

## 135th OHIO GENERAL ASSEMBLY



### Highlights of the Ohio House and Ohio Senate sessions on April 24, 2024

The Ohio House and Ohio Senate held sessions on April 24, 2024 and took the following actions:

**House Republicans unanimously elected Jack Daniels to the 32nd House District**, replacing former Representative Bob Young, who resigned after domestic violence charges were filed. Representative Daniels was also sworn into office on April 24, 2024.

Representative Daniels is a businessman and owns Kandel Transport, Inc. a trucking company in Tallmadge, Ohio. Summit County Republicans recommended him to replace former Representative Young six months ago, but Speaker Jason Stephens held off his appointment until after the primary election. He recently defeated Mary Stormer in the GOP primary election in March, and will face Democrat Jim Colopy in November. He has served on the New Franklin Council and has also chaired the Manchester Local School District Education Foundation.

Source: Morgan Trau, “**Businessman Jack Daniels appointed to take over disgraced state Representative Bob Young’s House Seat**,” News5Cleveland and the Ohio Capital Journal, April 25, 2024 [HERE](#).

**On April 24, 2024 House Democrats also officially elected Representative Dani Isaacsohn as their new minority whip**, replacing former Representative Jessica Miranda, who was recently appointed Hamilton County auditor following the death of Auditor Brigid Kelly.

Source: **Ohio Channel House of Representatives** April 24, 2024 [HERE](#).

**The House approved HB70**, sponsored by Representatives Sarah Fowler Arthur and Jennifer Gross. The bill **requires schools to adopt policies on administering over-the-counter drugs to students** and passed by a vote of 88-2. [HERE](#).

**The Senate approved HB250**, sponsored by Representative Tracy Richardson **to revise the Military Enlistment Diploma Seal**. The Senate used **this bill as a vehicle for approving a number of changes in education law, including** provisions restricting cell-phone use in schools, and funding for adoption programs, which was amended into the bill on the floor of the Senate. The bill was approved by a vote of 32-0. **The following are the highlights of the bill, which now must go back to the Ohio House for**

**concurrence with the Senate changes, before HB250 can be sent to Governor DeWine to sign into law.**

- Increases the GRF appropriation line item 600562, Adoption Grant Program by \$19.0 million in both FY2024 and FY2025 (from \$15.0 million to \$34.0 million). The program was created by HB45 in the 134<sup>th</sup> General Assembly to provide one-time payment for each eligible adopted child on or after January 1, 2023 of \$10,000 or \$15,000, if the adoptive parent was a foster caregiver for the child, or \$20,000 if the child has been diagnosed with special needs. This provision was also included in HB27 Require State Higher Education Provide Financial Cost and Aid Disclosure/Capital Appropriations (Adam Mathews and Jim Thomas) which passed the Senate, but has been held up in the House.
- Modifies the educational service center transportation pilot program established in HB33 FY24-25 Operating Budget to create two separate programs and modifies how they are funded.
- Requires that school districts and other public schools develop a policy for student cell phone use in schools and includes minimum requirements.
- Requires the Department of Education and Workforce to develop a model policy for school districts and other public schools to use if they choose not to develop their own policy, and requires the DEW to develop guidance.
- Renames the Military Enlistment seal to the Military seal and permits districts to continue to use seals already purchased.
- Requires that any educator employed by a school district or community school to teach outside of the designated grade band, as authorized by HB33, to be considered a “properly certified or licensed teacher.”
- Permits a licensed educator with a grade band specification under former law to renew the license in accordance with former law or the law in effect on the license’s renewal date.
- Requires Ohio Deaf and Blind Education Services to consult with the Department of Children and Youth (DCY) in carrying out its educational programs for parents of preschool children who are blind or visually impaired.

Source: Legislative Service Commission, Fiscal Note, Am. Sub. HB250 **Revise the Military Enlistment Diploma Seal** [HERE](#).

Source: **The Ohio Channel, Ohio Senate** on April 24, 2024 [HERE](#).

### **House and Senate leaders discuss President Biden and the November ballot**

Also last week Senate President Matt Huffman, Senate Minority Leader Nickie Antonio, House Speaker Jason Stephens, and House Minority Leader Allison Russo discussed with reporters **efforts to ensure that President Joe Biden’s nomination for U.S. President is on the Ohio November ballot, and were optimistic about finding a solution.**

Leaders in both chambers are looking at a number of bills in which language could be added to temporarily change the deadline for candidate names to be included on Ohio ballots for November 2024. There are also discussions about permanently changing the law to reduce the 90-day deadline before an election.

Ohio's deadline for political parties to finalize presidential candidates for the November election is 90 days before the November election, which is August 7, 2024. However, the Democratic National Party has scheduled its nominating convention to select its candidate, who is currently President Joe Biden, to begin on August 19, 2024.

**Democrats can solve the problem by altering their nominating rules or the Ohio General Assembly can pass a temporary law that changes the deadline. According to several reports, that has been done in the past in 2012 and 2020 for Republican and Democratic presidential candidates.** In 2012 the law conflicted with both Republican and Democratic nominating conventions, which were held in the fall. Ohio lawmakers approved a law that moved the deadline temporarily to 60 days before the November election.

Source: Andrew Tobias, "**Ohio Biden ballot fix coming into focus**, top lawmaker says," Cleveland.com, April 24, 2024 [HERE](#).

Source: Jo Ingles, "**There's optimism but still no resolution to get President Biden's name on Ohio's November ballot**," The Statehouse News Bureau, April 24, 2024 [HERE](#).

### Update on the Capital Budget

Senate President Huffman and Senate Minority Leader Antonio also told reporters last week that Senator Matt Dolan, chair of the Senate Finance Committee, has met with all Senators to discuss their capital budget needs, and has talked to Representative Jay Edwards, chair of the House Finance Committee. **This week both the House and Senate should begin to align the funding requests from both chambers. Most of the remaining discussions focus on capital requests coming from Senate and House members for their districts, because** capital requests from state agencies were made months ago, and those requests constitute 90-95 percent of the capital budget.

**Also available to support capital projects this year is \$700 million** in the *One Time Strategic Investment Fund*, which was created in HB33, the FY24-25 Operating Budget. This fund was created using cash reserves raised as a result of Ohio's strong economy and strategic budgetary decisions made during the COVID-19 pandemic.

**The House and Senate have already approved bills for spending the \$700 million, but they have been** unable to reconcile those bills.

**The House approved House Bill 2** (Al Cutrona and Terrence Upchurch) on February 7, 2024, **which includes \$2 billion** in one-time strategic investments and capital appropriations, while the Ohio Senate **approved on February 28, 2024 HB27** Colleges – Financial Cost Disclosure Forms/Capital Appropriations (Adam Mathews and Jim Thomas), **which includes \$1.4 billion** in one-time capital expenditures. The capital budget must be signed into law by July 1, 2024, the beginning of fiscal year 2025.

Source: Hannah News Service, "**Huffman, Antonio Discuss Biden Ballot, Capital Budget Timeline**," April 24, 2024 [HERE](#).

## Bills introduced last week

- **B506 School Policies on Overdose Reversal Drugs** (Dontavius Jarrells) Regarding school policies on the administration of overdose reversal drugs.

## Hearings held last week

### House Primary and Secondary Education Committee

The House Primary and Secondary Education Committee, chaired by Representative Adam Bird, met on April 23, 2024 to receive testimony on the following bills:

- **HB407 Nonpublic Schools Requirements** (Gayle Manning and Bill Seitz): **Regarding chartered nonpublic schools that** participate in certain scholarship programs and transferring disciplinary records; and to amend the version of Section 3314.03 of the Revised Code that is scheduled to take effect on January 1, 2025, to continue the change on and after that date.

Representatives Manning and Seitz provided sponsor testimony on HB407, which **requires the Department of Education and Workforce to create a new state report card for chartered non-public schools in which** at least 20 percent of students participate in the state funded EdChoice scholarship program.

According to the sponsors, **the purpose of the bill is to provide transparency and reasonable accountability measures for Ohio's EdChoice scholarship program.** The bill will provide parents of students in public and private schools with information to compare the performance of students who are enrolled in the EdChoice scholarship program and attend private schools with the performance of students attending public schools. The report card for private schools will also include a state expenditure report, admission procedures, capacity, enrollment and prior school year attendance. The bill also requires that private schools maintain separate accounts for state scholarship funds.

Students who accept a state scholarship would also take the same assessments as students in public school and comply with graduation requirements prescribed for public schools.

Representative Manning noted in her testimony, that **Ohio taxpayers are paying \$412 million for the scholarship this year, while the state is expected to spend \$2 billion on all five scholarship programs over the next two years.** "To ensure that focus of the scholarship system remains on Ohio's youth, **schools accepting scholarship students should be transparent about how these funds are being spent.**"

In response to a question from Ranking Member Sweeney, Representatives Manning and Seitz said that they worked with private school operators and statewide education organizations to develop the measures that will be included on the report cards, including the Ohio Association of State Business Officials, the Buckeye Association of School Administrators, the Ohio School Boards Association, the Ohio Education Association, the Ohio Federation of Teachers, the Thomas B. Fordham Institute, Ed. Choice, the Catholic Conference, the Legislative Service Commission, and the Department of Education and Workforce.

She added that the **organizations understand overall why it was necessary to create a report card for private schools, although there was "push-back" about some of the proposed measures.**

Representative Williams said he understands the premise, but parents don't want uniformity in schools. Some want their children to be taught a different curriculum than the public schools. Testing is also a

concern because students whose families can pay for tuition could be taking one type of test while students on the scholarship would be taking another test, and that seems inequitable.

Representative Manning said that students on the EdChoice scholarship are already taking an alternative test rather than state tests. But that means that parents can't make apples-to-apples comparisons between public and private schools. Parents have told her that they are looking for a way to compare schools in order to make decisions, and right now the report card data on the Ohio Department of Education and Workforce isn't much help.

Representative Fowler Arthur suggested that if students used the results on a national test to show academic achievement it would also save money. She has some correspondence with the U.S. Department of Education that she said she would share with Representative Seitz, who was interested in knowing what type of tests could be used to meet federal requirements.

**Representative Williams suggested eliminating the requirement for EdChoice students to pass the state graduation test, but still require EdChoice students to take the graduation test.** The sponsors said that they would be willing to continue that discussion.

- **HB445 Released Time – Religious Instruction** (Al Cutrona and Gary Click): Regarding school district **policies for released time courses in religious instruction.**

Representatives Click and Cutrona provided sponsor testimony on HB 445, which **requires schools to adopt a nondiscriminatory policy, consistent with federal law that respects the wishes of parents to have their children participate in release time for religious education.**

In 2014 the General Assembly passed a bipartisan law for religious release-time programs **based on the following conditions:**

- Requires that religious instruction be held off of the school campus
- Requires that a third party be responsible for the religious instruction program and transporting children to and from the release-time location
- Requires parental permission to participate
- Prohibits students from missing school classes in order to participate in religious instruction.

**Currently Section 3313.6022 (B) Ohio Revised Code gives permission for boards of education to develop a policy that provides students with the opportunity to participate in religious instruction during the school day,** but many boards of education have not developed such a policy.

**According to Representative Click,** “Regardless of their intentions, their failure to implement a sound policy in this matter results in a denial of both the students’ and parents’ constitutional right to the free exercise of religion. It is inappropriate to have a patchwork of religious freedom within Ohio based on the whims of our 611 school districts. HB 445 creates a level playing field and equal opportunity for all parents and students throughout Ohio.”

**Vice Chair Sarah Fowler Arthur asked Representative Click why he is changing the law if the federal law just allows, but doesn't require, schools to develop a policy for religious instruction.**

Representative Click said that students shouldn't be denied religious instruction because boards of education are refusing to develop a policy.

Representative Joe Miller said that he liked the bill, but would like to know more about how teachers would be affected? Representative Click said that instruction time for religion would not cut into the school day. Some schools offer the instruction during recess or lunch. He added that 63 percent of school districts already have a policy, and the bill just makes implementation more efficient statewide.

Representative Beryl Piccolantonio said her interpretation of the U.S. Supreme Court decision in *Zorach v. Clausen* was that providing opportunities for students to participate in religious instruction is permissible but not mandatory. Representative **Click disagreed, saying that the First Amendment guarantees the free exercise of religion, and therefore every parent has a right for their child to have religious instruction during the school day.** The bill only asks boards of education to accommodate that right.

- **HB432 Teaching of Career-Tech Education** (Don Jones): **Regarding the teaching of career-technical education. HB432 makes the following changes to the state's requirements for** earning a license in career technical education to better assist career professionals:
- Permits an individual to apply for an initial career-technical workforce development educator license instead of only permitting an employing school district to apply on the applicant's behalf.
- Permits an individual with an employment offer to enroll in one of two alternative educator preparation programs in lieu of a career-technical workforce development educator preparation program offered by an institution of higher education. Candidates could pursue the University pathway; a mentorship program at their school; or a hybrid pathway that includes professional development and coursework.
- Requires the State Board of Education to issue an advanced career-technical educator license to licensed educators who complete four years of teaching under the existing two-year technical educator licenses.
- Requires one or more lead Career Technical Planning Districts to create and approve different mentoring and professional development programs.

**Representatives from** career technical centers; institutions of higher education; statewide education organizations, including the Buckeye Association of School Administrators and the Ohio School Boards Association; and the Ohio Farm Bureau; Ohio Association of Agricultural Educators; and the Ohio Manufacturing Association, **testified as proponents of HB432.**

Overall the 15 proponents said that the proposed requirements to earn a career technical license are common-sense and less onerous; will help relieve the shortage of industry professionals who are qualified to teach CTE students; better align the requirements with workforce needs; and allow those who are already at a university to take courses in career technical education, which is currently not allowed, unless the candidate is employed by a school district.

Representative Joe Miller told Superintendent Jon Graft from the Ohio Association for Career-Technical Education that he has visited the Kent Career Tech Center and is very impressed. But in response to Dr. Stephanie Jolliff's testimony, Representative Miller **was concerned that lowering standards for the career tech licensure would lower the quality of career tech programs.** He is concerned that career



**tech teachers earning credentials through this alternative program will not have the opportunity to learn pedagogy.**

Dr. Jolliff, Ohio Association of Agriculture Educators, said that **having teachers with industry expertise is critical, and the mentoring programs through educational service centers will enhance and improve teaching skills, including pedagogy. She did agree with Representative Miller who also said that teachers are loaded down with state requirements and are just exhausted.**

Representative Click noted that changing the standards doesn't mean lowering the standards, and thought that hands-on learning is better than book learning. **He suggested that HB432 is just looking at career technical education through a new lens.**

In response to testimony from Rick Smith, Ohio Association of Career-Technical Superintendents, Representative Fowler Arthur asked if creating individualized education plans for career tech teachers would be too overwhelming? Dr. Smith didn't think it would be because career tech teachers are already identifying personalized learning goals in their evaluations. He believes that creating this alternative pathway will expand the number of career tech educators, because it is so much more flexible.

Melanie Kirin, former Marketing/Entrepreneurship Teacher at Bedford High School and currently a career technical education instructor at Kent State University **testified against HB432.**

She told the committee that she has, "significant concerns about the proposed changes in HB 432, noting that, **“Fundamentally, the proposed changes do not streamline the process for credentialing, instead, it adds layers of additional complexities to local districts, reduces the accountability provided by higher education, and it will lead to reduced credible training for CTE teachers.”**

She explained to the committee that her personal work experiences in marketing led her into teaching, but **it was the mentoring, course work in pedagogy, and** networking at Kent State University that made her the award-winning teacher that she is today.

She noted that the **proposed credentialing process in HB432 would over-burden local school administrators** who are not prepared or qualified to be responsible for 45 hours of professional development and 90 hours of mentoring programs; assumes that someone seeking a CTE license knows what to include in a personal learning plan; ignores the need to build classroom management skills, lesson plans, literacy skills, how to build student organizations, and more.

In response to questions from Representative Fowler Arthur, she said that having experience in a technical field and knowing classroom management skills and pedagogy are both important for a developing teacher. Some of the classroom management skills and pedagogy can be learned in a classroom and through mentorship programs, which are not changing in the bill. But as a professor at Kent State she works with career tech teachers in the classroom to also build relationships, and fears that those experiences will be lost if the standards for the license are changed.

Dawn Thompson, a career tech workforce education faculty member at Bowling Green State University, offered interested party testimony. She highlighted **a number of inconsistencies in the bill that seemed unfair to veteran teachers and added that the details for this alternative program are not equal and have not been worked out.**

According to her testimony, the content literacy course is not there; accredited professional development is not there; and career tech teachers need to know that individuals who have earned college credits also can

increase their salary levels. She believes that career tech teachers should know this before opting for an alternative route.

- **SB168 Education Regulation Law Changes** (Michele Reynolds): **With regard to education regulation reform and notice requirements for certain reemployed retirants**; and to amend the versions of Sections 3301.0714 and 3314.03 of the Revised Code that are scheduled to take effect January 1, 2025, to continue the changes on and after that effective date.

SB168 **makes many controversial changes in law while its** intent is to provide schools with more flexibility to hire educators and staff. The bill is wide-ranging and would impact education standards; teacher evaluations, professional development, dyslexia intervention training, nonteaching staff reductions, and eliminate “obsolete” statutes.

**Proponents include** the business community, school superintendents, administrators, school business officials and school board members.

**Opponents believe** that the proposed changes in law could undermine student access to high-quality educators and services, by weakening the educational requirements to become a licensed teacher, and weaken collective bargaining.

The Ohio Education Association testified against the bill in the Senate. Representatives from the Ohio Federation of Teachers, the Ohio Association of Colleges for Teacher Education, the Ohio Association of Private Colleges of Teacher Education, and the State University Education Deans have raised concerns about the bill and opposed parts of the it. **The vote on SB168 in the Senate on December 13, 2023 was 24 to 7, with all Democrats opposing the bill.**

Testifying last week were opponents of the bill, including Matt Dotson, Ohio Education Association; Melissa Cropper, Ohio Federation of Teachers; Mary Heather Munger, Ohio Association of Colleges for Teacher Education, and the University of Findley, who brought with her two students to testify: Landyn Dotson, University of Findlay and Emma White, University of Findlay.

**Overall witnesses opposed the following provisions of SB168:**

- **Senior or Lead Professional Educator Licenses:** Modifies the minimum education requirement for a senior professional educator, lead professional educator, professional administrator, and alternative superintendent license to allow an individual who holds at least a bachelor’s degree rather than at least a master’s degree, as under current law, to obtain such a license.
- **Supplemental Contracts:** Eliminates a requirement in current law that districts enter into supplemental compensation contracts with teachers assigned to teach high school classes outside the normal school day. Witnesses believed that this change could mean that teachers would be forced to work outside of the normal school day or work more hours without pay. They also agreed that supplemental contracts should be subject to collective bargaining and local control, and not included in law.
- **Employment of Non-licensed Individuals as Classroom Teachers:** Allows districts to hire people who have a master’s degree and have passed a content test to teach. Most witnesses said that lowering the requirements for entering the profession would not solve the teacher shortage. Having a master’s degree and passing a content area test are just the first steps, because coursework in



pedagogy, knowing how to differentiate instruction; how to do ongoing formative assessments; and how to engage students in learning are critical skills for teaching.

- Prohibits Preference for Experience/Seniority When Making Non-Teacher Staff Reductions:**  
 Eliminates current law that requires school districts to give preference on the basis of seniority/experience when reducing nonteaching staff. Melissa Cropper said that, “This is a disservice to the employees who have been dedicated staff members and are working towards retirement and a retirement benefit. Many of these positions are lower-paying positions that are already hard to fill; however, a pension plan is one of the perks of taking the job. Evaluation processes should be in place to remove individuals who are not good employees; therefore, when staffing reductions are made for financial reasons, the workers who have been dedicated employees should benefit from their seniority. This is a basic union right in a state that has shown over and over again that it values workers’ rights.”

**Opponents also acknowledged that there were provisions of SB168 that they supported, including dyslexia professional development and changing how teachers are evaluated.**

**SB168 clarifies that districts have the flexibility to determine the number of professional development hours a teacher must complete** on dyslexia instruction. Under Ohio law unchanged by the bill, dyslexia professional development must be between six and eighteen clock hours.

**SB168 allows districts to opt out of the *Ohio Teacher Evaluation System (OTES)* and** allows a school district board of education to use an alternative framework. There was agreement that teacher evaluations should be subject to “collective bargaining” or done in consultation with the staff.

Committee members had many **questions about the testimony.**

In response to a question from Representative Brennan **about the importance of seniority**, Matt Dotson, Ohio Education Association, **said that prohibiting preference for experience or seniority when making non-teacher reductions is wrong.** He gave as an example a school bus driver, saying that having the training and experience to safely drive a bus with 40 students on it, is an invaluable skill. Eliminating an experienced person to save money is not fair. Non-teaching school workers don’t make a lot of money anyway, and letting them go after working years in a school district would decrease their retirement income.

Representative Click asked Melissa Cropper, Ohio Federation of Teachers, if experience always equated to effectiveness. Cropper responded by saying that the evaluation process is used to improve performance. Seniority is not a protection for job performance. **It is used to protect workers from being dismissed because they are making more money than other workers.**

Ranking Member Sweeney **asked about eliminating the supplemental contract requirement, which she thought would cause teachers to leave the profession.** Matt Dotson said that not only could it **increase teacher workload without additional pay, the whole provision shows disrespect for the teaching profession.**

Mary Heather Munger, President of The Ohio Association of Colleges for Teacher Education and professor at the University of Findlay, was joined by two students, Landyn Dotson and Emma White, education students at the University of Findlay.

Following **their testimony, which opposed lowering standards to earn a teaching license**, Representative Brennan **asked the students what some of their reasons are for choosing to be teachers.**

Landyn Dotson said that one of the most important reasons that she wants to be a teacher is **“the light bulb moment” when you see that a student finally understand a concept**, which she added is “one of the best feelings”. The second reason is that she just loves kids and loves being around kids because they are so funny. The third reason is she wants to help students and see the growth that happens, which is really amazing.

Emma White said that for her being a teacher means **knowing that you can make a difference in a child’s life**. She went on to say that in today’s world you never know what a student is going home to, so knowing that they are in school and with teachers for six hours and that they are safe, trusted, and being taken care of is really important.

Source: **House Primary and Secondary Education Meeting**, April 23, 2024 [HERE](#).

Source: **The Ohio Channel, House Primary and Secondary Education Meeting**, April 23, 2024 [HERE](#).

## **Senate Education Committee**

**The Senate Education Committee**, chaired by Senator Andy Brenner, met on April 23, 2024. The committee received presentations about academic recovery from the following school districts and schools:

**Canton Local Schools, Superintendent Jeffery S. Talbert:** Senator Sykes asked Superintendent Talbert about the importance of preschool. Superintendent Talbert said that research and his own experience show that children do better in school when they attend preschool, and when the preschool instruction is aligned to the district curriculum, which is why Canton Local Schools has invested in preschool. There are other benefits, including getting to know the families of students, and being able to provide those families with supports. Preschool enrollment has grown in Canton to 350 students, although it is not universal preschool. Canton partners with other agencies, but he hopes to expand and build more facilities for preschool. **While Canton receives about \$4000 - 5,000 per child for preschool, the district actually spends between \$14,000 -15,000 per child. He believes preschool is vital for the success of students, because children enter Kindergarten with fewer words when they don’t have preschool.** He said that Canton believes that students need to read by third grade and preschool supports that goal.

**Logan-Hocking Local Schools, Superintendent Monte Bainter and Curriculum Director Trina Barrell:** Chair Brenner asked **how long would the Chromebooks that his school purchased with federal ESSER funds, last?** Superintendent Bainter said that his staff is doing their best to make them last 5-7 years. They have been putting money away and seeking grants to replace them.

Vice-Chair Sandra O’Brien congratulated Superintendent Bainter for implementing the science of reading before other school districts, but asked about implementing the science of math?

Curriculum Director Trina Barrell said that the instructional materials that they are using for math are on the approved list issued by the Ohio Department of Education and Workforce.

**Strongsville Local Schools, Superintendent Cameron M. Ryba, Director of Curriculum Erin Green, Supervisor of Elementary Curriculum Amy Pinney, and Assistant Superintendent Jenni Pelko:** Senator Sykes congratulated Strongsville Local Schools for being rated the 5<sup>th</sup> best school district in Ohio.

Senator Sykes also asked **what will be the impact of losing ESSER funds on district programs?** Superintendent Ryba said that **some of the ESSER funds were used to hire staff and now there are discussions about creating a master staffing plan** supported by the general revenue fund. But the district has finite resources. Some of the ESSER funds were used to build systems, which will continue operate. Support for reading is a big part of the budget, but the last two renewal levies have failed.

Senator Sykes **asked if the district had problems finding substitutes?** Jenni Pelko, Assistant Superintendent, said that they hired people without bachelor's degrees, which helped, but all districts are struggling. The district also **raised pay, because they wanted to incentivize substitutes to stay in the district and become familiar with their students.** They also hired permanent substitutes, which cost \$400,000.

**Chair Brenner asked how the decision was made to do co-teaching.** Superintendent Ryba said that the transition from middle school to high school was a challenge for students. They found that having two teachers in the classroom benefits the students.

**ACCEL Schools Cleveland, Vice President of Turn-Around Schools, Sherree M. Ray Dillions:** Chair Brenner asked what is the average **per student revenue for her high school compared to Cleveland Municipal School District? Vice President Dillions said about \$8500 compared \$21,000 per high school student in Cleveland.** She said that she manages with fewer dollars than school districts because she has a committed staff and folks are invested there to achieve. Students love the school and feel safe, although she characterized her schools as being in "deep urban areas of Cleveland."

**ACCEL Schools Columbus, Vice President and Chief Academic Officer, Dr. Chad Carr:** Chair Brenner asked if the **increased funding helped retain teachers? Dr. Carr said it had because their salaries became more competitive, but they are still about \$20,000 less per year than nationwide.** He also said that some teacher poaching has been going on, to which Chair Brenner replied, "... that is not good!" Chair Brenner asked if there should be a law or something in the teacher's contract to prevent poaching? Dr. Carr said that it is in their contract, and teachers can lose their license or have their license suspended if they break the contract, but it would require the district that hires the teacher to take action.

The committee also received **testimony on the following bills:**

**HB250 Military Enlistment Diploma Seal** (Jessica Miranda and Tracy Richardson): **To revise the Military Enlistment diploma seal.** There was no testimony.

The **bill was amended to require schools to adopt a policy regarding the use of cellular devices in schools and directs** the Ohio Department of Education and Workforce to create a model policy for boards of education to adopt if they do not do it on their own. The policies must include exceptions for devices used as learning tools, for monitoring health conditions, or for those necessary as part of a student's individualized education plan (IEP).

During the State of the State Address **Governor Mike DeWine asked the General Assembly to pass legislation to restrict cell phone use because of its negative impact on learning.** Last week Senator Brenner told the committee that he was working with statewide education organizations on an amendment to direct schools to create a policy, that would be locally developed.

The committee **also adopted an amendment to HB250 that fixes language in House Bill 33, the FY24-25 Operating Budget, allowing educational service centers to develop a pilot project to transport students.** The ESC of Central Ohio and the ESC of Montgomery County will begin a pilot project to transport students attending public, private, charter schools and also students in special education classes.

The committee **reported HB250 favorably with no objections.** (Note: The Ohio Senate approved HB250 on April 24, 2024 after amending the bill. The vote was 32-0.)

**HB8 Parental Notification Requirements** (D.J. Swearingen and Sarah Carruthers): To enact the Parents' Bill of Rights to **require public schools to adopt a policy on parental notification on student health and well-being and instructional materials with sexuality content;** and to amend the version of Section 3314.03 of the Revised Code that is scheduled to take effect January 1, 2025, and to continue the changes on and after that effective date.

**House Bill 8 is a controversial bill that has** become known as Ohio's "don't say gay" legislation, referring to a similar bill that became law in Florida.

**HB8 requires schools to give notice to parents about instructional materials that include "sexuality content;" school-provided educational, health and mental health care services; changes in student behavior; and prohibits school personnel from encouraging students to withhold information from parents regarding their health or wellbeing.**

The committee first considered a substitute bill over the objections of Senator Vernon Sykes. **The substitute bill does the following:**

- Requires school districts to obtain the consent of parents prior to providing any physical, mental or behavioral health care, similar to the protocols followed by school staff to administer prescription drugs
- Requires schools districts to disclose any health service or care that could be provided outside of the school setting
- Requires parents to be notified when a service or care is required by state law
- Prohibits teaching "sexuality content" to students in grades K-3.

The committee **received testimony on the bill, but did not take any action** on the bill.

Representatives from **8 organizations in Ohio that support LGBTQ people testified as opponents** of House Bill 8. Most of these individuals have testified against **similar bills in the past, including the following bills:**

- **HB183 Regards Single-sex Bathroom Access in Schools, Universities** (Beth Lear and Adam Bird). Status: Passed the House Higher Education Committee. Referred to the House Rules and Reference Committee.
- **SB83 Enact Ohio Higher Education Enhancement Act** (Jerry Cirino). Status: Passed the House Higher Education Committee. **Referred to the House Rules and Reference Committee**

- **HB68 Enact Ohio Saving Adolescents from Experimentation Act and Save Women's Sports Act.** Status: **Became law** over Governor DeWine's veto. Currently under a court-ordered injunction.
- **HB6 Save Women's Sports Act** (Jena Powell). Amended into HB68
- **HB394 Prohibit Commitment to Certain Beliefs – Colleges** (Adam Holmes). Status: House Higher Education Committee.

Also testifying **against HB8 were the following organizations:** the Ohio Federation of Teachers (written testimony); Elected and Community Leaders in Summit County; YMCA Columbus; Ohio School Counselors Association; and Honesty for Ohio Education.

**Parents, friends and supporters of transgender students also testified against House Bill 8.** They have also appeared before House and Senate committees multiple times over the past two years to oppose many bills that will impact their lives.

**Opponents say that** the bill will create a school environment that is hostile to teachers, school social workers, and counselors trying to implement its conflicting provisions, and hostile to LGBTQIA+ students.

**Jeanne Ogden, a parent of a transgender daughter, shared** with the committee the following statistics about the testimony on the transgender bills that have been debated by lawmakers this biennium:

"Between anti-LGBTQ bills H.B. 8, H.B. 68, S.B. 83, and H.B. 183 the General Assembly has received 1,846 pieces of official testimony. Of that testimony, only 118 testimonies wanted these bills. 52 were merely interested. 1676 testimonies strongly opposed these bills.

That's 6 % who agree with your way of thinking.

3% are merely interested.

91% think these bills are a waste of taxpayer's time, harmful to our economy, and a threat to our personal freedom to choose how we want to live, teach our kids, and love one another.

With regard to H.B. 8 specifically, 7 testimonies agreed with you, 2 were interested, and 109 were vehemently opposed to this bill. That's 6% in favor to 92% begging you not to enact this bill."

Chair Brenner read a short summary of the bill, and asked Jeanne Ogden what she was objecting to? Was she against notifying parents? He **said that he didn't understand why people are having problems with the bill.**

Jeanne Ogden said that **the requirement that schools notify parents about their child doesn't have any exceptions, so schools will** have their hands tied if they are concerned about the safety of a child. She said that gender ideology is listed under the definition of "sexuality content," but "gender ideology" is not defined, which will make it a challenge to implement. The bill also singles out transgender people, and will prevent students, teachers and families from talking about their families in school. **The bill will create an unsafe environment in school for some students and families.**

Maria Bruno from Equality Ohio, told the committee that she **is disappointed that none of the concerns that have been raised by organizations, parents, and students about House Bill 8 have been addressed.** While the original language of House Bill 8 might be considered "well intentioned" the current

version of the bill is being weaponized against LGBTQ students and teachers. **Teachers will be put into impossible situations during classroom discussions, which will could put entire careers at risk.**

Senator Sykes asked if Bruno had any suggestions for improving this bill? She said that this bill looks substantially different than the one introduced, and it would have to be overhauled entirely.

Liam Strausbaugh from the National Association of Social Workers Ohio **said that House Bill 8 ostracizes all sorts of students who have different types of families. The bill is redundant and unnecessary. It would violate the codes of conduct of social workers, and would probably violate federal Title IX laws against discrimination.** He included in his testimony a comprehensive chart **that shows where in the Ohio Revised Code most of the provisions of the bill are already located.** [HERE.](#)

Chair Brenner asked Strausbaugh where “forced outing” of transgender students is included in the bill? He replied that the bill requires school personnel to report to a parent if the student believes that his or her gender is different than his/her biological sex. This could be very dangerous for a student who is not ready to tell his/her parents or is fearful of what will happen. Chair Brenner said that he is baffled by the way the bill is being interpreted.

**Also testifying as opponents of the bill were** Dara Adkison, TransOhio; Gabrielle Doyle, Trever Project; and Mallory Goldski, Kaleidoscope Youth Center.

**Testifying in support of the bill was** Troy McIntosh, the Ohio Christian Education Network; Linda Harvey, Mission America; and John Stover, Ohio Value Voters.

Troy McIntosh, who was formerly a school district superintendent, told the committee that he believes that the requirements in House Bill 8 ensure the fundamental rights of parents to make decisions regarding the upbringing, care, and education of their child. Serving as a former superintendent, he also believes that the provisions of the bill are not “burdensome” to schools.

Linda Harvey, president of Mission America, and John Stover, president of Ohio Value Voters, **also gave proponent testimony, and included additional amendments to the bill.**

*Source:* **Senate Education Committee meeting** on April 23, 2024 [HERE.](#)

*Source:* **The Ohio Channel, Senate Education Committee meeting** on April 23, 2024 [HERE.](#)

## **House Higher Education Committee**

**The House Higher Education Committee**, chaired by Representative Tom Young, met on April 24, 2024 to receive **testimony on the following bills:**

**HB462 Student Choice Grant Program** (Dan Troy and Sean Brennan): To enact the Ohio Student Choice Grant Program and to make an appropriation.

Representatives Troy and Brennan presented sponsor testimony **to re-establish the Ohio Student Choice Grant Program**, which existed for 20 years, but was eliminated in 2009 due to a budget cut.

**The program provided uniform grants to all full-time undergraduate students from Ohio to attend a private, nonprofit university or college to narrow the tuition gap between public and private**



**universities and colleges.** The Chancellor of Higher Education would determine the program parameters and administer the program.

According to Representative Troy, **“Under the program, an eligible private, nonprofit-enrolled Ohio student would receive a grant equaling 25 percent of the average per-pupil state subsidy** (i.e. State Share of Instruction (SSI)) at public universities in the previous biennium. Based on average numbers, that 25% annual award per student would be \$1909 (calculated against the 2023 average state subsidy of \$7635).”

**The grant would incentivize Ohio students to remain in Ohio** to attend an Ohio institution of higher education, and does so at one-fourth of the cost to the state budget as compared to enrollment at a public state institution. According to the testimony approximately 50,000 individuals could participate in the program, and keep Ohio students in Ohio schools.

Representative Pavliga asked for some clarification about how the grants could be used? Representative Brennan said that **the funds could only be used for tuition and books, and not for housing.** In a follow-up question Representative Brennen also said that there was a two-year residency requirement. A student must live in Ohio for two years before they could receive a grant.

Representative Williams said that he was kind of confused, because Representative Brennen is one of the most ardent opponents of school choice and yet he was standing before the committee asking for support of a bill that would provide state funds to private and religious colleges and universities. He asked Representative Brenner **why he supports private colleges and doesn't support a state scholarship for a six-year-old child to attend the private school of their choice?**

Representative Brenner said that Representative Williams was **comparing apples and oranges.** He said that **he believes in school choice, but he also believes in accountability for state tax dollars, and he believes in a level playing field.** He is proud that he worked in the public school system, where he had to serve every child. Private schools get to pick and choose students. Public schools also have more mandates to meet to ensure accountability.

Representative Joe Miller asked if state funding shouldn't be used first to take care of public universities, which have experienced cuts in state funding over the past years?

Representative Brennen replied that he thinks both should happen. He added that not everyone wants to attend a public university, and some want to attend for the religious aspects.

Representative Bird **suggested that those who receive a grant be required to stay in Ohio after graduation.** Representative Brennen agreed that was a good idea and would be willing to work with him on an amendment.

**HB219 College Credit Plus** (Adam Bird and Sean Brennan): Regarding the College Credit Plus Program (CCP).

Representatives Bird and Brennan presented sponsor testimony. **HB219 requires the Chancellor of Education to create alternative pathways for teachers with relevant teaching experience to become eligible to teach CCP courses** in accordance with the Higher Learning Commission's recently adopted faculty qualifications policy.

Currently there are many teachers in Ohio high schools who have the experience to teach CCP courses on their high school campuses, but do not have a master's degree in the particular subject area. To obtain a master's degree is a costly and time-consuming process, which has become a barrier for some teachers. As a result students in rural school districts have fewer CCP options, because there are just fewer colleges offering CCP, and it is more difficult for high school students to get to a college campus. **Having more qualified CCP teachers in school districts would increase opportunities for students to access CCP.**

HB219 also requires that those teaching CCP courses to seek open-source instructional materials, as opposed to requiring expensive traditional hard-bound or online purchased textbooks for CCP courses. This requirement would lower the cost of instructional materials for school districts, which are required to pay for CCP materials and tuition costs in current law.

**If participating colleges choose to use purchase-only textbooks when there are open-source materials** available, the college would pay for the student's textbook.

**If participating colleges choose to use a purchase-only textbook when there are no open-source materials** available, the college would pay 50 percent of the purchase-only textbook cost and the student's secondary school would pay 50 percent of the textbook's cost.

HB219 also requires the chancellor and state superintendent to **collect data relative to the actual cost of CCP programming and submit that data** to the Auditor of state who will then submit findings to the general assembly.

The bill also **requires a participating college to inform the student's local school district should the student withdraw from a course.** This is becoming a statewide problem for students who are enrolled in CCP courses and are also participating in sports. The Ohio High School Athletic Association requires students to be enrolled in at least five courses to be eligible to participate in sports. However, when students withdraw from CCP courses during the school year, often time their school district is not notified. These students are then ineligible to participate in a sport, and if they do participate their school district is forced to forfeit that game.

Representative Pavliga asked what happens to the textbooks after the students use them? Representative Bird said that each school district handles textbooks differently. Some require students to return books, while some allow students to keep the books. The problem arises when a professor writes a textbook and requires students to use it, and then a few years later, writes a new textbook, and so the old textbook is no longer useful. So even if school districts keep the textbooks for a certain class, they often change. He added that this is becoming a tax burden on school districts.

Representative Pavliga asked when a student is eligible to participate in CCP? Representative Bird said that a student can participate starting in 7th grade. In response Representative Pavliga asked the sponsors what their thoughts were about a student taking college classes for five years, and the cost to school districts. Representative Brennen said that they have talked to school district treasurers about the cost of CCP, and they have said that they can't budget for CCP, because the cost changes every year, depending on the number of students taking courses, and the cost of books and materials. **It is an unknown expense for school districts.**

Representative Miller asked **if teachers who want to teach CCP courses but do not have a master's degree could test out or demonstrate proficiency in order to teach?** The sponsors replied that they would be willing to look into that, as long as the requirements meet the Higher Learning Commission's requirements and are approved by the Chancellor of Higher Education.

In response to questions from Vice-Chair Manning, Representative Bird said that there is a bill in the Senate about CCP. (Note: SB 104 Regarding the College Credit Plus Program, passed the Senate on February 28, 2024 and was introduced in the House, which has not assigned the bill to a committee.)

Representative Bird also said that the bill is based on the recommendations in a report that State Auditor issued about CCP, and that he and Representative Brennan have been working with Auditor Faber's office on this bill.

(Note: Last week Governor Mike DeWine and Director Stephen Dackin, Department of Education and Workforce, awarded four educational service centers and Kent State University \$3 million in grants to support high school teachers become credentialed to teach CCP courses.)

**HB394 Prohibit Commitment to Certain Beliefs – Colleges** (Adam Holmes): To **prohibit state institutions of higher education from requiring individuals to commit to specific beliefs**, affiliations, ideals, or principles.

### **Two people testified against the bill.**

Ari Bredall, who is a member of the TransOhio Board of Directors, told the committee that according to the bill's sponsor, Representative Holmes, the bill was introduced to address the recent political climate in the state. In sponsor testimony Representative Holmes said, that a "... concern is growing that employment, funding, promotion, certifications, and classroom evaluations in **Ohio's public higher education institutions are increasingly tied to demonstrated support for specific ideologies and political opinions.**"

She asked for clarity, because, as a trans woman **she fears that her "... existence is seen as an ideological threat.**"

Simply asking people to respect trans identity in Ohio is seen as an ideological imposition. According to the testimony, "A bill such as this one would protect those who wish to discriminate against trans people under the guise of "protecting their beliefs."

There were no questions from the committee.

Joshua Ferry submitted written against the bill. He wrote that **as a junior at Cleveland State University studying political science, he has never witnessed direct indoctrination, which this bill is said to address.** He wrote that the bill is confusing and condescending. He asked the committee to take actions that could really help students, by making college more affordable; make college campuses safer; improve transportation services for students who don't feel safe walking on campuses; and help keep students who graduate in Ohio.

Source: **House Higher Education Committee meeting** on April 24, 2024 [HERE](#).

Source: **The Ohio Channel, House Higher Education Committee meeting** on April 24, 2024 [HERE](#).

## This week at the Statehouse

WEDNESDAY, MAY 1, 2024

**The House Higher Education Committee**, chaired by Representative Tom Young, will meet on Wednesday May 1, 2024 at 12:00 PM in Hearing Room 017, to **receive testimony on the following bills:**

- **HB414 Science of Hair Institute (Elliot Forhan):** To establish the Comprehensive Science of Hair Learning Institute as a state institute of higher education, to establish a natural curly textured hair science grant program, and to make an appropriation. First hearing, sponsor testimony.
- **HB462 Student Choice Grant Program (Dan Troy and Sean Brennan):** To enact the Student Choice Grant Program and to make an appropriation. Second hearing, proponent testimony.
- **HB219 College Credit Plus (Adam Bird and Sean Brennan):** Regarding the College Credit Plus Program. Second hearing, proponent testimony.

Source: **House Higher Education Committee meeting** on May 1, 2024 [HERE](#).

Source: **The Ohio Channel, House Higher Education Committee meeting** on May 1, 2024 [HERE](#).