



Legislative Update for OACTE, OAPCTE, and SUED

Jan. 19, 2024

Update on Senate Bill 168

The House opted not to begin hearings this week on a Senate bill that features provisions that would reduce the educational attainment level for various educator and administrator licenses and allow the hiring of unlicensed teachers with a master's degree who pass a state test.

[Senate Bill \(SB\) 168](#), which was passed by the Senate in December by a vote of 24-7, would reduce the educational attainment level from a master's degree to a bachelor's degree for certification or licensure for senior or lead professional educators, professional administrator license holders, and alternative superintendent license holders. It would also allow unlicensed individuals to be hired as a teacher if they have a master's degree and pass a subject area examination in the area in which they will teach. One final change made by the Senate before passage included a provision that codifies an administrative code provision that creates a temporary, non-renewable license for out-of-state teachers to teach for up to one year.

The bill is expected to garner greater scrutiny by the House, which includes former educators and school administrators from both political parties on its education committee and has sometimes considered teachers union interests more favorably than the Senate. The Ohio Education Association and Ohio Federation of Teachers were strongly opposed to the bill's master's degree provisions, and those organizations are expected to increase their advocacy efforts in the House.

The House Primary and Secondary Education Committee's next meeting will occur on February 13, and a first hearing on SB 168 could occur at that time. Since that hearing won't occur until after the House's next full session on Feb. 7, it is near impossible for the House to pass the bill before embarking on a month-long recess in March to campaign for the primary election.

Potential push to reverse grade band change

There are reports of a potential legislative push to reverse the legislature's grade band

changes enacted in [House Bill \(HB\) 33](#), the biennial budget bill. That legislation changed the grade bands from the former preK-5, 4-9, and 7-12 bands to become two bands of preK-8 and 6-12. This effort appears not to include an alteration of another HB 33 provision that allows school districts to employ an individual outside their grade band by up to two grade levels for up to two years, subject to renewals.

To date, there is no legislation or amendment introduced publicly yet, nor have any lawmakers publicly expressed an intent to introduce such a proposal.

House overrides DeWine's veto of HB 68; Senate override expected

The Ohio House of Representatives on Jan. 10 overrode Gov. Mike DeWine's veto of [House Bill \(HB\) 68](#) by a vote of 65-28. DeWine on Dec. 29 vetoed the legislation that would prohibit gender transitioning surgeries and services for minors and prohibit biological boys from playing on girls' sports teams in K-12 schools and colleges and universities.

Alongside his veto, DeWine announced an executive order and state agency rules that would enact portions HB 68, an ostensible effort to thwart a likely veto. This did not assuage House Republicans, who reacted by calling an earlier-than-planned meeting to override the veto on a party-line vote. A Senate override, which requires 20 votes, is expected to occur at its Jan. 24 meeting. The Senate previously passed the measure with 24 votes.

Budget correction measure that includes education changes nears final approval

Gov. Mike DeWine is poised to sign a budget corrections bill that features several education-related changes. [HB 101](#), which was sent to DeWine last week, was amended late in the legislative process to include the following relevant provisions:

- a requirement that the Department of Education and Workforce (DEW), rather than the State Board of Education, adopt reading competencies for all reading credentials and training, and a provision that permits DEW to review and update those reading competencies;
- a provision specifying that student teachers employed as a substitute teacher under the newly created Pre-service Teacher Permit is included in the State Teachers Retirement System;
- a provision removing the DEW Director as a member of the Educator Standards Board and its subcommittee;
- an elimination of the University of Cincinnati's Center for Civics, Culture, and Society that was created and funded by the state budget bill in July. The bill, instead, creates in its place a similar, new center at Wright State University; and

- a clarification that the State Board of Education, rather than DEW, is responsible for criminal records checks and RAPBACK enrollment of holders of Pre-service Teacher Permits (student teachers).

DEW holds first public meeting of 2024 with Dackin as director

Steve Dackin, the newly minted director of the Department of Education and Workforce (DEW), debuted the new agency's priorities in a public meeting this week. Those include literacy, workforce, and student wellbeing. Dackin was joined by senior DEW staff who provided a review of budget implementation items, an update on the status of DEW's literacy and Science of Reading efforts, and a summary of pending Administrative Code rules that are open for comment.

According to DEW staff, the approved vendor list for high-quality instructional materials aligned to the Science of Reading will be debuted by the end of January, and professional development for educators will be available in February. Meanwhile, 33 literacy coaches are already working with students across the state. More than two-thirds of Ohio teachers have already completed some Science of Reading professional development prior to the current school year, according to a DEW survey.

DEW staff also announced that the agency worked with the Ohio Department of Higher Education to align educator preparation program coursework with the Science of Reading. Resources include a 12-hour course in Reading and Literacy Core Standards, a 3-hour course in Content Reading Standards, and Reading Program Endorsement Standards.

Meeting materials from the Jan. 18 meeting are accessible by [clicking here](#).

Bathroom Bill amended as committee vote looms

A new version of [House Bill 183](#) – the same-sex bathroom bill – was adopted in the House Higher Education Committee last week. HB 183 would require institutions of higher education, as well as public and private K-12 schools, to designate specified bathroom and locker room facilities for the exclusive use of students of either the male biological sex or the female biological sex. It would also prohibit those entities from permitting biological females to share overnight accommodations with biological males.

The committee's changes include:

- prohibiting schools and colleges from constructing, establishing, or maintaining a multi-occupancy facility that is designated as nongendered, multigendered, or open to all genders;

- prohibiting schools and colleges from *knowingly* permitting a person to use a restroom that has been designated for a biological sex that is different than the person's biological sex; and
- permitting an individual to use their official birth record to prove biological sex if it was issued at or near the time of the individual's birth.

HB 183 is likely to be passed out of committee in the following weeks and passed by the full House at its next meeting on Feb. 7.

State Board of Education holds first meeting of 2024

Under the new leadership of Superintendent of Public Instruction Paul Craft, the State Board of Education held its first meeting of 2024 last week. In addition to its planned activities, the panel adopted a resolution opposing a planned move of the entity to a state-owned facility in Reynoldsburg. Reportedly, the relocation was directed by Director Katheleen Madden of the Ohio Department of Administrative Services.

The board also focused its concern on a \$2 million revenue shortfall in fiscal year 2025 due to the restructuring of the agency. Believing that problem could easily be solved, Sen. Andrew Brenner in September told the panel that, "This is a transition. There will be funding available for whatever is needed. There's plenty of funding available. If we have to make adjustments later, we'll make adjustments later in the General Assembly and appropriate the appropriate amount of money."

Contacting your lawmakers

The tentative House Primary and Secondary Education Committee schedule for the first half of 2024 is as follows: Feb. 13, April 9, April 23, May 7, May 21, June 11, and June 25. While a tentative Senate Education Committee schedule is not currently available, the panel is set to meet on Jan. 23.

Individuals interested in signing up to receive committee notifications or interested in testifying on bills pending before the House Primary and Secondary Education Committee should contact Carly Zinnecker, legislative aide for Chairman Rep. Adam Bird, at carly.zinnecker@ohiohouse.gov. She can also be reached at 614-644-6034. Testimony is always due 24 hours prior to the scheduled hearing.

Similar contacts for the Senate Education Committee should be made to Aaron Riggins, senior legislative aide for Chairman Sen. Andrew Brenner, at aaron.riggins@ohiosenate.gov. He can also be reached at 614-466-8086. Testimony is always due 24 hours prior to the scheduled hearing. Full committee contacts can be

found on the following page.

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