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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Office

Synopsis of Senate Committee Amendments

(This synopsis does not address amendments that may have been adopted on the Senate Floor.)

H.B. 164 of the 133rd General Assembly

Senate Education

Mike Niemi, Research Analyst

The Committee adopted amendments that added all of the provisions described below.

SCHOOL FUNDING ADJUSTMENTS

Payment for districts with decreases in utility TPP value

- Requires the Department of Education to make a payment, for FY 2020 and 2021, to each city, local, exempted village, or joint vocational school district with more than a 10% decrease in the taxable value of utility tangible personal property (TPP) subject to taxation that has at least one power plant located within its territory.
- Specifies that, in order to qualify for the FY 2020 payment, a district must have experienced the decrease in utility TPP between tax years 2017 and 2019, tax years 2018 and 2019, or tax years 2017 and 2018.
- Specifies that, in order to qualify for the FY 2021 payment, a district must have experienced the decrease in utility TPP between tax years 2017 and 2020 or tax years 2019 and 2020.
- Requires the Tax Commissioner to determine which districts are eligible for this payment no later than ten days after the bill's effective date (for the FY 2020 payment) or May 15, 2021 (for the FY 2021 payment) and to certify specified information to the Department regarding tax valuations for each district eligible for the payment.
- Requires the Department to make FY 2020 payments no later than 14 days after the bill's effective date and to make FY 2021 payments between June 1, 2021, and June 30, 2021.

Funding adjustment for districts with utility TPP value increases

- Specifies that, if a school district experienced an increase in the taxable value of all utility TPP subject to taxation by the district between tax years 2016 and 2017 and, as a result, had funds deducted from its state education aid, the Department must credit the deducted amount to the district no later than ten days after the bill's effective date.

Additional payment for school districts

- Requires the Department of Education to make an additional payment to each school district that receives, for FY 2020, a combined amount of foundation funding after state budget reductions and funding from the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act that is less than 94% of its foundation funding for FY 2020 as calculated before state budget reductions.
- Specifies that the amount of this payment is equal to the difference between (1) 94% of the district's foundation funding for FY 2020 as calculated before state budget reductions and (2) the combined amount of foundation funding after state budget reductions and funding from the federal CARES Act.

Quality Community School Support Program

- Changes the existing criteria for a community school to be designated as a "community school of quality" for the Quality Community School Support Program if its operator operates community schools in other states by also requiring the school to be in its first year of operation.

OTHER EDUCATION PROVISIONS

Teacher and principal evaluations

- Permits a school district that did not participate in the teacher evaluation pilot program established for the 2019-2020 school year to continue evaluating teachers on two-year or three-year evaluation cycles even if the district completes an evaluation for them in the 2019-2020 school year without a student growth measure.
- Specifies a teacher who did not have a student growth measure as part of an evaluation for the 2019-2020 school year must remain at the same point in the teacher's evaluation cycle, and retain the same evaluation rating, for the 2020-2021 school year as the 2019-2020 school year.
- Authorizes a school district to choose to complete a principal's performance evaluation for the 2019-2020 school year without using a student growth measure as part of the evaluation.
- Prohibits a school district from using value-added progress dimension data, high-quality student data, or other student academic growth data to measure student learning attributable to a teacher or principal while conducting evaluations for the 2020-2021 school year.

High school diploma eligibility using final course grades in lieu of end-of-course exam scores

- Permits a student who was scheduled to take or re-take an end-of-course exam in the 2019-2020 school year, but did not do so because the exam was cancelled, to use the student's final course grade in lieu of an exam score to satisfy conditions for a high school diploma.

- Specifies a student who was scheduled to take an end-of-course exam for the first time in the 2019-2020 school year may use a final grade for a course completed in that year, while a student who was scheduled to re-take an exam may use a grade for a course completed in that year or a prior school year.

Third-Grade Reading Guarantee

- For the 2020-2021 school year only, prohibits a school district or school from retaining in the third grade a student who does not attain a passing score on the fall administration of the third grade English language arts achievement assessment under specified conditions
- Prohibits the State Board of Education from reviewing and adjusting upward the promotion score for the third grade English language arts assessment for the 2020-2021 school year, and, instead, requires the use of the 2019-2020 promotion score for the 2020-2021 school year.
- Exempts a teacher assigned to provide intense remediation reading assistance to a student in the 2020-2021 school year under the Third-Grade Reading Guarantee from certain criteria otherwise required under continuing law.

Reading improvement plans

- Exempts public schools from having to establish reading improvement plans for the 2020-2021 school year based on assessment results for the 2019-2020 school year.

Academic assessment records for home instructed students

- Exempts parents of students receiving home instruction from the administrative rule requirement to submit an “academic assessment record” for the 2019-2020 school year to the student’s resident school district superintendent as a condition of allowing the student to continue receiving home instruction for the 2020-2021 school year.

Community school sponsor ratings

- Prohibits the Department from issuing any community school sponsor ratings for the 2019-2020 school year.
- Requires the Department to allow a sponsor to indicate that it could not comply with an applicable law or administrative rule or fully adhere to a quality practice due to the closure of schools.
- Establishes a safe harbor from penalties and sanctions for community school sponsors based on the absence of community school sponsor ratings for the 2019-2020 school year, in which only ratings from previous and subsequent years are considered.
- Allows a community school sponsor to remain eligible in the 2020-2021 school year for any incentives that the sponsor was eligible for in the 2019-2020 school year.

Services to special needs students

- Permits nonclassroom personnel providing professional services to students with disabilities to provide services electronically or via telehealth communication for the balance of the 2019-2020 school year and the entirety of the 2020-2021 school year.
- Permits a teacher who is licensed to teach special education and is employed to teach a public school preschool integrated class prior to the effective date of licensure requirement changes by the State Board of Education to continue to teach a public school preschool integrated class until the teacher retires, resigns, or is reassigned.

Remote learning

- Permits certain public schools that have not otherwise been approved to use a “blended” learning model under continuing law for the 2020-2021 school year to adopt a plan to provide instruction using a “remote” learning model for the 2020-2021 school year.

Grade band flexibility

- Permits a school district to employ or reassign a licensed teacher to teach a subject area or grade level for which the teacher is not licensed for the 2020-2021 school year under specified conditions.

Community school governing authorities

- Permits a person to serve on the governing authority of more than five start-up community schools under specified conditions.

Storm shelters

- Extends from September 15, 2020, to November 30, 2022, the existing moratorium regarding the construction of storm shelters in private and public school buildings.

Online bus driver training

- Requires the Department to develop an online training program to satisfy the classroom portion of pre-service and annual in-service training for school bus driver certification for the 2020-2021 school year.

Appropriation

- Appropriates an additional \$24.0 million from the GRF in FY 2020 to support an additional payment to school districts to partially offset executive-ordered state foundation aid reductions.

Emergency clause

- Declares an emergency (does not apply to the bill’s provisions regarding religious expression in schools, the Quality Community School Support Program, or to the provisions regarding the additional payment for schools).