



BASA Regional Meetings

September, 2020

Ohio's Superintendent Association

Three Things



One:
House Bill 606



House Bill 606



Diane V. Grendell
District 76

House Bill 606

- Extends immunity to business owners—you already have that through Ohio Revised Code Sections 2744.02 and 2744.03
- Takes it one step further and identifies that there is no cause of action for contracting a virus

House Bill 606

- Signed into law by the Governor on Monday, September 14
 - Becomes law 90 days after the signing

- Retroactive to March 9, 2020 and effective through September 30, 2021

Two:
Senate Bill 358



S.B. 358



Teresa Fedor
District 11



Nathan H. Manning
District 13

S.B. 358

- Allows for teacher and principal evaluations to be completed without the use of student growth measures
- Provides flexibility for students should they be unable to take an end-of-course exam by allowing them to meet graduation requirements through the use of the final course grade in the associated class

S.B. 358

- Gives districts local control in making decisions regarding promotion to fourth grade, free of third grade reading guarantee mandates
- Provides local control in determining if a student is on track to graduate

S.B. 358

- Eliminates state-required assessments (with the exception of diagnostic assessments) and requires the Ohio Department of Education (ODE) to seek a waiver from administration of all federally required assessments
- Prohibits ODE from issuing state report cards for the 2020-21 and 2021-22 school years

S.B. 358—EdChoice Vouchers

- Would prohibit the ODE from awarding first-time building performance-based vouchers for the 2021-22 school year
 - Sibling exemption
- Extension of the same provision provided for the 2020-21 school year in HB 197
- 517 buildings remain on the list with no ability to come off the list
 - 17 buildings would qualify to come off the list if it weren't for the freeze put into place this past March

S.B. 358—EdChoice Vouchers

- Issues that need to be addressed:
 - Clarify sixty-day application period with no rolling application period
 - Ability of siblings to get vouchers is resulting in growing expenses for districts
 - State funding is needed to help offset growing costs to districts

S.B. 358—Needed Amendments

- Broader waiver Authority for State Superintendent of Instruction
 - KRA, Third-Grade ELA Assessment, and Diagnostic assessments are problematic
- Extend ability of Boards to meet virtually from December 1, 2020 to the remainder of the 2020-2021 school year
- Repeal Academic Distress Commission laws and dissolve current ADCs
- Immediately sunset the Territory Transfer law

Three:
Territory Transfer



H.B. 166—Territory Transfer Law



H.B. 166—Territory Transfer (RC 3311.242)

- Allows electors living in a township that is split between 2 or more districts to petition for the transfer of territory to another adjacent school district
- Requires the proposal to be placed on the ballot at the next election after the board of elections certifies the proposal
- The State Board is required to approve the agreement and provide written notification to each district board
- The district boards and township trustees are required to equitably divide funds and indebtedness between the districts.

H.B. 166—Territory Transfer (RC 3311.242)

- Plain LSD
 - Jackson LSD
 - North Canton LSD
- Bowling Green
 - Eastwood LSD
 - Elmwood LSD
 - McComb LSD
 - Otsego LSD
 - Patrick Henry LSD
- Fremont
 - Gibonsburg LSD
- Logan Elm Local
 - Logan-Hocking LSD

H.B. 166—Territory Transfer (RC 3311.242)

- Bowling Green
 - 8 petitions on the ballot on Tuesday (funded by BG School Board)
 - If all would have passed, BG would have lost \$150 million of tax valuation and 200 students
 - Four issues failed by votes of:
 - 253 to 66
 - 3 to 19
 - 2 to 7
 - 137 to 176
 - Four issues were approved by votes of:
 - 48-20
 - 1-0
 - 1-0
 - 32-17

H.B. 166—Territory Transfer (RC 3311.242)

- On Friday, September 11, the Territory Transfer Law was ruled unconstitutional by a U.S. District Court
- The basis for the decision was a violation of the one-subject rule of the Ohio Constitution.
- RC 3311.242 bore no relationship to the state budget, rather, was inserted to evade “analysis and debate.”

H.B. 166—Territory Transfer (RC 3311.242)

“...the statute was not discussed, debated, or fully understood prior to its enactment. The court finds **it was no coincidence that the controversial Fast-Track Transfer Statute escaped analysis and debate.**

Rather, the procedural history of the statute shows that **it was tactically crammed into the budget bill to secure its passage for fear that it might not garner enough votes if it was considered on its own merits.**”

BONUS



Equitable Services

DeVos Loses Latest Fight Over Rerouting Aid To Private School Students

[Cory Turner](#)

September 11, 2020 3:16 PM ET

On July 1, 2020, the U.S. Department of Education (Department) published an Interim Final Rule (IFR) regarding equitable services under the CARES Act.

On September 4, 2020, in *NAACP v. DeVos*, the U.S. District Court for the District of Columbia issued an order vacating the Interim Final Rule.



Questions?



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