



LEGISLATIVE SUCCESSES AND UPDATE

135TH GENERAL ASSEMBLY (2023-2024)

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LEGISLATIVE SUCCESSES

House Bill 33 – State Budget Bill for Fiscal Years 2024 and 2025

- Updates the base cost inputs of the school funding plan by using FY 2022 data instead of outdated data from FY 2018. This increases state funding to public schools by nearly \$1 billion over the biennium.
- Raises the state minimum teacher salary from \$30,000 to \$35,000, increases subsequent minimum salary steps using the same multipliers in the state minimum salary schedule, and includes other policy provisions to address Ohio’s teacher recruitment and retention challenges.
- Eliminates mandatory retention under the Third Grade Reading Guarantee by permitting a student to be promoted to the fourth grade if requested by the student’s parent, in consultation with educators. The provision will require intensive reading instruction and high dose tutoring for students until they reach grade level in reading skills.
- Establishes the Grow Your Own Teacher College Scholarship program to award four-year scholarships for up to \$7,500 per year (\$30,000 total) to a “qualifying applicant” (low-income high school seniors or certain school employees) who commit to teach in a “qualifying school” operated by their school district for at least four years within six years of completing a teacher training program. The teacher training program may be at a state institution of higher education or a private, nonprofit college or university in Ohio. If a scholarship recipient does not fulfill that obligation, the scholarship is converted into an interest free loan.
- Makes school breakfast and lunch accessible to more children by having the state cover the cost between free and reduced-priced meals.
- Authorizes and appropriates \$500,000 for an economically disadvantaged student cost study.
- Changes the deadline for which teachers need to complete their dyslexia professional development.
- Removed the inclusion of Senate Bill 83, the Higher Education Destruction Act, from the final version of the budget bill.

House Concurrent Resolution 6 – Urge Congress to Repeal GPO/WEP

House Concurrent Resolution 6, sponsored by Representative Phil Plummer (R- Dayton) and Angela King (R- Celina) is a resolution to urge Congress to repeal the Government Pension Offset (GPO) and the Windfall Elimination Provision (WEP). These federal laws unfairly punish public service by reducing the earned Social Security benefits and spousal/survivor benefits when public employees receive a pension from states that do not pay into Social Security for public employees. This deeply affects public employees in the state of Ohio. OEA strongly supports HCR 6 and bi-partisan legislation at the federal level to repeal GPO and WEP. OEA Secretary-Treasurer Mark Hill has testified in support of HCR 6 in both the House and Senate Committees. The resolution passed the House unanimously (85-0) on December 6, 2023. The Ohio Senate joined the House on Wednesday, April 10, 2024, when it also voted unanimously (30-0) to pass HCR 6. OEA thanks the General Assembly for the passage of HCR 6 and calls on state leaders to work with their counterparts in Washington to repeal GPO and WEP.



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State Board of Education Funding and Teacher Licensure Fees

OEA is calling on state lawmakers to fully fund the State Board of Education, rather than pass a manufactured budget gap onto the backs of hardworking teachers by increasing licensure fees.

Fully funding the State Board will ensure that the Board can support the Resident Educator program, ensure the safety and wellbeing of students by conducting comprehensive, necessary background checks in a timely manner, help address educator recruitment and retention, and ensure timely completion of misconduct investigations so educator rights are protected without increasing teacher licensure fees.

At press deadline, legislative leaders continue to work towards a funding solution. OEA continues to actively engage legislative allies on this issue.

House Bill 1 – Income and Property Tax Changes

House Bill 1, sponsored by Representative Adam Mathews (R-Lebanon), proposes to make sweeping changes to Ohio’s current personal income and property tax system. OEA is opposed to the bill. Specifically, the bill proposes to create a flat income tax rate of 2.75%, eliminate the state 10% rollback reimbursement to school districts and other local government entities, and reduce the assessment percentage on residential and agricultural property.

The proposed flattening of the income tax would drastically reduce the State General Revenue Fund (GRF) tax revenues by approximately \$2.5 billion in FY 24, \$1.8 billion in FY 25, and by an increasing amount in FY 26 and beyond. This proposal jeopardizes Ohio’s ability to provide the resources public schools need for our children to succeed and support other important public services that Ohio’s citizens depend on.

Additionally, House Bill 1 also proposes changes to local property taxes, including the elimination of the 10% rollback reimbursement. These changes will be harmful to local governments and taxpayers as it will immediately increase the tax burden on local taxpayers, drastically reduce funds supporting schools, make it more difficult for school districts to financially plan, and force school districts and local governments to go back to their voters to make up the shortfalls, ultimately passing more of the burden to fund services to local property taxpayers.

House Bill 1 is currently pending in the House Ways and Means Committee. At this time, OEA does not believe that House Bill 1 will pass. The budget bill does not contain the property tax changes included in the bill.

House Bill 6 – “Save Women’s Sports Act”

OEA opposes HB 6, which requires all K-12 and higher education institutions to designate separate single-sex athletic teams based on the sex of the participants. The HB 6 language was amended into HB 68, a bill that limits gender transition access. HB 68 was passed by the Ohio House and has been assigned to the Ohio Senate Government Oversight Committee.



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House Bill 8 – Parent’s Bill of Rights

OEA opposes HB 8, which proposes the following:

- Provide parents with a notice about sexually explicit instructional materials, an opportunity to review them, and an opportunity to request alternative instruction.
- Notify parents about school-provided healthcare services and work with them to create a healthcare plan for their children.
- Notify parents about changes to the health services provided to their children by their school or the school’s ability to provide a safe learning environment.
- Prohibit school personnel from encouraging a student to withhold from a parent information concerning the student’s health or well-being, unless that disclosure would result in abuse, abandonment, or neglect.
- Establish a process under which the district or school must resolve written concerns submitted by parents about topics addressed in the bill. HB 8 was passed by the Ohio House and is pending before the Senate Education Committee.

House Bill 38 – School Mental Health Days

House Bill 38, sponsored by Representative Willis Blackshear (D-Dayton) and Representative Jessica Miranda (D-Forest Park), is the reintroduction of House Bill 619 from the 134th General Assembly. OEA supports HB 38 that allows school districts to permit students to take up to three mental health days away from school each year.

A “Mental Health Day” is defined as a school day during which a student attends to the student’s emotional and psychological well-being in lieu of attending school. The school district is allowed to prohibit the use of mental health days on certain dates (ex. school days scheduled for standardized testing).

If a school district permits mental health days, the absence is excused without the need for a physician’s or other health professional’s certification of the student’s conditions. Mental health days shall not be considered in determining absence hours for the purpose of parental notice under ORC 3321.191 and school districts are required to give the student the opportunity to make up any schoolwork missed during the absence. Lastly, once a student uses one mental health day the school district may refer that student to appropriate school health and support services.

The bill is pending in the House Primary & Secondary Education Committee.

House Bill 68 – Gender Transition Restrictions and Single-Sex Sports Teams

OEA opposes HB 68, which would restrict access to gender transition services for minors and HB 6, the “Save Women’s Sports Act,” which requires schools, state institutions of higher education, and private colleges to designate separate single-sex teams and sports for each sex. HB 68 passed the Ohio House and Senate, was vetoed by Gov. DeWine, and then the Ohio House and Senate voted to override the veto. OEA urged the Governor to veto HB 68 and urged the Ohio General Assembly to not override the Governor’s veto.



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House Bill 78 – Rehired Retirees Eligible for STRS Board

House Bill 78, jointly sponsored by Representatives Bill Seitz (R- Cincinnati) and Joe Miller (D- Amherst), if passed, would allow rehired retirees who are members of the State Teachers Retirement System (STRS) to run for the STRS Board. Under current law, these members are not eligible to run for the Board. As introduced the bill would have allowed rehired retirees to run for either an active or a retiree seat on the STRS Board. However, the bill was amended in committee to allow them to run for a retiree seat which is the election that they vote in. OEA is supportive of HB 78 as amended. The bill was favorably passed by the House 89-0 on December 6, 2023, and is now pending in the Senate Insurance Committee.

House Bill 103 – Social Studies Standards Task Force

OEA opposes HB 103, which is under consideration by the Ohio House Primary & Secondary Education Committee. HB 103 would do the following:

- Establish the Ohio Social Studies Standards Task Force to develop new social studies academic standards for use beginning with the 2024-2025 school year.
- The task force shall develop statewide academic standards in social studies for grades kindergarten through twelve based on the standards published in “American Birthright: The Civics Alliance’s Model K-12 Social Studies Standards,” a product of the national association of scholars or its successor.

House Bill 117 – Repeal Mandatory Retention Under the TGRG

House Bill 117, jointly sponsored by Representatives Gayle Manning (R-North Ridgeville) and Phil Robinson (D- Solon), is legislation that would repeal the mandatory retention of students under the Third Grade Reading Guarantee. The bill would also reduce state-mandated testing by eliminating one administration of the third grade ELA test. OEA strongly supports this bill.

HB 117 was passed by the Ohio House on June 21, 2023, by a vote of 89-4. The bill has not received a committee hearing in the Senate. Language dealing with student retention under the Third Grade Reading Guarantee was included in the state budget bill. (See entry on HB 33 for details).

House Bill 140 – School Bus Safety

OEA supports HB 140, which is under consideration by the Ohio House Transportation Committee. HB 140 would increase penalties for failure to stop for a school bus and authorizes school bus camera equipment that provides an image or video of a motorist who violates the law that prohibits passing a stopped school bus.

House Bill 147 – Professional Conduct

OEA is monitoring HB 147, which has passed out of the Ohio House and is now under consideration by the Ohio Senate Education Committee. HB 147 does the following:

- Authorizes revocation of a retired educator’s license on the same basis that authorizes revocation of an active educator’s license.
- Includes pupil services personnel registration, private provider registration under the Autism Scholarship Program, and the authorization for certain unlicensed individuals to teach in high-performing school districts within the definition of a “license” for purposes of the laws regarding school employee misconduct.
- Requires school districts, educational service centers, and chartered nonpublic schools to file a report when a licensed employee



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is removed from the list of eligible substitute teachers because it has reasonably been determined the employee committed an act unbecoming to the teaching profession.

- Requires the State Board of Education to revoke the license of an individual who is convicted of prostitution unless the individual was coerced into committing the offense.

House Bill 151 – Companion Legislation to Senate Bill 83

House Bill 151, sponsored by Representative Josh Williams (R-Oregon), is the House companion legislation to the as-introduced version of Senate Bill 83. Currently, OEA doesn't believe that HB 151 is the vehicle for the proposed higher education reforms. Please see Senate Bill 83 for a complete update.

House Bill 171 – Includes Migration Journeys in Social Studies Curriculum

OEA supports HB 171, which is under consideration in the Ohio House Primary & Secondary Education Committee. HB 171 requires the State Board of Education to update the model curriculum for social studies in grades kindergarten to twelve to include age- and grade appropriate instruction in the migration journeys, experiences, and societal contributions of a range of communities in Ohio and the United States, including all of the following: (a) African American communities; (b) Asian American and Pacific Islander communities; (c) Arab, African, and North African immigrant, refugee, and asylee communities; (d) Appalachian communities; (e) Jewish communities; (f) Latin American communities; (g) Native American communities.

House Bill 183 – Biological Sex Bathrooms

OEA opposes HB 183, which has passed out of the Ohio House Higher Education Committee on Wednesday, April 10, 2024. The bill requires single-sex bathrooms be restricted to biological sex. OEA opposes discriminatory practices based on gender identity and/or sexual orientation. State government bathroom bans make transgender people less safe and don't increase safety for cisgender students.

House Bill 206 – Student Expulsions

House Bill 206, sponsored by Representative Gary Click (R-Vickery) and Representative Monica Robb Blasdel (R-Columbiana), would allow a local school board to adopt a resolution that authorizes the superintendent to expel a pupil from school for a period not to exceed 180 days for actions that the superintendent determines pose imminent and severe endangerment to the health and safety of other pupils or school employees.

“Imminent and severe endangerment” is defined as bringing firearms or knives capable of causing serious bodily injury, an act that is criminal when committed by an adult and results in serious bodily harm, a bomb threat, and/or an articulated or verbalized threat including but not limited to a “hit list,” threatening manifesto, or social media post that would lead a reasonable person to conclude that the student poses a serious threat.

Additionally, the bill would require the local school district superintendent to develop conditions for a student expelled for imminent and severe endangerment to satisfy before that student may be reinstated, one of which must be an assessment by a psychiatrist, psychologist, or school psychologist to determine whether the student poses a danger. In making this decision, the local school district superintendent is required to consult with a multidisciplinary team of their selection when making reinstatement determinations for maximum-term expulsions. The bill permits the superintendent to extend the expulsion for another period not to exceed 90 school days, subject to further reassessment. The bill requires a plan for the continued education of the expelled student and would not eliminate any protections a student has under federal law (i.e., for students protected by IDEA).



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HB 206 passed out of the House Primary and Secondary Education Committee on November 28, 2023, and is pending possible consideration by the Ohio House. OEA is an interested party on the legislation.

House Bill 214 – Requires K-12 Professional Conduct Policy

Requires each school district, community school, and STEM school to adopt a policy against using statements of commitment to or soliciting or requiring specified individuals to affirmatively ascribe to, specific beliefs, affiliations, ideals, or principles concerning political movements, or ideology. OEA opposes HB 214; prefers such policies to be established by State Board of Education and included in board’s Licensure Code of Professional Conduct for clarity and uniform guidance. HB 214 was passed by the Ohio House and is under consideration in the Ohio Senate Education Committee. Seen as an alternative to legislation banning and punishing “divisive topics.”

House Bill 240 – Permits Public Schools to Employ Chaplains to Provide Support Services

OEA opposes HB 240, which has yet to receive a hearing in the Ohio House Primary & Secondary Education Committee. HB 240 would permit public schools to employ chaplains to provide support services.

House Bill 279 – OEA Opposes School Bus Seat Belt Mandate Bill

On October 31, 2023, OEA President Scott DiMauro provided written opponent testimony on House Bill (HB) 279 to the Ohio House Transportation Committee. HB 279 would require seat belts to be installed on all school buses currently in use and all future school buses purchased. OEA has historically opposed mandatory seat belts in school buses, as buses are designed to be extremely safe without seat belts with the design concept of “compartmentalization.” In many cases, seat belts on school buses can increase the safety risk to students and dangerously limit the ability of school bus drivers to get students out of a bus after an accident.

Included with the written testimony were comments from OEA Education Support Professional (ESP) members expressing their concerns over the proposed legislation. OEA thanks Barb Armour and Jennifer Hein from Brunswick Educational Support Professionals Association, Stephanie Griffith from Northeastern Local Association of School Employees (Clark County), and Margie Stevens from Lancaster School Support Association, for providing comments to support OEA’s opposition testimony on HB 279.

House Bill 325 – Deaf Inmates Access to Teletypewriters

OEA is monitoring HB 325, which requires municipal and county jails and state correctional institutions to provide inmates who are deaf, hard of hearing, or severely speech impaired with access to teletypewriters. HB 325 is in the Ohio House Criminal Justice Committee.

House Bill 339- Vouchers for Non-Chartered Private Schools

House Bill 339, sponsored by Representative Gary Click (R-Vickery), would create yet another voucher program in the state of Ohio. The bill would provide “education savings accounts” for students who attend non-chartered private schools. These schools are largely religious institutions that are not currently eligible for the EdChoice voucher program as they eschew state regulation of any sort. Extension of a new voucher program to these schools would be a grave error as they are even less accountable than the scant accountability for chartered private schools that are eligible to participate in other voucher programs. The estimated cost of passage is \$265 million a year. OEA strongly opposes the creation or expansion of voucher programs and believes that resources should be focused on public school students. With the universal expansion of EdChoice eligibility, Ohio is now spending over \$1 billion a year on unaccountable private school vouchers instead of focusing on public school funding for 90% of Ohio’s students.

House Bill 344 – Replacement Levy Elimination

House Bill 344, jointly sponsored by Representative Adam Mathews (R-Lebanon) and Representative Thomas Hall (R-Madison Township), would eliminate the authority of school districts and other public subdivisions to levy replacement property tax



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levies. OEA is opposed to this bill as it would eliminate an option for school districts to raise local funds. The bill is currently pending in the Ohio House Ways and Means Committee.

House Bill 361 – 40 hr. Teaching Permit Public Safety Officer Course

OEA is monitoring HB 361, which requires the State Board of Education to issue a 40-hour teaching permit to an individual teaching practical exercises in a public safety officer course offered by a career-technical provider.

House Bill 394 – Requires Higher Ed Faculty Professional Conduct Policy

HB 394 requires higher education faculty professional conduct policies be adopted by boards of trustees. The bill applies many of the same proposals from HB 214 (K-12 Professional Conduct) to the Higher Education setting. Seen as an alternative to SB 83 without restrictions on collective bargaining rights and Diversity, Equity, and Inclusion (DEI) policies. HB 394 requires the board of trustees of each state institution of higher education to adopt various policies that prohibit the institution from requiring individuals to commit to specific beliefs, affiliations, ideals, or principles.

House Bill 407- Voucher Accountability

House Bill 407, jointly sponsored by Representatives Gayle Manning (R- North Ridgeville) and Bill Seitz (R- Cincinnati), would help to level the playing field between public and private schools. This is especially important given that there is now universal eligibility for EdChoice vouchers in Ohio.

Last December, the Representative Assembly adopted changes to the OEA legislative policies that support increased accountability. OEA supports policies to require regular audits of private schools accepting vouchers; prohibit discrimination in admissions; require voucher students to take the same state tests as their public school peers; and issue comparable school report cards.

HB 407 would require increased financial reporting; require schools to have a policy for how they make admission decisions; require most voucher students to take the same state tests; and require the Department of Education and Workforce to issue a similar report card for private schools that have 25% or more of its students on vouchers. OEA supports these changes.

House Bill 408 - Anti-Lunch Shaming

House Bill 408, jointly sponsored by Representative Darnell Brewer (D-Cleveland) and Representative Ismail Mohamed (D-Columbus), would require a school district to provide a meal to a student who requests one. The bill eliminates “lunch shaming” policies by prohibiting the following practices: requiring a student to discard a meal because of the inability to pay; requiring a student to do chores for the meal; public identification of the student; and denying a meal to a student as a form of disciplinary action. The bill also requires school districts to send student meal debt information to parents/guardians and not be given to the student.

The bill was referred to the House Primary and Secondary Education Committee and is pending sponsor testimony. OEA supports the legislation and believes that school meals should be provided to all students at no cost.

House Bill 411 - \$50,000 Minimum Teacher Salary

OEA supports HB 411, introduced by Rep. Joe Miller (D-Amhurst), which raises all step increase minimums above the proposed \$50,000 base salary on the eleven-step state minimum salary schedule (e.g., state minimum salary for a teacher with a bachelor’s degree at Step 11 would be increased to \$70,900). Local Associations would retain the ability to bargain their own salary schedules above the state minimums. Recent OEA member advocacy successfully increased the state minimum starting teacher salary from \$30,000 to \$35,000, including increases across all steps of the state minimum salary schedule. (HB 33 – 135th G.A.). HB 411 is under consideration in the House Primary & Secondary Education Committee.



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House Bill 432 – Career Tech Educator Licenses

OEA is reviewing HB 432 (R-Don Jones), which is under consideration in the Ohio House Primary & Secondary Education Committee. The bill does the following:

- Permits an applicant to apply for an initial career-technical workforce development educator license instead of only permitting an employing school district to apply on behalf of the applicant.
- Permits an applicant that has received an offer of employment to enroll in one of two alternative educator preparation programs in lieu of a career-technical workforce development educator preparation program offered by a higher education institution.
- Requires the State Board of Education to issue a career-technical educator license to certain individuals who are already validly licensed educators.

House Bill 436 – Educational Aides and Intervention Specialists – Remote Services

OEA is monitoring HB 436 (D-Piccolantonio/R-Carruthers), which requires the State Board of Education to allow educational aides and intervention specialists to provide remote services to students. HB 436 is in the Ohio House Primary & Secondary Education Committee.

House Bill 445 – Policy on Released Time Courses in Religious Instruction

OEA is reviewing HB 445, which requires, instead of permits, as under current law, school district boards of education to adopt a policy authorizing students to attend a released time course in religious instruction conducted by a private entity off school district property during regular school hours. The bill maintains existing requirements for such a policy. Under law unchanged by the bill, a student may not be released from a core curriculum subject course to attend a religious instruction course. Schools cannot consider students attending a released time course in religious instruction to be absent from school during such instruction. HB 445 is in the Ohio House Primary & Secondary Education Committee.

House Bill 468 – Patriotic Organizations

OEA is monitoring HB 468 (D-Brennan/R-Klopfenstein), which would establish a process to facilitate the presentation of information on patriotic organizations (e.g. Boy Scouts/Girl Scouts) to students in public schools. HB 468 is under consideration in the Ohio House Primary & Secondary Education Committee.

Senate Bill 17 – Financial Literacy Instruction

SB 17 was signed by Gov. DeWine on March 13, 2024 (effective 90 days later).

Amendments recently adopted by the Ohio House Primary & Secondary Education Committee:

- Permits students to fulfill the financial literacy instruction requirement for high school graduation by successfully completing AP Microeconomics or AP Macroeconomics.



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- Exempts math teachers from the requirement that teachers who provide high school financial literacy instruction have a financial literacy license validation.

Senate Bill 47 – Prohibits Certain Types of Paid Leave for Union Political Activity or Lobbying

OEA opposes SB 47, which has been assigned to the Ohio Senate Judiciary Committee, but has yet to receive a hearing. SB 47 does the following:

- Prohibits public employers from providing, or agreeing to a provision in a collective bargaining agreement, that provides paid leave or any other form of compensation for a public employee to engage in either:
 - Political activities performed by, or on behalf of, an employee organization that involve advocating for the election or defeat of any political candidate.
 - Lobbying activities performed by, or on behalf of, an employee organization that involve attempting to influence the passage or defeat of federal or state legislation, local ordinances, or any ballot measure.

Senate Bill 49 – Expands Reasons for Excused Student Absences

The Ohio House Primary & Secondary Education Committee is now considering a new version of SB 49 (R-Reynolds) that expands the reasons for excused student absences and makes changes to how the four-year adjusted cohort graduation rate is calculated on state report cards. The previous version of SB 49, as passed by the Ohio Senate, had been limited to providing students up to three excused absences for religious expression days. Religious expression days remain part of substitute SB 49 as a “legitimate excuse” for student absences. OEA is reviewing the excused absences changes to SB 49.

The substitute version of SB 49 introduces several changes related to school attendance and graduation reporting:

- Prevents schools from counting the first 60 hours of a student’s nonmedical legitimate excuse absences in a school year when determining excessive absences but requires them to count the 61st hour and subsequent hours as excessive absences.
- Allows students absent for religious expression days to participate in interscholastic athletics on those days, with other absences for legitimate excuses subject to the school’s discretion regarding athletic participation.
- Considers the first 60 hours of legitimate excuse excused and not factored into habitual truancy determinations.
- “Legitimate excuse” is defined as an approved reason for a student’s absence, including illness, family illness, quarantine, death of a relative, medical appointments, religious expression days, college visits, military enlistment reporting, foster care placement, student homelessness, deployment activities of a parent, guardian, or custodian, 4-H and FFA activities, exceptional farm work, family business inability to employ help, and other circumstances determined by school officials as good and sufficient cause for absence.
- The Department of Education and Workforce cannot include absences with legitimate excuses when calculating the state report card’s chronic absenteeism indicator for schools.
- The four-year adjusted cohort graduate rate is changed from a performance measure factored into the state report card’s Graduation component to report-only data that doesn’t affect the performance rating.
- A new performance measure, a four-year graduation measure, is established for the state report card’s Graduation component. It’s calculated similarly to the adjusted cohort graduation rate but excludes students with IEPs who qualify for a diploma but



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choose not to receive one and continue receiving education services.

Senate Bill 79 – Dropout Prevention Charter Schools Accountability Review

OEA is monitoring SB 79, which has received one hearing in the Ohio Senate Education Committee. SB 79 would do the following:

- Requires a dropout prevention and recovery (DOPR) charter school to administer end-of-course exams in an online format throughout the school year based on the needs of the student, in addition to the testing windows established in law.
- Requires the State Board of Education to consult with stakeholder groups and use data from prior school years and simulations in establishing benchmarks and performance levels for performance indicators on the DOPR community school report card.
- Requires the newly established Dropout Prevention and Recovery Advisory Council to review, in collaboration with the State Board, all existing rules and guidance previously developed or adopted by the Department of Education.
- Requires the Department to adopt any requirement imposed on a DOPR as a rule under the Administrative Procedure Act and prohibits the Department from developing guidelines, rather than rules, imposing requirements on a DOPR.
- Requires that any new rule related to DOPR community school requirements be reviewed prior to adoption by the Dropout Prevention and Recovery Advisory Council.

Senate Bill 83 – The Higher Education “Destruction” Act

Substitute Senate Bill 83, sponsored by Senator Jerry Cirino (R-Kirtland), is a sweeping piece of legislation that proposes an unprecedented level of political interference and micromanagement of Ohio’s public colleges and universities. In early December, SB 83 was narrowly passed with a vote of 8 to 7 by the Ohio House Higher Education Committee. OEA opposes the legislation.

While the current version removed the prohibition of college and university faculty and employees’ right to strike, the bill still contains provisions that cause serious concerns as it pertains to labor rights, job security, and academic freedom which have the potential to negatively impact the quality of higher education in Ohio.

In its current version, SB 83 eliminates the collective bargaining rights of higher education faculty members to bargain over certain working conditions. This includes prohibiting bargaining over faculty evaluations, tenure, and retrenchment (the process for reduction in force). This bill represents the largest attack on collective bargaining rights since Senate Bill 5 in 2011.

Additionally, SB 83 contains language that micromanages higher education classrooms and threatens academic freedoms on Ohio's public university and college campuses. OEA believes that these policies are best developed locally by faculty and administration determining the systems that work best for their campuses, and not top-down state mandates.

OEA continues to work with coalition partners and legislative allies to defeat passage of SB 83. The bill is pending in the Ohio House Rules and Reference Committee. The request is for the bill not to be sent to the House Floor for final consideration.

Senate Bill 90 – Social Worker Licensure Compact

OEA is monitoring SB 90, which would ratify the Interstate Social Worker Compact. SB 90 has passed the Ohio Senate and is now under consideration by the Ohio House Commerce Committee. SB 90 has yet to receive any hearings before the House committee.

Senate Bill 92 – August Special Election

Senate Bill 92 was legislation that would allow for and fund a statewide August 2023 special election for the purposes of voting on a proposed constitutional amendment (SJR 2). OEA is opposed to SB 92. It passed the Senate 25-8 on April 19, 2023. This came just



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months after the legislature moved to eliminate August special elections in nearly all cases. Language enabling the August election was later incorporated into SJR 2 on the House Floor.

Senate Bill 104 – College Credit Plus

Senate Bill 104, jointly sponsored by Senator Jerry Cirino (R-Kirtland) and Senator Andy Brenner (R-Delaware), seeks to make changes to the College Credit Plus program. The Senate Workforce and Higher Education Committee adopted a substitute bill to SB 104 that removes the provisions regarding textbooks and open-source materials, removes cost sharing provisions, makes changes to the section regarding the alternative credentialing process established by the Chancellor of Higher Education, and establishes an additional application deadline of November 1 to sign up for CCP to participate the next semester or term.

The substitute measure addresses some of the concerns that were raised by OEA higher education members. OEA remains an interested party on the legislation.

Senate Bill 115 – Insurance Limits on Dental Care

Senate Bill 115 would prohibit dental insurance companies from having a contractual requirement with providers that limits charges for non-covered dental services. OEA opposes this bill as it will result in higher costs for members and their families. The bill was passed by the Senate 22-8 on November 15, 2023, and is now pending before the House Insurance Committee.

Senate Bill 132 – Prohibits Discrimination on Basis of Sexual Orientation and Gender Identity

OEA supports SB 132, also known as the Ohio Fairness Act. SB 132 prohibits discrimination based on sexual orientation or gender identity or expression. The bill has yet to receive a hearing in the Ohio Senate Government Oversight Committee.

Senate Bill 162- Academic Intervention Services

Senate Bill 162, sponsored by Senator Andy Brenner (R-Delaware), would require school districts to provide academic intervention services to students who score “limited” on state assessments in math, English language arts, or both. These intervention services must be offered free of cost to the student and must not supplant the student’s core academic instructional time. The bill establishes that intervention services can be offered directly through the school, through a vendor, or a combination of both. The services can range from tutoring, additional instructional time, an extended school calendar, or other programs.

While supporting the intent of the legislation, OEA testified raising concerns about the bill. One concern is that the bill as introduced relied solely on a single test on a single day to identify students in need of intervention services. Educators have far more information about a student’s knowledge and capabilities than a single test score. A substitute bill was adopted that included language that allows schools to exempt students if they receive a grade of “C” or higher in the course and have scored at or above grade level on the last two diagnostic tests in the subject. This language was based on OEA’s recommendation.

A remaining concern about the legislation is that it does not apply to private schools that accept vouchers. OEA believes that students who attend private schools with tuition paid for by Ohio taxpayers should take the same tests as their public-school counterparts and the private schools should be held to the same requirements under the bill. On December 13, 2023, the bill passed the Senate 31-0 and is now pending before the House Primary and Secondary Education Committee.

Senate Bill 168 – Education “Deregulation” Proposals

OEA opposes SB 168, which would undermine the ability for Ohio’s students to have access to high-quality student services. SB 168 has passed the Ohio Senate and is under consideration in the Ohio House Primary and Secondary Education Committee. To the extent some of the bill’s proposals seek to address educator shortages, OEA is opposed to the bill’s proposal to lower hiring and licensure standards.



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OEA stands ready to work on comprehensive policies to address the root causes of education staff shortages (e.g., see OEA’s Educator Voice Academy recommendations on Teacher and Education Support Professional Recruitment and Retention) in ways that strengthen and support the education profession.

As currently drafted, SB 168:

- Permits school districts and charter schools to employ an unlicensed individual as a teacher, provided the individual holds at least a master’s degree and has successfully completed an exam prescribed by the State Board for the subject area in which the individual will teach. Must complete fifteen hours, or the equivalent, of coursework every five years that is approved by the local professional development committee, to requirements placed on a licensed teacher.
- Requires an applicant for a senior professional educator license or lead professional educator license to hold at least a bachelor’s degree. Current law requires applicants to hold at least a master’s degree. Also reduces the educational attainment requirement for a professional administrator’s degree from a master’s to a bachelor’s degree.
- Eliminates seniority as a preference when making reductions in nonteaching staff positions. Maintains initial preference for continuing contracts.
- Permits a school district to renew its exemption from certain statutory requirements related to every three years, rather than one three-year term only.
- Requires the Department of Workforce and Education to notify districts that are eligible about this exemption.
- Permits school districts to develop and use their own frameworks for teacher evaluation, instead of using a framework developed by the State Board of Education.
- Eliminates seniority as a preference when making reductions in nonteaching staff positions.
- Changes certain professional development requirements related to dyslexia training and the coordination of continuing education and professional development.
- Eliminates a requirement that districts enter supplemental contracts with teachers assigned to teach classes outside the normal school day.
- Permits a school district to apply for a waiver from dyslexia screening requirements if the district proves that a student previously received a dyslexia screening in the prior school year.
- Clarifies that a school district is not required to hold a separate, individual public hearing on a proposed school calendar, but that the calendar may be addressed as part of another public hearing or meeting.
- Removes several policies and programs from the laws governing the Department of Workforce and Education and the State Board of Education.

Senate Joint Resolution 2 and House Joint Resolution 1 – 60% Majority to Pass Constitutional Amendments

Senate Joint Resolution 2 (SJR 2) and House Joint Resolution (HJR 1) were proposed constitutional amendments that, if adopted by voters, would have required a 60% majority of voters to pass future constitutional amendments. OEA strongly opposed these proposals as they would have weakened the voice of Ohio voters, undermined majority rule, and make it harder for Ohio citizens to address key issues when the legislature is unable or unwilling to do so.





LEGISLATIVE SUCCESSES AND UPDATE

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The proposed resolutions would also have made it much more difficult for citizen led initiatives to make it onto the ballot in the first place by requiring that signatures for at least 5% of voters be gathered in every Ohio county (currently half the counties) and elimination of the 10-day cure period to gather additional signatures. While HJR 1 stalled in the Ohio House, SJR 2 passed the Ohio Senate (26-7) and the House (62-37) with sufficient support to bring the issue before voters. The House amended SJR 2 to provide for an August special election to decide the issue. Ohio voters soundly defeated the proposal on the August 8, 2023, special election with a vote of 42.9% in support to 57.1% against Issue 1.