

# Education Update

To: LWVO

From: Joan Platz

Education Update for January 4, 2010

1) 128th General Assembly: The Ohio House and Senate have scheduled sessions for January 12, 13, 20, 26, & 27, 2010. There are no committee hearings scheduled this week.

\*The Ohio 10th District Court of Appeals overturned a decision by the Franklin County Court of Common Pleas on December 31, 2009 in a case involving how the state of Ohio can use tobacco settlement money. The court found that the Board of Trustees of the Tobacco Use Prevention and Control Foundation violated the state's open records law when it met in executive session and decided to transfer its funds to the American Legacy Foundation before Governor Strickland and lawmakers could allocate the \$250 million for other purposes. The Legacy Foundation now must decide if it will appeal the decision to the Ohio Supreme Court. Governor Strickland and lawmakers intended to divert the funds to support children's health insurance and Medicaid programs.

\*The Ohio School Funding Advisory Council will meet on January 7, 2010 at 1:00 PM at Battelle For Kids, 1160 Dublin Rd., Columbus. The Council was established in Am. Sub. HB 1 to review the components of the school funding model also established in HB1. The Council is required to issue recommendations to the State Board of Education, the General Assembly, and the public on December 1, 2010 regarding the adequacy of the model's financing for special education, gifted education services, career-technical education, arts education, services for limited English proficient students, early college high schools, and more. The Superintendent of Public Instruction, or designee, will serve as the chair of the Council.

\*The Senate Education Committee, chaired by Senator Cates, will meet on January 12, 2010 at 4:00 PM in the north hearing room. The committee will hear testimony on SB 102 (Turner) State Board of Education/Standards for Dropouts, and SB 192 (Cates/Seitz) Layoff/Bus Drivers.

2) Governor Signs Education Bills: Governor Strickland signed the following bills into law on December 28, 2009:

\*HB19 (Harwood) Dating Violence (Tina Croucher Act): Requires boards of education to adopt a policy to prevent and address incidents of dating violence at school, provide staff training on dating violence prevention, and include dating prevention education for grades 7-12 within the health education curriculum, and requires the State Board of Education to develop a model dating violence prevention policy for curricula.

\*HB290 (Bubp-Pryor) Junior ROTC, and more: As introduced HB290 included Junior ROTC as a permitted Ohio Core "elective course", and permitted boards of

education to excuse students participating in Junior ROTC students from two years of physical education. The bill was amended in the Senate to include some provisions originally introduced in HB370 (Garrison), SB180 (Husted), and SB207 (Sawyer).

HB290 now permits the Department of Education and the Chancellor of the Board of Regents to establish a longitudinal student data system; extends for six months the deadline for certain school districts that have been allocated a share of federal American Recovery and Reinvestment Act interest-free school construction bonds for school facilities to approve bonds and tax levies to secure the districts' share of state-assisted classroom facilities projects; clarifies the conditions under which a community school must close for poor academic performance; specifies conditions under which a certain community school may obtain a new sponsor; and makes the operations of the Harmon Commission contingent upon the decision of the Superintendent of Public Instruction and the availability of funds.

### 3) ODE Submits Annual Report on Community

Schools: The Ohio Department of Education (ODE) submitted the "2008-2009 Annual Report and Retrospective Ohio Community Schools" on December 31, 2009 to the Governor, Speaker of the House, President of the Senate, and chairs of the House and Senate Education Committees. This is the 7th annual report on community schools submitted, and is required by Ohio Revised Code §3314.015(A)(4),

The report includes information about the condition of community schools, which are privately operated but publicly funded schools in Ohio, established by the Ohio General Assembly in June 1997 (122-HB215). Several tables are included in the report to summarize the following information about community schools: School Demographic and Academic Data; Enrollment History; School Finance; Federal Title Funds; Federal Charter School Grant; Sponsor Assignment of Community School Legal Compliance; Sponsor Evaluation Data: Cohort; and Closure Under 3314.35. The report also features a summary of legislative changes pertaining to community schools in a section called "Community School Legislative History".

According to the report there were 332 community schools operating during the 2008-2009 school year. Sixteen percent of community schools are conversion schools, sponsored by school districts, Jt. Vocational School Districts, or Educational Service Centers, and 84 percent are "start-up" schools and overseen by "sponsors".

There are 77 active sponsors of community schools in Ohio, including one joint vocational school district; school districts; Educational Service Centers; Bowling Green State University; and the following organizations: Ashe Culture Center; Buckeye Community Hope Foundation; Education Resource Consultants; Kids Count of Dayton; Richland Academy; St. Aloysius Orphanage; Thomas B. Fordham Foundation; and the Ohio Council of Community Schools.

Since 2003 new sponsors must be authorized by the Ohio Department of Education. Currently nineteen sponsors have agreements with the ODE. Am. Sub. HB 1, the state's FY10-11 budget bill, also included a provision that grants the ODE oversight authority over all community school sponsors, and requires that the annual report on community schools address the performance of community school

sponsors. The ODE has developed a Sponsor Performance Review to evaluate how well sponsors are meeting their responsibilities to oversee and support community schools. That information is reported on Table 7: Sponsor Evaluation.

The number of students enrolled in community schools increased in 2008-2009 from 82,000 to 89,000. Students from all over the state can attend community schools, but "start-up" community schools are allowed to open only under certain conditions. Community schools are located in 35 of 88 Ohio counties. Franklin County has the largest number of community schools at 63, followed by Cuyahoga (58), Lucas (39), Montgomery (33), and Hamilton (28). Twenty counties have fewer than three community schools per county.

Community schools may focus on different types of student populations. 246 community schools are described as serving a general population; 16 schools serve students with special needs; 3 schools serve students with autism; and 67 schools serve as dropout recovery schools. Of the 67 dropout recovery schools, 37 are conversion schools.

Resources: ODE's Office of Community Schools has received millions of dollars in Public Charter School Program grants from the U.S. Department of Education over the past nine years. The latest of three such grants totals more than \$48 million.

These grants have been used to assist in the design, planning, and opening of 35 new community schools and dropout recovery schools; improve EMIS and promote the use of data to support student achievement; and to build the capacity of sponsors.

Conversion Schools: In 2008-2009 ODE's Office of Community Schools reviewed 36 conversion community schools to determine their level of compliance with state laws and rules regarding independence; educational programs; admissions processes; governance and administration structure; contract; and school staff.

According to the annual report the ODE found that a majority of conversion schools were not operating as independent schools for a number of reasons. For example, in 34 schools the treasurer of the conversion school was also the treasurer of the school district; in 19 schools the chief administrator of the school district was also the administrator of the conversion school; in 18 schools an employee of the school district was also a member of the school's governing authority board.

The ODE's Office of Community Schools is recommending that it continue to work with sponsoring districts and ESCs to ensure that conversion schools comply with all laws and regulations, and operate as separate and unique schools.

Accountability: Am. Sub. HB 1, the FY10-11 state budget, included new provisions to close community schools that failed to meet certain performance standards over several years. Two schools have closed so far under the new criteria, and sixteen schools have been notified that they are subject to closure on or before June 30, 2010. A total of 69 community schools have closed since 1997.

Some community schools are exempted from the closure provisions, including community schools in which a majority of students are children with disabilities receiving special education and related services, and community schools that primarily serve as dropout recovery schools, and are granted a waiver under section 3314.36. A provision included in HB1 allows community schools to operate for two full years before the closure criteria goes into effect.

Recent changes in laws regarding community schools:

\*Ohio Core Graduation Requirements (126-SB 311):

Beginning in July 2010 students graduating from community schools will need to meet more stringent graduation requirements (ORC 3314.03

(11) (f)) similar to those that students in traditional public schools have been required to meet. Students in community schools will be subject to the Ohio Core graduation requirements outlined in ORC Section 3313.603 (B) and (C). The Ohio Core requires students to complete 20 credits in math, science, social studies, and English, and five elective credits, and pass required state assessments in order to graduate.

Students in community schools and traditional public schools may opt-out of the Ohio Core under certain conditions outlined in 3313.603 (D).

Students in community schools do not have to meet the graduation requirements for arts education outlined in 3313.603 (K), and students attending qualified dropout prevention programs may also be exempt from the Ohio Core graduation requirements as outlined in 3313.603 (F).

Changes included in Am. Sub. HB1, the FY10-11 State Budget (June 2009):

\*Community School Report Cards: Eliminates the requirement that a community school must be in operation for two full school years before ODE may issue a report card for that community school, but exempts the performance ratings on the report cards issued in these first two years from consideration for automatic closure or any other matter based on report card ratings.

\*Community School Sponsor Oversight: Clarifies that ODE's authority to oversee and monitor community school sponsors applies to all sponsors, regardless of whether they were initially approved by ODE for sponsorship, and requires ODE's annual report on community schools to include the performance of community school sponsors.

\*New Start-Up Community Schools: Revises the exception to the cap on new start-up community schools by prohibiting contracts with operators that manage other schools in Ohio, unless at least one of their schools has a report card rating higher than academic watch.

\*JVSD Conversion Community Schools: Permits the conversion of a building operated by a joint vocational school district board of education into a community school, in the same manner as a building operated by a city, local, or exempted village school district board of education, or an educational service center governing board may be converted under current law.

\*Closure of Community Schools: Revises the current performance criteria that trigger automatic closure of a community school effective July 1, 2009, as follows:

-For schools that do not offer a grade higher than 3, requires closure if the school has been in academic emergency for three of the four most recent years, instead of four consecutive years; -For schools that offer any of grades 4 to 8 but no grade higher than 9, requires closure if the school has been in academic emergency for two of the three most recent years, instead of three consecutive years, and has shown less than one year of academic growth in reading or math for at least two of the three most recent years; -For a school that offers any of grades 10 to 12, requires closure if the school has been in academic emergency for three of the four most recent years, instead of three consecutive years, with two years not showing two years of academic growth in reading or math.

\*Exempts from automatic closure community schools in which a majority of the enrolled students are children with disabilities receiving special education and related services, and dropout recovery schools under certain conditions.

The annual report on community schools is available at

<http://www.ode.state.oh.us/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=8&ContentID=78550>

#### 4) News from the ODE:

\*Teacher of the Year Selected: Superintendent of Public Instruction Deborah Delisle announced the selection of Natalie Wester as the 2010 Ohio Teacher of the Year on December 17, 2009. Ms.

Wester is a third-grade teacher at Gearity Professional Development School in the Cleveland Heights-University Heights City School District.

The 2010 Ohio Teacher of the Year was selected from nominations submitted by schools across the state, and reviewed by a statewide panel composed of representatives from a wide range of professional organizations and school constituencies. Ms. Wester was selected from among five finalists. The four other finalists for the 2010 Ohio Teacher of the Year are:

Michael Andric, Barberton High School, Barberton City Schools; Sheri Halagan, Gurney Elementary School, Chagrin Falls Exempted Village; David Harms, Penta Career Center, Wood County; and Lynne Krug, Allen Elementary School, Strongsville City Schools.

The Ohio Teacher of the Year program was initiated by ODE in 1969 to honor and promote excellence in teaching and the teaching profession, and to build a network of exemplary teachers who are leaders in school improvement initiatives. All Ohio school districts and chartered nonpublic schools are invited to nominate outstanding teachers who have demonstrated exceptional dedication and leadership to classroom, school, and community activities.

\*Innovative Learning Environments: Ohio is the only state participating in an international program to identify Innovative Learning Environments (ILEs) sponsored by the Organization of Economic Cooperation and Development

(OECD)/Center for Education Research and Innovation (CERI). The purpose of the project is to identify and examine examples of best practices for learning, and generate scientific evidence, which will be used to inform education reform efforts. Examples have been collected so far from 12 countries or regions. School districts in Ohio can participate by completing a survey on the ODE web site, and submitting that information by January 20, 2010. For more information please visit <http://education.ohio.gov/GD/Templates/Pages/ODE/OEDetail.aspx?page=3&TopicRelationID=8&ContentID=78550>.

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