



Ohio's Superintendent Association

BASA UPDATE

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BASA UPDATES

Save the Date!

Team Collaboration: Finance, Facilities, & Safety Conference

This year, we will be holding our joint BASA/OASBO Team Collaboration: Finance, Facilities, and Safety Conference virtually on February 23, 2021! More information about registration will be coming soon!

BASA Zoom Regional Meetings

Regional Meetings

(the password for all sessions will be COVID19)

Wed., January 6, 2021

9:00 a.m. -12:00 p.m.

[Join Meeting](#)

Fri., January 8, 2021

9:00 a.m. -12:00 p.m.

[Join Meeting](#)

Agenda

9:00 a.m. – 9:45 a.m.

Ohio Department of Education

9:45 a.m. – 10:15 a.m.

Cyndie Schepis, Gallagher

10:15 a.m. – 10:45 a.m.

Walter | Haverfield LLP

10:45 a.m. – 11:15 a.m.

Legislative Update

11:15 a.m. – 12:00 p.m.

Q&A

Update on Lame Duck Session

BASA Members,

Following is an update of various education-related bills that we have been tracking during the lame duck session. The House and Senate are scheduled to come back for what will most likely be their final sessions of the year tomorrow, Tuesday, December 22. Note that this information is current as of today, Monday, December 21.

Fair School Funding Plan (Sub. H.B. 305, S.B. 376)

Thank you for your hard work and dedication to our advocacy efforts in moving the Fair School Funding Plan forward. Over the past month, Sub. H.B. 305 received a unanimous vote out of the House Finance Committee and an overwhelming majority vote in the Ohio House of Representatives (87-9) to approve the first comprehensive school funding formula overhaul in decades. Unfortunately, the Fair School Funding Plan will not be approved this General Assembly as the Senate paused consideration of S.B. 376 after a few Senate Finance Committee hearings.

Your efforts have helped to create such positive momentum that there are already plans to introduce the Fair School Funding Plan in the 134th General Assembly. If you have not already done so, please take the time in the near future to introduce yourself to newly elected legislators in your district. Offer to be a resource to them as they acquaint themselves with school funding and operations. This is also the perfect time to reconnect with your legislators who will be returning in January. Please click [here](#) for a sample letter to legislators.

Starting in January, please plan to continue your discussions with representatives in the Ohio House and Senate to ensure we maintain this positive momentum. Together, we can ensure all children in Ohio receive the education they need to succeed.

Activity from the General Assembly

Senate Bill 310 Capital Appropriations Bill

The General Assembly sent Senate Bill (SB) 310 to Gov. Mike DeWine. The bill, which originally provided for the distribution of Coronavirus Aid, Relief and Economic Security (CARES) Act funding to local subdivisions and businesses, was amended in conference committee to include the following changes:

- removes the original bill language regarding CARES act funding to local subdivisions and business;
- adds capital appropriations, including \$385 million for local school construction through the Ohio Facilities Construction Commission (OFCC);
- requires unspent Student Wellness and Success Funds to be distributed to schools by the Ohio Department of Education (ODE) in consultation with the Office of Budget and Management;
- includes \$3 million in lottery funds to pay for school-funding studies that were included in HB 305;
- includes provisions from SB 372, which creates the Holocaust and Genocide Memorial and Education Commission that, among other responsibilities, would find opportunities to provide resources for schools to effectively teach about the Holocaust and genocide;

- suspends current law that limits a school district's expenditures for the operation of student activity programs in the 2019-20 and 2020-21 school years;
- moves the start date for EdChoice voucher application window to March 2, 2021;
- includes an emergency clause.

Click [here](#) to read a synopsis of the amendments.

House Bill 231 Epinephrine, Food Allergy Training, and Glucagon

The General Assembly sent House Bill (HB) 231 to the governor. The bill requires ODE to compile and publicize a list of entities that provide free and reduced-price epinephrine autoinjectors and permits school districts to create training for staff and instruction for students on food allergies and allergic reaction treatment.

The bill also permits schools and camps to procure and use injectable or nasally administered glucagon, which is used when a person is going into a diabetic coma. The glucagon can be used in an emergency situation in accordance with prescribed policies. The bill exempts districts and camps from licensing requirements related to the possession of glucagon.

House Bill 450 District Treasurer Succession Requirements

The General Assembly sent HB 450 to the governor. The bill requires fiscal officers of school districts and other local governments to provide certificates of transition to their successors and modifies the duties of school district treasurers to ensure delivery to the treasurer's successor of all papers related to the affairs of the district.

House Bill 331 Academic Standards Review Committees

The General Assembly also sent SB 331 to the governor. The bill sunsets the academic standards review committees in English, math, social studies and science, among other committees and councils. It also requires a Sunset Review Committee to be convened during each General Assembly.

Activity from the Senate

Senate Bill 259 Water Bottle Filling Stations

The House passed SB 259 by a vote of 82-2. The bill authorizes the conveyance of state-owned real property. The bill was amended in committee to include provisions from HB 360, which requires the installation of water bottle-filling stations and drinking fountains in new school buildings that are constructed with assistance from OFCC. The bill will go to the Senate for a concurrence vote.

Senate Bill 236 Tuberculosis Screening for Preschool Employees

The House passed SB 236 by a vote of 79-3. The bill was amended on the House floor to include provisions from HB 210, which requires preschool programs and other entities licensed by ODE to screen and test prospective employees for tuberculosis as well as annually test certain employees for a five-year period. The bill will go to the Senate for a concurrence vote.

Senate Bill 68 Peace Officer Interaction Curriculum

Finally, the House passed SB 68 by a vote of 83-0. The bill requires a state model curriculum for high school students on proper interactions with peace officers during traffic stops and other encounters and requires districts to incorporate this curriculum into at least one course required for high school graduation. The bill will go to the Senate for a concurrence vote.

Activity from the House of Representatives

House Bill 409

The Senate passed HB 409 by a vote of 32-0. The bill modifies student attendance requirements at certain e-schools. The bill was amended in committee and on the Senate floor to include the following provisions:

- exempts districts from retaining a student under the third-grade reading guarantee for the 2020-21 school year;
- extends the ability of the superintendent of public instruction to adjust or waive the deadlines on a variety of actions regulated by the State Board of Education, including the filling of a vacancy on a board of education;
- prohibits state report cards for the 2020-21 school year and provides a safe harbor from sanctions or penalties from state report card ratings;
- provides flexibility to school districts and ESCs, among others, regarding educational requirements of substitute teachers for the 2020-21 school year.

The bill will be sent to the House for a concurrence vote.

Click [here](#) to read a synopsis of the bill.

Note that to this point, our efforts to get legislation to provide relief from End-of-Course exams has not been successful, but there is still a chance that this could be included as an amendment to another piece of legislation.

House Bill 436 Screening and Serving Students with Dyslexia

The Senate passed HB 436 by a vote of 32-0. The bill requires districts, by the 2022-23 school year, to administer annual dyslexia screenings and establish a multisensory structured literacy certification process for teachers employed by the district or school who provide instruction in grades K-three. The bill also requires all K-three teachers and special education teachers in grades four-12 to complete between six and 18 hours of professional development over a set time frame.

The bill was amended in committee to require ODE to do a cost analysis on dyslexia screening programs. The bill removes a provision that would have allowed the use of Student Wellness and Success Funds for dyslexia screening, intervention and training. The Governor has provided assurances that he will include funding for dyslexia training and programming in the coming biennial budget.

The bill will now be sent to the House for a concurrence vote.

Click [here](#) to read a synopsis of the bill.

House Bill 46 Statewide Expenditure Database

The Senate passed HB 46 by a vote of 32-0. The bill creates a state government expenditure database that includes school district employee salaries and employment information should a district choose to participate. The bill will be sent to the House for a concurrence vote.

House Bill 442 Licensure Requirements

The Senate passed HB 442 by a vote of 28-1. The bill was amended in committee to change pupil services licenses to require only registration with ODE if the individual was already licensed by another professional board. The bill also reduces the duration of the resident educator license and the Ohio Teacher Residency Program to two years (effective two years after bill's effective date).

At one point, the bill contained language that would have eliminated a license for school treasurers, business managers, educational assistants and paraprofessionals. That language was removed from the bill. **BASA joined with OASBO to testify against the elimination of these licenses. In addition, many of our members reached out to Senator McColley and members of the Senate Transportation, Commerce and Workforce Committee in opposition to HB 442. Thank you for your advocacy regarding HB 442. It made a difference.**

The bill will be sent to the House for a concurrence vote

Click [here](#) for a synopsis of the amendments.

Legislation to Continue Watching

The following pieces of legislation would need action by both Chambers tomorrow. **BASA joined with OASBO and OSBA in testifying against this legislation or providing feedback to legislators to improve the legislation. In addition, our members advocated against passage of some of the following pieces of legislation.** We will continue to monitor these bills as the House and Senate return for what appears to be their final sessions tomorrow.

House Bill 75 District Requirements for Property Tax Complaints

HB 75 requires school districts, before filing a property tax complaint, to pass a resolution approving the complaint at a public meeting. The bill also limits the circumstances under which initial, residential property tax complaints may be filed and limits counter-complaint filings only when that initial complaint alleges a change in fair market value of \$75,000 or more. HB 75 has been informally passed by the Senate, but two votes are needed — a Senate formal vote and House concurrence vote — to send the bill to the governor.

Senate Bill 212 Neighborhood Development Areas

SB 212 provides a full or partial tax exemption to developers and owners of newly constructed homes within specified municipal or township areas during the construction period and for 10 years after the home is occupied. Two votes are needed — a House vote and Senate concurrence vote — to send the bill to DeWine.

House Bill 38 Reduced Property Valuations due to Pandemic

HB 38 provides a reduced property valuation for tax years 2020, 2021 and 2022 for businesses and eligible individuals as a result of the COVID-19 pandemic. Two votes are needed — a Senate vote and House concurrence vote — to send the bill to the governor.

House Bill 76 Ballot Language Transparency

HB 76 requires property tax election notices and ballot language to convey a property tax levy's rate in dollars for each \$100,000 of fair market value instead of in dollars for each \$100 of taxable value. In addition, the legislation requires election notices and ballot language to display the estimated amount the levy would collect annually. **At this time, HB 76 has not passed out of The Senate General Government and Agency Review Committee. OSBA, BASA, OASBO, the Ohio Library Council and the Ohio Township Association provided opponent testimony on HB 76.**

Currently, the following pieces of legislation have been approved by the Senate Education Committee but have not made it to the floor for a vote:

House Bill 111, which would require public and private schools to transmit a transferred student's records within five school days.

House Bill 310, which would revise school discipline, bullying and hazing policies at public schools and colleges.

House Bill 367, which would require the state to recommend a job description for school counselors. The bill would also require public schools to consider those recommendations when preparing job descriptions or assigning duties for school counselors.



BASA and Bricker & Eckler Present:



Hot Topics: Labor Relations & Tensions In Our COVID-19 World

January 15, 2021 | 9:00 a.m. - 12:00 p.m.

- 9:00 a.m. - 10:00 a.m. **Negotiating During COVID**
 Jeff Brown, Granville Exempted Village Schools, Steve Barrett, Gahanna-Jefferson City Schools, Laura Shepard, Federal Mediation and Conciliation Services, Dane Gaschen, Bricker & Eckler
Hear from four individuals who were on the front-line this past year - what they experienced, what they learned, what they would do differently, and what tips they have for negotiating in the new year.

- 10:00 a.m. - 10:45 a.m. **Bargaining Methods, Strategies and Risks**
 David Lampe, Jason Stuckey and Brad Bennett, Bricker & Eckler
A panel of negotiators will discuss the different methods of bargaining, the composition of the bargaining team, use of attorneys and consultants, along with the strategies and risks associated with bargaining.

- 10:45 a.m. - 11:00 a.m. **BREAK**

- 11:00 a.m. - 12:00 p.m. **Preparing for Successful Negotiations, Despite the Pandemic**
 Diana Brown and Beverly Meyer, Bricker & Eckler
Two experienced negotiators will guide you through preparation for bargaining this coming year and identify the hot topics that you should be thinking about and that they expect to see at the table.

You can register online at <https://basa.finalforms-amp.com/>
or email this form to Vanessa Gabriele at gabriele@basa-ohio.org or Denise Hall at hall@basa-ohio.org.

Full Name: _____

Title: _____ School District/Organization: _____

Address/City/State/ZIP: _____

Phone: _____ - _____ - _____ Fax: _____ - _____ - _____ Email: _____

Registration is \$79 and is limited to BASA Members and Staff

I am paying with a P.O. / Check
PO Number _____

I am paying with a credit card via my BASA
AMP Account
**Please note that there is a 4% credit card fee associated
with this payment option.*

Additional Information: Webinar participants will receive log-in information on January 13. Participants in BASA workshops will receive a certificate of completion. Participants should discuss the outcomes of their experience with their Local Professional Development Committee (LPDC).

Questions? For additional information contact BASA at (614) 846-4080.

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PARTNER UPDATES

College Credit Plus Close-Out Information

The Ohio Department of Education and Ohio Department of Higher Education are in the process of closing out College Credit Plus (CCP) reporting and payments for fiscal years 2016 through 2020. This process will include the resolution of the escalated records and running the update to assign the payment responsibility to the districts based on the business rules. ODE plans on turning off colleges' and districts' ability to escalate records on December 31, 2020. The districts will have the ability to flag and approve records through January 14, as long as the records are still reviewable. The payments for FY16-FY20 will be issued to colleges by January 31, 2021. The districts will see the deductions under JV91 in one of their February payments.

For any questions related to payments, please contact CCP@education.ohio.gov.

Transgender Legal Update

By [Melissa Martinez Bondy](#)

On December 16, 2020, the United States District Court for the Southern District of Ohio [found](#) that the Ohio Department of Health's (ODH) policy to deny requests for sex marker changes on birth certificates by transgender individuals is unconstitutional, aligning Ohio with the other 48 states that had already permitted such changes. In 2019, four transgender individuals (Plaintiffs) filed suit against ODH challenging their policy that denied a transgender person the ability to change the sex marker on their birth certificate while permitting other changes to birth certificates, such as for adoptions and legal name changes. Relying heavily on the Equal Protection Clause of the U.S. Constitution, the Court held that the Plaintiffs were being treated differently than other individuals in Ohio who sought amendment to their birth certificates. Judge Watson noted that the policy has "no rational relation to a legitimate government purpose" and concluded that the ODH policy was unconstitutional. The Order permanently enjoined ODH from enforcing the policy.

What does this mean for educational institutions in Ohio? First, transgender individuals born in Ohio will be able to change their birth certificates so that the document is consistent with their gender identities. Second, the court's reasoning suggests that a transgender individual's ability to amend official government issued or created records should not be denied simply because the individual is transgender, nor should the process they are required to use be different from any other Ohio's citizen's right to do so. For K-12 institutions in Ohio, it will be important to stay informed on whether additional guidance from the Ohio Department of Education related to information maintained in the state's Education Management Information System will be forthcoming. *Ray et. al v. McCloud et. al*, 2:18-cv-00272 (S.D. Ohio December 16, 2020).

Benefits Strategy & Benchmarking Survey

Don't miss your organization's opportunity to complete Gallagher's 2021 Benefits Strategy & Benchmarking Survey.

Position your public entity for success. By participating in Gallagher's research, your entire organization gains complimentary access to an unparalleled data set, including Gallagher's full suite of benefits benchmarking reports for 2021. One survey for an entire year's worth of insights.

This link can be shared within your organization to help you complete the survey. [Click here](#) to complete it!

FFCRA Is Set to Expire on December 31, 2020

By Melissa Bolduc, Walter | Haverfield

In March, Congress enacted the Families First Coronavirus Response Act ("FFCRA") in response to the spread of the novel coronavirus and the illness it causes, COVID-19. Generally, the FFCRA requires public employers and private employers with fewer than 500 employees to offer employees two types of paid leave benefits for certain reasons related to COVID-19: (1) up to 80 hours of emergency paid sick Leave ("EPSL") and (2) up to 12 weeks of expanded family medical leave ("EFML").

When Congress passed the FFCRA, it set the paid sick leave entitlements to expire on December 31, 2020. Although COVID-19 cases are on the rise in the United States, and a recent study suggested that FFCRA paid sick leave has been effective in reducing COVID cases by nearly 400 cases per day, it is uncertain whether Congress will pass a bill extending the paid sick leave provisions of the FFCRA.

In May, the U.S. House of Representatives passed H.R. 6800 ("The Heroes Act"), which sought to extend paid sick leave under the FFCRA until the end of 2021. However, the U.S. Senate has not considered the Heroes Act or proposed any other bill to do so. Because there has been an absence of congressional action, employers should begin planning as the FFCRA will expire at the end of the year. Below are some key takeaways regarding what the FFCRA expiration might mean for your organization:

1. Employees will not be entitled to receive EPSL or EFMLA after December 31, 2020.

Employers should communicate to employees that paid sick leave under the FFCRA will not be available after December 31, 2020. Employers should, however, continue to allow eligible employees to take paid sick leave under the FFCRA through and including December 31, 2020.

2. Private employers will not receive tax credits after December 31, 2020.

While employers may continue to offer COVID-19-related paid sick leave programs past the FFCRA expiration date, eligible employers that do so will not receive tax credits from the federal government.

3. Employee balances of EPSL and EFML will expire after December 31, 2020.

On January 1, 2021, employees will lose any balance of unused EPSL and EFML. Employees are not entitled to a “payout” of unused paid sick leave under the FFCRA.

We will continue to monitor whether Congress passes a bill to extend the paid leave provisions of the FFCRA. However, in the meantime, employers need to prepare to update their leave policies and practices. The attorneys at [Walter | Haverfield](#) are here to help you navigate your obligations under local, state, and federal laws.

INFOhio Online Classes are Ohio Approved for Step Up To Quality

INFOhio offers free, online classes on how to use technology and digital resources in teaching and learning and with families. Now early educators seeking Step Up To Quality training opportunities can register for four classes in the Ohio Child Care Resource and Referral Association's ([OCCRRA](#)) Ohio Professional Registry to earn Ohio Approved credit.

- [BookFlix from INFOhio](#) (ST#10100554): Helps educators learn how to navigate this eBook platform and integrate the pairs of fiction and nonfiction titles into classroom instruction. Includes games, supplemental websites, and lesson plans to support literacy and other content areas.
- [World Book Early Learning from INFOhio](#) (ST#10100557): Helps educators learn how to navigate World Book Early Learning and integrate its content into instruction. Includes eBooks, games, and videos for students in grades PreK-3.
- [INFOhio Using Technology with Early Learners](#) (ST#10096816): Offers teachers, families, and communities research-based strategies and practices to safely use digital media for learning.
- [INFOhio Early Learning Portal](#) (ST#10095142): An introduction to the collection of over 50 freely available websites and apps aligned with the Ohio Early Learning and Development Standards. These quality resources were chosen and evaluated by early learning professionals to support children ages 3-5 as they prepare for Kindergarten and beyond.

To register for INFOhio's OCCRRA approved classes, log into your [OCCRRA](#) Ohio Professional Registry class, visit the [training page](#), select online, and search for the ST# located above. Once registered, you will be provided a link to the class. Please note that attendance verification for these classes occurs on Mondays. Once you have taken the final quiz, you may experience a delay in notification of receiving Ohio Approved notification. If you have questions about INFOhio's OCCRRA approved classes, please visit support.infohio.org.

PROFESSIONAL DEVELOPMENT



Remote Learning Alliance

Leading for Learning

In partnership with Actionable Leaders and [BASA](#), these educator-led Zoom conferences are now being supported by the [Remote Learning Alliance](#), a partnership of the [ESC of Central Ohio](#), [ESC of Northeast Ohio](#), [Hamilton County ESC](#), [Montgomery County ESC](#), [Midwest Regional ESC](#), and other education-focused organizations committed to helping make navigation of the changing educational landscape as easy and robust as possible for Ohio school leaders, teachers, and support personnel. To learn more, please visit www.RemoteLearningAlliance.org.

[Want to receive email reminders for these meetings? See here.](#)

The password to ALL Meetings: LEADERS

Updated 12/18/2020

MONDAY, JANUARY 4		
Secondary Principal	9:30 AM	NO MEETING
Gifted Directors/Coordinators	11:00 AM	NO MEETING
Special Education Leaders/Teachers	3:45 PM	NO MEETING
TUESDAY, JANUARY 5		
School Counselors - High School	9:00 AM	NO MEETING
School Counselors - Middle School	9:45 AM	NO MEETING
School Counselors - Elementary	10:30 AM	NO MEETING
WEDNESDAY, JANUARY 6		
Tech Directors/Instructional Coaches	9:00 AM	NO MEETING
Superintendents	11:00 AM	NO MEETING <u>CHECK EMAIL FOR PASSWORD</u>
Tech Prep/Career Education	2:00 PM	NO MEETING
Gifted (GIS)	3:30PM	NO MEETING
Math / Science	3:45 PM	NO MEETING
World Languages	3:45 PM	NO MEETING

THURSDAY, JANUARY 7

Communications	9:00 AM	https://us02web.zoom.us/j/83236239728
Social Workers	10.00 AM	NO MEETING
Exploratory Arts	3:30 PM	https://zoom.us/j/93359406105
Language Arts / Social Studies	3:30 PM	https://us02web.zoom.us/j/84042988189

FRIDAY, JANUARY 8 – NO MEETINGS



The Ohio Dean's Compact 8th Annual Statewide Conference

The Ohio Deans Compact, in partnership with OCTEO, invites you to attend the 8th Annual Statewide Conference on January 13, 14, 15, 2021. The theme of this year's conference, which will be held virtually, is Digging Deeper into Equity Issues: Supporting Higher Education and District Personnel to Combat Social and Racial Injustice.

[Click here to register!](#)

Wednesday Webinar: Protecting Your Financial Base **The Significance of Tax Valuation Complaints**

Bricker & Eckler

Wednesday, January 6, 2021 | 12:00–1:00 p.m. (EST)

In Ohio, approximately two-thirds of school district revenue is generated from property taxes, so it is important for school administrators to understand the legal process that affects increases and decreases in property tax value.

Join Bricker attorneys Jon Broilier, Rachael Mains and Tess Tannehill for an overview of the Board of Revision process, opportunities for school districts to increase and preserve their property tax base and recent changes to Ohio's property tax valuation laws affecting schools.

[Click here to register!](#)