



THE OHIO ASSOCIATION OF COLLEGES FOR TEACHER  
EDUCATION LEGISLATIVE UPDATE

APRIL 16, 2019

The work in the House and Senate has included a focus on abortion and related issues. Gun issues also continue to grab headlines. The biggest focus has been on the Governor's Budget Proposal. We are looking forward to the Day On The Square ( see #1). If you have any questions, please feel free to contact me. Attached are two files: committee members, HB 166 section on distressed districts.

## 1. Dear Ohio Teacher Education Deans, Directors, Chairs, and Faculty,

The Advocacy Committee of OACTE will be sponsoring the annual Day on the Square event in Columbus on Wednesday, May 15th (see attached flyer). Thanks to the 10 institutions who have already responded! It's not too late to get involved. Register at the following link:

<https://goo.gl/forms/PiMP1IEtn5DXMxNe2>

Our goal is representation from all Ohio EPPs. Meet with legislators, learn about legislative priorities, and share testimonials of outstanding work. The Advocacy Committee looks forward to seeing you there and working together to get the word out!

We will shortly be communicating with all RSVP'd institutions and sharing details about the event at the OCTEO conference.

Questions? Contact Brian Yusko at [b.yusko@csuohio.edu](mailto:b.yusko@csuohio.edu) or 216-875-9774

## 2. ACADEMIC DISTRESS (HB 70 – LAST YEAR)

- a. HB 127 ACADEMIC COMMISSIONS (Smith, K., Hambley, S.) To prohibit the creation of new academic distress commissions. Committee Hearing in House Primary & Secondary Education (CONTINUED-SUBSTITUTE)
- b. HB 154 ACADEMIC DISTRESS (Miller, J., Jones, D.) To dissolve academic distress commissions and to instead require the creation of community learning centers for buildings in low-performing school districts. Committee Hearing in House Primary & Secondary Education (CONTINUED-SUBSTITUTE)
- c. SB 110 ACADEMIC COMMISSIONS (Manning, N.) To modify the operation of academic distress commissions in certain school districts. committee Hearing in Senate Education (CONTINUED-AMENDED)
- d. HB 166 STATE BUDGET (OELSLAGER, S.) To make operating appropriations for the biennium beginning July 1, 2019, and ending June 30, 2021, and to provide authorization and conditions for the operation of state programs. Superintendent Details District Takeover Changes In Budget Bill: "One-size-fits all" takeovers of local school districts would end under Gov. Mike DeWine's budget proposal, the state's superintendent of public instruction told a House panel Thursday. Superintendent Paolo DeMaria went before the House Finance Subcommittee on Primary & Secondary Education to discuss the budget (HB 166), which led to multiple questions about its implications for the state's system for intervening at poorly performing school districts. (Testimony; Redbook). Mr. DeMaria said the budget reflects multiple recommendations from a report the legislature required him to complete on potential changes to the system. Under



the current system, districts qualify for takeovers after receiving three consecutive overall F grades on Department of Education-issued report cards. After a district qualifies, ODE establishes an academic distress commission to appoint a CEO with wide-ranging powers to oversee the district. The superintendent said under HB166, districts would qualify for "substantial and intensive support" after receiving one overall F grade. "This designation – which occurs much sooner than under current law – triggers an academic performance review and resource utilization analysis to identify the specific supports needed," he said. Mr. DeMaria said such schools would receive a "customized system of supports" from ODE after receiving the designation. He said districts would not shed the designation until receiving an overall C grade or unless he determines they are displaying improved academic performance "and capacity for sustained improvement." He said districts already under a takeover could remain under their existing ADC or come to an agreement with ODE on an "alternate intervention." Along with the budget provisions, lawmakers already are debating multiple measures aimed at repealing or replacing the takeover system, which was established in prior legislation (HB70, 131st General Assembly). (See Gongwer Ohio Report, April 2, 2019) Rep. Steve Hambley (R-Brunswick) said the budget seems to propose "really significant changes" and asked if the superintendent agreed. Mr. DeMaria said the biggest change he sees is a move away from a "one-size-fits-all" solution. He said the new system would allow for a closer look into each district's unique challenges. "At the front end there should be deeper analysis of what exactly is going on," he said. Rep. Erica Crawley (D-Columbus) said she views the current state takeover system as one that "for the most part has failed." She asked the superintendent why it has not achieved better results. Mr. DeMaria said he blames "fundamental structural issues" in HB70, including a lack of flexibility. Rep. Hambley said he worries House lawmakers might not have enough time to fully vet the takeover proposal and discuss it with interested parties. He noted budget amendments are due April 12. He also asked the superintendent how the decision was made on which of the report's recommendations would be included in the budget. Mr. DeMaria said he was not "the best person to explain," as he did not finalize the budget proposal. He added that ODE staff are willing to take part in future discussions to help address the lawmaker's outreach concerns. "There are opportunities for more in-depth discussions," he said. "We'd be happy to participate in that." Co-Chairman Rep. John Patterson (D-Jefferson) asked if the legislature should be considering changes to report cards, takeovers and testing at the same time. "All of these pieces flow together to form a very complex whole," he said. The superintendent said although the topics are linked, he would argue there is a "good bit of discreteness" that would allow lawmakers to address them separately. Sen. Peggy Lehner, R-Kettering, chairwoman of the Senate Education Committee, said she's been working with a group of superintendents and principals on crafting a replacement. She would like to see it included in the budget bill, which is supposed to pass by the end of June.

3. **HB 88:** An Ohio State University professor told a House panel Tuesday that legislation designed to promote free speech on campuses could have to opposite impact. Lisa Voigt, testifying on behalf of the Ohio Conference of the American Association of University Professors, told members of the House Civil Justice Committee that the legislation (HB 88)



is unnecessary because First Amendment rights are not in jeopardy on college campuses. "College and university faculty care deeply about free speech. It is the foundation of academic freedom, one of the key principles of the AAUP," she said. "Free speech is not simply an aspect of the educational enterprise to be weighed against other desirable ends. It is the very precondition of the academic enterprise itself." Ms. Voigt, however, drew a distinction between banning an idea and disallowing a controversial speaker who will cause massive disruptions on campus. "If legislation like this would be approved, thus taking these decisions out of the hands of the institutions, we would expect that the legislature would also provide funding to cover the costs of the crowds and necessary security that hosting controversial speakers would entail," she said.

4. **Joint Education Oversight Committee** THURSDAY, APRIL 18 (Chair Cupp, R., (614) 466-9624), Senate Finance Hearing Rm., 10:00 am Add to Calendar Presentations by Martin Saperstein, Saperstein Associates and Erica Gray, Edge Research
5. **NCTQ:** From Joe Keferl: Per our discussion at our meeting at OCTEO, I am providing the following link to caselaw involving the University of Missouri system vs. NCTQ regarding the request for working syllabi. <https://caselaw.findlaw.com/mo-court-of-appeals/1676610.html> Additionally, in case you are not aware, NCTQ may now be sending email directly to your President and Provost, claiming that your admissions process for incoming candidates is not adequately measuring content proficiencies. The email for WSU was sent to my President, a former Provost (not our current), and our former Teacher Education department chair (again, not current). I, as dean, was not included on the NCTQ email. I just wanted to give a heads up so that you are aware that your President/Provost may have been sent an NCTQ email that involves your programs/college.
6. **SB 128 SCHOOL CHOICE (HUFFMAN, M.)** To make changes to the Educational Choice Scholarship Program and the Cleveland Scholarship Program.
7. **HB 90 EDUCATIONAL MATERIALS (ANTANI, N.)** To require the development of an instructional program and educational and informational materials and the dissemination of those materials to protect the humanity of the unborn child and to make an appropriation. CONTINUED-SUBSTITUTE
8. **HB 193 COLLEGE SAVINGS (SCHERER, G., PATTERSON, J.)** To expand the income tax deduction allowed for contributions to Ohio's 529 education savings plans to include contributions to 529 plans established by other states. Ways & Means
9. **HB 184 CONTRACEPTIVES (LEPORE-HAGAN, M.)** Regarding access to contraceptive drugs and devices, hospital services for victims of sexual assault, and sexual health education in schools. See particularly Sec. 3313.6011.
10. **SB 69 COLLEGE GRANTS (WILLIAMS, S.)** To qualify students in noncredit community college and career and technical programs for Ohio College Opportunity Grants and to require the awarding of academic credit for community colleges' career certification programs. CONTINUED
11. **SB 120 PERFORMANCE AUDITS (MCCOLLEY, R., RULLI, M.)** To authorize the Auditor of State to conduct performance audits of any and all state institutions of higher education. CONTINUED
12. **SB 34 SCHOOL EMPLOYMENT (Kunze, S.)** Regarding school employee employment and educator licensure and conduct. CONTINUED (No testimony) (4th Hearing-All testimony-Possible amendments & vote)



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- 13.** House Committee Hearings - Finance: Higher Education Sub. The panel continued budget bill (HB 166) testimony by hearing from representatives of community and private colleges and others.
- 14.** House Committee Hearings - Finance: Primary & Secondary Education Sub. The subcommittee heard from several other witnesses who discussed the budget, its potential effects on state takeovers of poorly performing school districts and a proposed education funding system developed by Rep. Cupp and co-chairman Rep. John Patterson (D-Jefferson)

Bill	Status	Summary/Title	Last Action ▼
HB16	Intro	Grant state college residency status to military and dependents	<b>2019-04-10</b> Reported - Amended: Higher Education
SB128	Intro	Change Educational Choice and Cleveland scholarship programs	<b>2019-04-09</b> Introduced
SB4	Engross	Make capital appropriations for school facilities assistance	<b>2019-04-02</b> To House Primary and Secondary Education Committee
HB165	Intro	Regards adoption of health education standards	<b>2019-04-02</b> To House Primary and Secondary Education Committee
SB120	Intro	Conduct performance audits of state higher ed institutions	<b>2019-03-28</b> To Senate Higher Education Committee
SB104	Intro	Fund students enrolled through interdistrict enrollment	<b>2019-03-27</b> To Senate Education Committee
HB166	Intro	Creates FY 2020-2021 operating budget	<b>2019-03-26</b> To House Finance Committee



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HB164	Intro	Regards student religious expression	<b><u>2019-03-26</u></b> To House Primary and Secondary Education Committee
HB154	Intro	Dissolve and replace academic distress commissions	<b><u>2019-03-26</u></b> To House Primary and Secondary Education Committee
SB121	Intro	Adopt health education standards/GA need only approve VDeD	<b><u>2019-03-26</u></b> Introduced
SB102	Intro	Establish Dyslexia Screen Program for schools	<b><u>2019-03-21</u></b> To Senate Education Committee
SB110	Intro	Modify operation of school academic distress commissions	<b><u>2019-03-21</u></b> To Senate Education Committee
HB122	Intro	Create Opportunity Scholarship Program; eliminate pilot programs	<b><u>2019-03-12</u></b> To House Primary and Secondary Education Committee
HB123	Intro	Regards school security and youth suicide awareness/training	<b><u>2019-03-12</u></b> To House Primary and Secondary Education Committee
HB121	Intro	Allow tax credit for teacher purchase of instructional materials	<b><u>2019-03-12</u></b> To House Primary and Secondary Education Committee
SB81	Intro	Prohibit use of seclusion in public schools	<b><u>2019-03-12</u></b> To Senate Education Committee



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SB89	Intro	Regards career-technical ed and JVSD in enterprise zones	<b><u>2019-03-12</u></b> To Senate Education Committee
SB69	Intro	Regards community college career programs-grants/credit	<b><u>2019-03-06</u></b> To Senate Higher Education Committee
HB90	Intro	Spread information to protect humanity of unborn child	<b><u>2019-03-05</u></b> To House Health Committee
HB88	Intro	Enact Forming Open and Robust University Minds Act	<b><u>2019-03-05</u></b> To House Civil Justice Committee
SB40	Intro	Enact the Forming Open and Robust University Minds Act	<b><u>2019-02-20</u></b> To Senate Education Committee
SB26	Intro	Permit income tax deduction for certain teacher expenses	<b><u>2019-02-20</u></b> To Senate Ways and Means Committee
SB34	Intro	Regards school employment, educator licensure, and conduct	<b><u>2019-02-13</u></b> To Senate Education Committee
SB25	Intro	Regards Medicaid work and education requirements	<b><u>2019-02-13</u></b> To Senate Health, Human Services and Medicaid Committee