

# Education Update

To: LWVO  
From: Joan Platz  
Education Update for May 24, 2010

1) 128th General Assembly: The Ohio House and Senate will hold committee meetings and sessions this week.

\*Representative Allan Sayre from Dover, Ohio announced on May 13, 2010 that he will be resigning from the Ohio House, 96th District, to become chief deputy auditor of Tuscarawas County. The resignation will become effective on May 31, 2010.

\*Representative Jay Goyal and Senator Jimmy Stewart announced last week the formation of the College Access and Economic Opportunity Caucus. The purpose of the caucus is to increase the number of students going to college, and prepare students for the jobs of the future. Dr. Lorelle Espinosa, director of Policy and Strategic Initiatives for the Institute for Higher Education Policy (IHEP), later addressed the caucus about opportunities for improving college attendance rates in Ohio through the Workforce Investment Act. The caucus will meet again in the fall to discuss workforce and manufacturing initiatives that lead to a degree.

To learn more about the work of the Caucus, please visit <http://www.ohiosenate.gov/senateImages/media/20/05.18.10%20Stewart%20Goyal%20Launch%20Bipartisan%20College%20Access%20and%20Opportunity%20Caucus.pdf>

\*Casino Bills Introduced: Lawmakers in both the House and Senate are considering legislation to implement the provisions of the constitutional amendment (Article XV, Section 6(C)) that voters approved in November 2009 to establish four casinos in Ohio. The bills are SB263 (Faber), being considered in the Senate Government Oversight Committee, and HB519 (Yuko/Book), being considered in the House Economic Development Committee.

Both bills include details about casino operations and oversight, and create a Casino Control Commission, appointed by the governor; the Permanent Joint Committee on Gaming and Wagering; and a Program Gambling Board.

The House bill also dedicates the Casino licensing fees (\$200 million) to support a higher education co-op internship program; the Workforce Guarantee Program; the Urban Workforce Initiative, and the Build Your Own Business Program.

\*School Funding Advisory Council to Meet: The School Funding Advisory Council, chaired by Superintendent of Public Instruction Deb Delisle, will meet on Tuesday, May 25, 2010 at the Ohio School Boards Association, 8050 North High Street, Columbus, OH.

The Traditional Public/Community School Collaboration Subcommittee will meet at 10:30-12:30 PM; the Special Needs, Education Linkages, Learning Environments, and Regional Variation Subcommittees will meet starting at 12:30 PM; and the Education Reform Tracking Subcommittee will meet at 3:00 PM. For more information please visit the Council's web site at <http://education.ohio.gov/GD/Templates/Pages/SFAC/ODESFAC.aspx?page=673>.

2) Update on legislation affecting education:  
Lawmakers advanced several bills related to education last week.

\*The Ohio Senate approved on May 18, 2010 Am.  
Sub. SB210 (Coughlin) - Nutritional Standards for Schools -- by a vote of 24 to 7. This bill is similar to HB373 (Carney), being heard in the House Health Committee.

SB210 establishes nutritional standards for certain foods and beverages sold in schools; requires students to have periodic body mass index (BMI) measurements; requires thirty minutes of daily physical activity for all students; establishes the Healthy Choices for Healthy Children Council; directs the Ohio Department of Education, the State Board of Education, and the Department of Health to issue certain reports and meet certain requirements; includes waiver provisions for school districts and schools from collecting the BMI and implementing the thirty minutes of rigorous physical activity for all students; and more.

\*The Ohio Senate also approved by a vote of 28 to 4 on May 18, 2010 with several amendments SB232 (Widener) Renewable Energy. SB232 exempts from taxation renewable energy facilities that are not financed through the Ohio Air Quality Development Authority, and requires a payment in lieu of taxes on the basis of each megawatt of production capacity in such facilities. Several education organizations testified that the provision to provide school districts with a payment in lieu of taxes would not be enough to fully compensate school districts and local governments from lost tax revenue as a result of the tax exemption for renewable energy sources. In response, lawmakers amended the bill to allow the county commissioners to pass a resolution accepting or rejecting the tax structure for a project in their area.

\*The Ohio House approved on May 19, 2010 by a vote of 95 to 1 HB461 (Pillich/Boose). The bill changes the law regarding the Ohio Veterans' Home Agency, the Department of Veterans Services, the Ohio National Guard Scholarship Program, and other military-related laws.

HB461 was amended on the House floor to include a provision to ensure that Ohio is compliant with federal maintenance of effort and use of funds provisions for education spending, required by the federal American Recovery and Reinvestment Act (State Fiscal Stabilization Funding). The amendment also requires any year-end encumbrances that are anticipated to lapse, and are not required to meet the federal maintenance of effort requirements, to be re-appropriated to chartered nonpublic schools for auxiliary services and administrative cost reimbursements, similar to provisions included in HB318, approved in December 2009. The amount of funding anticipated to be re-appropriated is \$29.7 million in FY11.

\*The House Education Committee, chaired by Representative Williams, reported out favorably on May 18, 2010 HB268 (Driehaus). HB268 redirects the per pupil base cost fund payments from certain charter schools to chartered nonpublic schools. The bill was amended in committee to exempt qualifying charter schools (those in academic emergency and watch) serving a majority of students with special needs from losing per pupil funding, and to ensure that the bill would not go into effect if the federal government agreed that Ohio was out of compliance with the federal maintenance of effort and usage requirement, as required by the American Recovery and Reinvestment Act.

\*The House Education Committee also accepted a substitute bill for HB479 (Weddington). HB479 permits the establishment of a community school to serve adults of school age who are incarcerated or have been released from the custody of the Department of Youth Services, and declares an emergency. The substitute bill makes a number of changes in the bill:

- Restricts until July 1, 2013 former prisoners from employment as "Thinking Aides" to classrooms in the prison
- Limits until July 1, 2013 admission in the school to inmates who resided in a school district with a graduation rate of 90 percent or less (mainly urban districts), but allows other qualified students to enroll based on the capacity of the school
- Exempts the proposed new charter school from current deadlines for charter schools
- Requires the Ohio Department of Education and the Department of Rehabilitation and Correction to report on the performance of the school to the members of the General Assembly by March 1, 2013.

Matt Dotson representing the Ohio Education Association presented opponent testimony, saying that the proposed charter school duplicates education programs already provided by the Ohio Central School System (OCSS) and the State Council of Professional Educators (SCOPE), and, as a charter school, would take funding away from traditional public schools.

### 3) National Update

-The House Committee on Education and Labor, chaired by Representative George Miller, held meetings last week on the Government Accounting Office's (GAO) investigation of some Head Start grantees; best practices and research on proven models that work to turn around chronically underperforming schools; and the prevalence of concussions among high school athletes and how the injury can impact academic achievement. To learn more about the hearings please visit <http://edlabor.house.gov/education/>.

-The Senate Health, Education, Labor, and Pensions (HELP) Committee, chaired by Senator Harkin, continued a series of hearings on May 18, 2010 on the reauthorization of the Elementary and Secondary Education Act (ESEA). Witnesses focused on improving the health, nutrition, physical fitness, and the well being of students through ESEA. For a video of the proceedings please visit <http://help.senate.gov/hearings/hearing/?id=883dbdd5-5056-9502-5d10-879bcabfdae6>.

On May 25, 2010 the HELP Committee will continue to hear testimony on ESEA reauthorization. The topic will be Early Childhood Education, presented by a panel of experts.

#### 4) This Week at the Statehouse

\*The House Education Committee, chaired by Representative Williams, will meet on May 25, 2010 at 2:00 PM in room 017. The committee will hear testimony on HB520 (Garland) School Bullying Policies, and HB500 (Yuko) School Substance Abuse Prevention.

\*The Senate Government Oversight Committee, chaired by Senator Husted, will meet on May 25, 2010 at 9:00 AM in the Senate Finance Hearing room to hear testimony on SB263 (Faber) Ohio Casino Control Commission. The committee will reconvene at 2:30 PM or after session in Hearing Room 110.

The committee will also meet on May 26, 2010 at 9:00 AM in the Senate Finance Hearing room to hear testimony on SB263.

\*The House Economic Development Committee, chaired by Representative Williams, will meet on May 25, 2010 at 10:00 AM in hearing room 121 to hear testimony on HB519 (Yuko) the Ohio Casino Control Commission.

\*The Senate State and Local Government and Veterans Affairs Committee, chaired by Senator Hughes, will meet on May 25, 2010 at 10:00 AM in the South Hearing Room, and May 26, 2010 at 9:30 AM in hearing room 110 to hear testimony on a number of bills including SB240 (Husted) Campaign Finance Statements.

\*The House Health Committee, chaired by Representative Boyd, will meet on May 26, 2010 at 4:00 PM in hearing room 121 to receive testimony on HB373 (Carney), Nutritional Standards for Schools.

5) Update on Ohio Youth Voices: Ohio Youth Voices, Michael Charney executive director, announced on May 20, 2010 the 2010 Ohio Youth Agenda. Ohio Youth Voices provides opportunities for high school students from across the state to work together on education and economic issues that have a direct effect on the future of Ohio.

Over the past four years members of Ohio Youth Voices have participated in a number of projects that engage youth in civic activities and build civic awareness. Currently over one hundred students from across the state are participating in Ohio Youth Voices projects. In 2007 members of Ohio Youth Voices created the first Ohio Youth Agenda, and testified on the state biennial budget proposals before the Ohio General Assembly. The following is a summary of the 2010 Ohio Youth Agenda:

-Full curriculum: Ensure that all schools provide students with courses in advanced placement; career education at their high school; full music and arts curriculum; multi-cultural education; basic financial skills and the economy; technology; citizenship and active citizen engagement in the community; internships and shadowing experiences; and transportation support.

-Knowledgeable, flexible, and thoughtful teachers: Ensure that teacher preparation and professional development programs provide opportunities for teachers to learn about different learning styles; understand the background and cultures of their students; engage their students

in active learning; use the latest technology; and know how to respond to students with learning disabilities and behavioral issues.

-Preparing and affording college: Restore the Early College line item in the state budget; provide students with information about scholarships and how to prepare for the ACT and other national exams.

-Youth leadership to prevent violence: Support peer mediation and peer-run youth centers for after school activities and leadership development.

-Preventing dropouts: Encourage schools to offer credit recovery early in high school; provide support in the state budget for programs to increase the graduation rate of males; encourage teachers to provide personal attention and tutors to prevent students from dropping out of school.

-Preparing students in elementary school: Improve instruction in literacy and comprehension at the elementary level so that students are well prepared in high school for rigorous work.

-Funding the Ohio Youth Agenda: Postpone the four percent income tax reduction permanently; use the money raised from casinos to reduce class size; involve students in the implementation of the education reform agenda, such as end of course exams, reducing class size, and the School Funding Advisory Council.

For more information please visit Ohio Youth Voices at <http://ohioyouthvoices.org/>

6) Charter School Lawsuit Filed: The governing boards of Hope Academies of Cleveland and Akron and Life Skills Centers of Cleveland and Akron, April N. Hart legal counsel, filed a lawsuit in the Franklin County Court of Common Pleas on May 17, 2010 against White Hat Management, LLC, its affiliates, and the Department of Education.

The plaintiffs allege that White Hat Management, as a management company for charter schools, is not accountable to the governing boards that it has contracted with for the non-profit dollars that it receives to manage the charter schools; has refused to provide governing boards with complete information about how it has spent public dollars; and has not negotiated in good faith the renewal of charter school contracts.

The plaintiffs request that the Court declare unconstitutional ORC §3314.026, a section of law that allows management companies to replace governing boards of charter schools; void all existing contracts with White Hat Management and its affiliates; order White Hat to provide a complete accounting from 2004 to the present of monies paid to each management company, receipts for purchases, and copies of all inventories and depreciation schedules regarding property, etc.; issue an injunction to prevent White Hat from removing property from the schools; require White Hat to negotiate in good faith; and compensate the plaintiffs for damages and reasonable attorney fees.

To read the lawsuit please visit [http://www.scribd.com/full/31486286?access\\_key=key-25x6u9ttkjj0ziou8ror](http://www.scribd.com/full/31486286?access_key=key-25x6u9ttkjj0ziou8ror).

7) What is 12th Grade Preparedness? The National Assessment of Educational Progress (NAEP) Governing Board announced on May 6, 2010 the creation of the NAEP High School Achievement Commission, to study and disseminate information about student preparation at the end of 12th grade in math and reading in the United States.

The commission will be chaired by former Mississippi Governor Ronnie Musgrove, and engage the public, educators, policy makers, business leaders, etc. in discussions about preparing students for college, careers, and citizenship in the 21st Century. The commission will also examine the results of seventeen research projects, and survey higher education institutions about their use of admission and placement tests to enroll students.

According to the press release, there is no generally accepted definition for what students need to know and be able to do to qualify for entrance into post-secondary education or training. The High School Achievement Commission is "uniquely positioned to report on 12th grade students' preparedness. Very few states test all of their 12th grades, and the data of those who do cannot be combined to produce a national average score. Similarly, college admissions tests such as ACT and SAT are taken by a selective sample of students and do not produce nationally representative results for all 12th grade students."

For more information about this commission please visit <http://www.nagb.org/newsroom/release/release-050610.htm>.

8) Study Released on Dropout Rates for Hispanic

Students: The Pew Hispanic Center released on May 13, 2010 a report entitled "Hispanics, High School Dropouts and the GED" by Richard Fry, Senior Research Associate, Pew Hispanic Center.

The study examines the educational attainment and outcomes of adults ages 20 and older, based on the U.S. Census Bureau's 2008 American Community Survey. This survey identifies respondents who earned a regular high school diploma and those who earned a General Educational Development (GED) credential. The following are some of the findings included in the report:

-Hispanics are the nation's largest minority group; they make up 47 million, or 15 percent of the population of the United States. As of 2008, there were 29 million Hispanics ages 20 and older; of this group, 41 percent are native born and 59 percent are foreign born.

-Ten percent of Hispanic high school dropouts report having a General Educational Development (GED) credential compared to twenty percent of African-American high school dropouts and thirty percent of white high school dropouts.

-Hispanic high school students report having a much higher high school dropout rate (41 percent) compared to African-American (23 percent) or white students (14 percent).

-Fifty-two percent of foreign-born Hispanic adults are high school dropouts, compared with 25 percent of the native born Hispanic adults.

-Among Hispanic dropouts, some 21 percent have a GED, compared with just 5 percent of the foreign born Hispanic students.

-Hispanic adults with a GED had a higher unemployment rate than Hispanic adults with a high school diploma-9 percent versus 7 percent.

-Hispanic full-time, full-year workers with a GED had about the same mean annual earnings (\$33,504) as Hispanic full-time, full-year workers with a high school diploma (\$32,972).

The full report is available at <http://pewhispanic.org/files/reports/122.pdf>.

9) Arts Education Survey Deadline Extended: The Ohio Alliance for Arts Education, the Ohio Arts Council, and the Ohio Department of Education request that all school principals take time to complete the 2010 Ohio Arts Education Survey.

The survey is conducted every five years, and provides valuable information that is used to develop arts education programs for Ohio students; identify resources for arts education; and identify professional development opportunities in the arts for teachers in Ohio's schools.

Arts educators and curriculum coordinators are urged to contact their school principals immediately to ensure that principals have completed the 2010 Ohio Arts Education Survey.

The deadline to submit the survey has been extended to May 28, 2010.

School principals who have not submitted a completed survey have been sent a reminder e-mail message with a unique Web address to use in finishing the online questionnaire. Curriculum coordinators and arts education staff can help principals gather the data needed to complete the survey.

For more information about the survey link, please contact Bob Morrison of Quadrant Arts Education Research at [bobm@artsedresearch.org](mailto:bobm@artsedresearch.org).

#### 10) Bills Introduced

-HB519 (Yuko) Ohio Casino Control Commission:

Creates the Ohio Casino Control Commission and sets forth casino gaming statutes under Ohio Constitution, Article XV, Section 6(C), makes changes to bingo and instant bingo laws, creates charity card rooms, and makes an appropriation.

-SB266 (Schuring) Income Tax Rate Capital Gains:

Reduces the income tax rate on capital gains reinvested in Ohio-based investments.

-SB263 (Faber) Ohio Casino Control Commission:

Creates the Ohio Casino Control Commission and sets forth casino gaming statutes under Ohio Constitution, Article XV, Section 6(C).

-SB264 (Cates) Academic Standards: Allows more time for the adoption of standards and model curricula for science, social studies, and financial literacy and entrepreneurship.

-HB516 (Pillich) School District Reimbursement:  
Modifies the school district reimbursement schedule for the loss of revenue from the tangible personal property tax phase out.

-HB520 (Garland) School Bullying Policies:  
Requires that public school bullying policies prohibit bullying by electronic means and address certain acts that occur off school property and to require staff training on the bullying policy.

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