

Of Betel Nuts and Sunscreen:

Exploring the Education Policy Changes in Am. Sub. HB 49

North Point ESC Administrative Retreat

Presentation by BASA

August 3, 2017

Substitute Aides/Background Checks

- Permits superintendent to allow employee not holding an aide permit to substitute for absent aide
 - Superintendent must believe that employee's application materials indicate employee is qualified to obtain permit or license
 - Employee must complete criminal records check and cannot begin work earlier than date on which employee files application with ODE
 - Substitute must cease work on date that permit or license is denied
 - Limit is 60 days following date on which employee began work as substitute
- ODE required to request fingerprints from employees not in RAPBACK system and to inactivate the license of educator who does not comply

Early Childhood Education

- Changes age of eligibility from age 4 as of district entry date for kindergarten to simply age 4
 - Qualifies 3 year old children if finding remains after serving all aged 4 children
- New or remaining funds to “smaller communities” and programs rated not lower than third highest tier in Step Up To Quality program
 - Also, pilot program in two Appalachian counties
- Development and administration costs cannot exceed 15% of costs
- Requires charging fee on sliding scale to families earning more than 200% of federal poverty guideline
- Providers required to participate in Step Up To Quality

Assessments

- 4th and 6th grade statewide social studies assessments eliminated
 - However, each school district must teach and assess social studies in at least grades 4 and 6 but assessment can be either formative or summative and results are not reported to ODE
- Would have permitted online or paper assessments or both
 - No real fiscal impact since each assessment costs \$13 (no matter the format)
 - However, Governor vetoed this
 - Waivers from ODE still possible in “exceptional circumstances”
- Effective immediately, districts permitted to administer selected response and performance task items from kindergarten readiness assessment up to 2 weeks prior to first day of school

Student Violence Victim Reporting

- Beginning July 1, 2018, victims of student violence must be reported through EMIS
- Reporting is by “classification” (e.g. student, teacher, classified staff member, etc.) and use of name prohibited
- By October 1, 2020, ODE to compile report from first two years
- Apparently, this requirements “sunsets” on October 1, 2022

Curriculum – Integrated Course Content

- Permits schools to integrate academic content in subject areas for which the State Board of Education has adopted standards into a course in a different subject area, including a career-technical education course
- ODE to issue plan and guidance by 07/01/2018
- Issues include end-of-course exams for an integrated course and appropriate teacher licensure

Curriculum – Subject Area Competency

- ODE required to develop “framework” for schools to use in granting high school credit to students who demonstrate subject area competency through:
 - Work-based learning experiences
 - Internships
 - Cooperative education
- Schools must comply beginning with 2018-2019 school year
- State board currently required to adopt statewide plan for same purpose; apparently ODE is to assist State board in updating this plan

Summer Food Service

- Requires a school district that provides summer academic intervention services and that opts out of offering summer food service in a school in which at least half of the students are eligible for free lunches to allow an approved summer food service program sponsor to use the school's facilities
- District may charge summer food service program sponsor reasonable fees for rent and use of equipment

Athletics – Cardiac Arrest Awareness & Eligibility

- Specifies that a student participating in a school athletic activity must submit the signed form indicating review of sudden cardiac arrest guidelines prior to participating in an athletic activity once every year (rather than once every year for every athletic activity in which the student or youth athlete participates as under current law)
- Authorizes any student from a country or province outside the U.S., who holds an F-1 visa issued by the U.S. Department of State and attends a school in Ohio operated a dormitory on the school's campus prior to 2014, to participate in interscholastic athletics at that school on the same basis as students who are Ohio residents
 - Prohibits rule, bylaw, or other regulation that conflicts with the bill's provisions

Automated External Defibrillator Training

- Exempts the following individuals employed by school districts from current law requirement to complete training in the use of an automated external defibrillator:
 - (1) substitute teachers;
 - (2) adult education instructors who are scheduled to work the full-time equivalent of less than one hundred twenty days per school year; and
 - (3) persons who are employed on as-needed, seasonal, or intermittent basis
- Exemption does not apply to coaches and supervisors of interscholastic athletics

OhioMeansJobs Readiness Seal

- Requires the seal (to be established by state agencies) to be attached to diplomas and transcripts of high school students who satisfy certain requirements, including demonstration of work readiness and “work ethic competencies”
- Student must submit form validated by at least 3 individuals, each of whom would have been:
 - Employer
 - Business mentor
 - Faith-based leader
 - Student’s coach
 - Teacher
 - Community leader
 - School leader

Preschool Children with Disabilities

- Requires a ratio of one full-time staff member for every eight full-day or 16 half-day preschool children eligible for special education enrolled in a center-based preschool special education program
- Specifies that the ratio of one teacher to eight children must be maintained at all times and that a second adult must be present when there are nine or more children, including any nondisabled children enrolled in a class session
- May be in conflict with federal guidelines and with Ohio Department of JFS rules

Exceptional Children

- ODE required to conduct a study of appropriate funding levels and methods for gifted students and to report its findings by May 1, 2018 to the Joint Education Oversight Committee
- Eliminates the application periods for the Jon Peterson Special Needs Scholarship Program
 - Instead requires ODE to pay scholarship to parent of each student receiving a scholarship or to child's provider upon receiving the parent's application
 - Presumably, the scholarship payment for students applying after the start of the school year would be prorated

Miscellaneous

- Eliminates the requirement for bid bonds for bus purchases but permits boards to require them as part of the competitive bidding process
- Straight A Program eliminated and, as of July 1, 2017:
 - Grantees required to spend any funds received in FY 2016 and FY 2017 and remaining in FY 2018 in accordance with grant agreement; no future funds
- SSPI required to form work group on related services personnel
 - Complex issue involving school districts, higher ed, & licensing agencies
- State funding for reimbursement to parents for payments in lieu of transportation eliminated

College Credit Plus (for 2018-2019 school year)

- Eligible students must be considered “remediation free” on one of the assessments established by IUC presidents
 - Alternate path created for students scoring within 1 SEM of remediation-free
- Student must also meet IHE’s standards for enrollment and course placement
- College to pay for one assessment to determine student’s eligibility
- Changes appeal of principal’s decision with regard to participation in CCP from State Board of Education to district superintendent
- Moves deadline for providing information on CCP to all students in grades 6-11 from March 1 to February 1

College Credit Plus (continued)

- Chancellor to adopt rules specifying which courses under CCP are eligible for funding
 - Must include course sequence (if appropriate) and school year of implementation
 - Rule development process must include process for receiving input from high schools, IHEs, and interested parties
- Permits (rather than requires) Chancellor to approve payments for CCP course below floor amount
 - However, payments cannot be more than IHE's "standard rate"
- Chancellor to adopt rules specifying conditions under which underperforming students may continue participation in CCP

Graduation and the Class of 2018

- First alternate pathway – Meet at least two of the following:
 - A 12th grade attendance rate of 93%,
 - A 12th grade GPA of at least 2.5, based on taking four full year courses,
 - Completion of a capstone project,
 - Completion of 120 hours of work experience or community service,
 - Earning at least 3 credit hours through CCP,
 - Passing an IB or AP exam with a score sufficient to earn college credit
 - Reaching minimum cut scores on sections of the WorkKeys assessment,
 - Obtaining an industry credential or a credential worth at least 3 points,
 - Meeting the conditions to earn an OhioMeansJobs readiness seal

Graduation and the Class of 2018 (continued)

- Students in first alternate pathway must retake, at least once any end-of-course exam in English language arts or math for which student received an equivalent score of lower than “3”
- Second alternate pathway – Complete an approved career-technical training program and fulfill one of the following:
 - Earn a cumulative score of proficient or better on career-technical education exams or test modules for the training program,
 - Obtain an industry credential or credentials worth at least 12 points,
 - Complete 250 hours of workplace experience, documented by positive evaluations from workplace and school officials
- For both pathways, student must complete required curriculum and take all end-of-course exams

Alternative Fuel Vehicles

- Districts permitted to contract with an expert to produce report which includes analysis and recommendations for use of alternative fuel vehicles
 - Districts can then apply to OFCC a request to finance purchase of new vehicles or vehicle conversions, in amount up to 9/10 if 1% of tax valuation
 - Districts in fiscal emergency must have approval of financial planning and supervision commission
 - Districts in academic emergency must have approval of academic distress commission

Sunscreen

- Prohibits school district from requiring written authorization from a health care provider in order to administer sunscreen to a student
- Permits a student to possess and self-apply sunscreen without written authorization from a healthcare provider
- Permits a district to require parental authorization for the possession or application of sunscreen

Betel Nuts

- Astringent kernel of the seed of the betel palm, chewed in many tropical regions in combination with slaked lime and the leaves of the betel plant
 - Said to create a temporary sense of euphoria
- Prohibits the use or possession of any substance containing betel nut in any area under the control of, or at any activity supervised by, a school district or educational service center
- Requires each school district board and ESC governing board to adopt a policy providing for the enforcement of this prohibition and establishing disciplinary measures for a violation of this prohibition

What Didn't Make It?

- A provision that would have required the SSPI to establish criteria and guidelines for the use of the per pupil state payments
 - Would require use funds to reduce client school district expenditures and support improvement of student achievement
- Change in career-technical teaching licenses
 - Would have created an Initial Career-Technical Workforce Development Educator License and an Advanced Career-Technical Workforce Development Educator License
- Externship which would have required educator license holders to complete an on-site work experience as condition for renewal of the educator's license

What Didn't Make It?

- Would have repealed requirement that each board of education appoint a business advisory council and instead require the appointment to the board three nonvoting advisory members representing local business interests
 - Appointment would be by local superintendent of schools
 - Appointees would serve at the pleasure of the appointing authority
- As introduced version would have made a default CCP textbook that would have required school districts to pay \$10 per credit hour for textbooks with colleges owning the books
 - House changed payment amount to 50% of cost of textbooks
 - Senate removed textbook provision altogether; for now, status quo

The Vetoes

- Elimination of the Resident Educator Program
 - Would have prohibited State board from requiring completion of the Resident Educator Program as condition for new or renewal educator license
 - Concern that this would eliminate mentoring
- CCP Minimum grade point average for high school and college credit
 - CCP students would have to receive a “C” or higher in order to get credit
 - Concern about 2 different standards for high school credit and graduation
- Review of ODE manual for auditing or reviewing public school enrollment by Joint Education Oversight Committee
- Elimination of option of using paper and pencil on state assessments

The Vetoes (continued)

- Slowing the “phase out” for state replacement for tangible personal property tax loss
 - Beginning in 2020, the 5/8 mill annual reduction would have been reduced to a quarter of a mill
- Community school sponsor evaluations
 - Would have prohibited ODE from rating sponsor as “ineffective” if sponsor scored a zero on either Compliance or Quality Practices
- Facilities issues
 - Would have provided for one additional JVSD project each year and capping of local share at 50%
 - Districts with segmented projects would use current state share rather than share in place when first segment was approved

Still Out There

- Ohio Teacher Evaluation System
 - How to handle value-added dimension as part of OTES
 - Obvious implications for OPES as well
- House overrode eleven vetoes (with none affecting public schools)
- Senate has yet to vote on those veto overrides
- Will there be others?
 - Current General Assembly actually has until December 31, 2018 to attempt any other veto overrides