around the importance of supporting classroom instruction as well as focusing on social and emotional support, co-curriculars, safety and security and technology.

While there are many positive aspects of the plan, improvements are needed to the way funds are distributed. For example, revisions to the local capacity percentage range would improve overall equity of the formula.

The bill is currently pending in the House Finance and Appropriations Committee.

House Bill 322 – Eliminate RESA

OEA worked with Rep. Don Jones (R-Freeport) and Rep. Don Manning (R-New Middletown) on the introduction of HB 322, a RESA reform bill referred to House Education Committee on September 24, 2019. Rep. Jones is a former teacher and the Vice-Chair of the House Education Committee. HB 322 limits the Ohio Teacher Residency Program to two years and eliminates the performance based assessment prescribed by the state board of education (currently the third year of the program). The bill eliminates the summative assessment portion of the resident educator program. Instead, the bill makes the Ohio Teacher Residency Program a two year entry-level program for classroom teachers that shall include at least both of the following components: (1) Mentoring by teachers for the first two years of the program, and (2) Counseling, as determined necessary by the school district or school, to ensure that program participants receive needed professional development. OEA members Emily Russ, Melissa Kendralla and Isabel Bozada-Jones provided HB 322 proponent testimony in the Ohio House Education Committee on November 19, 2019.

House Bill 367 – School Counselor Model Job Description

OEA strongly supports HB 367 because school counselors are a critical and important service that public schools provide to students.

Unfortunately, even though school counseling services are becoming increasingly essential to students, many school counselors are being assigned to work tasks that are non-related to providing these counseling services to students. This practice makes it more difficult for students to access school counseling services, especially when their school building may not have enough counselors to meet existing demand.

HB 367 will support students by emphasizing the value and necessity of the core services school counselors provide. The bill seeks to accomplish this by requiring ODE to make specified recommendations for a job description for school counselors employed by public schools.

These recommendations must be based on the standards for school counselors most recently adopted by the State Board of Education and specify that 80% of school counselor duties must be direct and indirect services to students and 20% of school counselor duties must be program planning school support activities.

Further, each public school must consider these recommendations when preparing job descriptions for and assigning duties to school counselors. Additionally, the bill requires at least one ODE employee to serve as a liaison for school counselors across the state.

OEA has submitted proponent testimony and recommends passage of HB 367. The bill is sponsored by Reps. Susan Manchester (R-Lakeview) and Jessica Miranda (D-Cincinnati).

Senate Bill 21 – Health Education Standards

Senate Bill 121, sponsored by Senators Vernon Sykes (D-Akron) and Stephanie Kunze (R-Hilliard), requires the State Board of Education to adopt health education standards and to require that only statewide venereal disease education standards and curriculum be approved by the Ohio General Assembly. The bill has not yet been assigned to a Senate Committee for consideration. OEA supports the legislation.

Senate Bill 26 - Income Tax Deduction for Teacher Expenses

Senate Bill 26 was signed by Governor DeWine on November 6, 2019. OEA supported the legislation. Beginning in taxable year 2020 and thereafter, the act authorizes Ohio teachers to deduct up to \$250 of unreimbursed expenses incurred each year for professional development and classroom supplies. The deduction applies to expenses that exceed what the teacher may claim as a federal deduction. For example, if a teacher incurs \$350 of qualifying expenses in a year, the teacher may claim \$250 as a federal deduction, and the remaining \$100 as a deduction from Ohio taxes.

The Ohio deduction applies to the following expenses, when not reimbursed to the teacher:

- Books, supplies, computers and other equipment, and supplementary materials used in the classroom. With respect to supplies for a health or physical education class, the deduction only applies to amounts spent on athletic supplies; and
- Expenses paid to participate in professional development courses related to the teacher's curriculum or students.

To qualify, a teacher must be licensed in Ohio or hold an Ohio-issued certificate or permit and be eligible for the federal deduction. Persons eligible for the federal deduction include any kindergarten through 12th grade teacher, instructor, counselor, principal, or aide who works in a primary or secondary school for at least 900 hours per school year.

SB 34: Complies with federal law (ESSA) regarding background check policies

SB 34, introduced by Sen. Stephanie Kunze (R-Hilliard), would bring Ohio into compliance with new federal requirements in ESSA on aiding and abetting sexual abuse. In June, the US Department of Education contacted ODE staff with information about new legal provisions in ESSA. Specifically, ESSA requires states to have laws in place that prevent state and local education agencies from assisting school employees from finding a new job if the individual has given the agency probable cause to believe that they have committed sexual misconduct with a minor. SB 34 is currently in Senate Education Committee.

Senate Bill 134 (School Bus Safety Act)

OEA supports SB 134. Sponsored by Sen. Theresa Gavarone (R-Bowling Green), the bill would increase awareness of state laws requiring drivers to stop their vehicles when a bus is loading and unloading students, as well as increase fines and penalties for drivers who disregard school bus safety laws. Further, the bill clarifies that school bus cameras are permitted to be used as evidence to prove the identity of a driver. An important appropriation of \$500,000 helps school districts purchase cameras. Finally, the bill designates the month of August as “School Bus Safety Awareness” month. OEA President Scott DiMauro submitted proponent testimony on Senate Bill 134, “The School Bus Safety Act.”

Senate Bill 148: Dental Care Services

Senate Bill 148 would effectively prohibit a health insurer from establishing a fee schedule for in-network providers on non-covered dental services. If enacted, this bill would result in higher out-of-pocket costs for many Ohioans, including OEA members.

Discounts on non-covered services are a savings for consumers. It should be noted that dentists are not forced to join a provider network. Presumably, they join a network because the benefits of doing so outweigh the drawbacks. OEA believes there is no need for the legislature to intervene in this contractual arrangement. Among other opponents to the bill are other labor unions, insurance companies and the Ohio Chamber of Commerce.

SB 148 has had three hearings and is pending in the Senate Insurance and Financial Institutions Committee.