

**Ohio School Counselor Association  
Legislative Report**

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**Grime Testifies Before Special House Committee on Education**

Speaker Batchelder appointed special committees to travel the state late this summer to gather testimony and feedback on important topic, including education. Representative Cliff Rosenberger (R – Clarksville) was chosen to Chair the Higher Education Reform Committee. The other members appointed to the committee were: Representatives Christina Hagan (R-Alliance) as Vice Chair, Richard Adams (R-Troy), Tim Derickson (R-Oxford), Heather Bishoff (D-Blacklick), Dan Ramos (D-Lorain) and Michael Stinziano (D-Columbus).

At the hearing on August 20, 2013 in Perrysburg, Ohio, Shawn Grime, past president and current treasurer of the Ohio School Counselor Association, presented remarks on behalf of OSCA. Grime told the committee that *“In today’s economic climate, the importance of ensuring that all students graduate college and career ready has become paramount and school counselors are specifically trained to help support this initiative in many ways.”*

*School counselors provide developmental career counseling and college advisement, serve as coordinators of dual and post-secondary enrollment programs, work with college and industry leaders to stay current with education and career trends, provide academic advising that encourages students to take challenging and relevant courses and work with parents as they support their children in making college and career decisions.*

Below is a summary, provided by Shawn, of the questions he received from the committee:

1. There were several questions about Grime’s call for mandates, ratios and programming. Specifically, he was asked about what other states had in place, examples of states I felt were doing things right and if I knew of any research to support the claims of ratios. After the hearing, Grime followed-up with the Chair’s office and emailed several links to ASCA, CSCORE and NOSCA for the committee to review for a better understanding of national trends and research.
2. The Committee asked questions about counselor’s training and that of other career based professionals. Grime shared that the training is very consistent with the training a licensed career counselor would get but with the addition of the training in the other areas vital to school counseling like academic success. I shared that school counselors are the only educators with specific training in college/career advising and that it requires more credit hours and internship hours to become a school counselor than a superintendent. I also spoke to licensure and how changes in the licensure rules have led to an influx of licensed school counselors who are ready to have the opportunity to use their training.
3. Chairmen Rosenberger asked what levels school counselors needed to be working at because he has spoken with counselors who are the only person in the high school while the district has four elementary counselors. I shared that school counseling is needed at all levels because the work we do is developmental in nature and changes as students’ progress through school. Rosenberger then followed up with a statement wanting to know how we are evaluated because he wants to know that counselors are being effective. I shared with him that there is no provision at the state level that evaluates us and that evaluation occurs at the local according to whatever contract guidelines the counselor works under. Grime did share that he felt it would be impossible for the state to evaluate us unless they developed standards for programming with which to base that evaluation on. He then shared that OSCA has been proactive and created a school counselor evaluation tool modeled after OTEs that we have made available to our members and professionals to self-advocate for appropriate evaluations.

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4. Grime was asked for his thoughts on the emphasis that schools put on all students needing to go to college and how school counselors handle that directive they get from superintendents. Grime responded that he did not feel that the school counseling profession is one that only promotes college but that we have embraced the importance of college and career readiness for all students. Because the high schools no longer have agricultural science, family consumer science, business/technology, industrial sciences and other elective programs, the high schools have reverted to pushing college prep and placing greater emphasis and reliance on the career/technical schools. Many schools have been forced to give the kids the option of go to the technical school or stay here and go college prep.

**ODE Releases New A-F Report Cards**

Ohio education officials released the first phase of local district and building report cards under the new A-F school evaluation system Thursday. Schools can see their measurements on nine indicators but not an overall grade, which will be added in 2015 after additional indicators are implemented.

Schools will get an overall grade in 2015, when 17 indicators will figure in to the report card, though the State Board of Education still has to determine what weights and calculations it will use to translate the individual measures into a single mark. A final, 18th indicator will be added in 2016.

Because the board has yet to devise methodologies for an overall grade, ODE is actively warning schools against trying to arrive at their own grade by averaging grades across the nine indicators.

"Averaging these measures will produce an inaccurate grade," said Tom Gunlock, vice president of the state board.

The old report cards, which placed schools on a scale from "excellent with distinction" to "academic emergency," were unclear and helped conceal failings in one area or another behind ambiguous labels, said state Superintendent Dick Ross.

"These reports represent a big change in how we determine how well our schools are educating boys and girls," Ross said.

"We must have the courage to be honest with ourselves, and be honest with our communities, about where we really stand," he said.

The report cards break the indicators into six component categories: achievement; progress; graduation rate; gap closing; K-3 literacy; and prepared for success. Districts will eventually get an aggregate grade on each component as well as the overall aggregate grade.

Indicators measured for the 2012-2013 report cards are the following:

**Achievement:** standards met; performance index.

**Progress:** value-added for all students; gifted students; students with disabilities; students in lowest 20 percent of achievement statewide.

**Graduate rate:** Four-year graduation rate; five-year graduation rate

**Gap closing:** Annual measurable objectives.

Some categories don't include any graded indicators yet. For example, all K-3 students have yet to be re-evaluated after their first year of intervention under the third grade reading guarantee, so no grades have been assigned yet in the literacy category, said Gunlock.

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Nine districts' report cards come with an asterisk because of Auditor Dave Yost's investigation of their attendance data. Some other districts' grades also are flagged at this point because they've notified ODE of errors in the data they've submitted.

At the district level, local schools earned the most A grades for meeting standards, with 319 districts earning top marks, followed by four-year graduation rate at 293 and value-added for all students at 281. Annual measurable objectives is the indicator that generated the greatest number of F grades at 191, followed by value-added for all students at 141 and value-added for students with disabilities at 79. No district received all A's or all F's.

The state also released work-in-progress report cards for dropout recovery school and career-technical schools. Those reports mostly contain data on indicators, and most will not have a grade attached until at least next year.

A coalition of education management groups said Thursday the report cards confirm a "direct correlation" between student performance and income and poverty. The Ohio School Boards Association, Ohio Association of School Business Officials and Buckeye Association of School Administrators released that analysis Thursday afternoon.

Of 135 districts with income above the state average, 91 percent got an A in the achievement category's standards met measure, according to the three groups. Meanwhile, 41 percent of the districts below the state average income earned an A in that category.

Similarly, 74 percent of districts with student poverty levels above the state average earned an A in that measure, compared to 20 percent of those below the average, their analysis found.

The report cards are available at <http://reportcard.education.ohio.gov/Pages/default.aspx>. The department is directing people unable to see the interactive report cards because of technical problems to the website's spreadsheets, which can be downloaded at <http://reportcard.education.ohio.gov/Pages/Download-Data.aspx>.

An ODE memo outlining details of the indicators is available at <http://education.ohio.gov/getattachment/Topics/Data/Report-Card/The-New-A-F-Report-Card-1.pdf.aspx>.

### **House Bill 59 - Biennial Budget Bill – Effective July 1, 2013**

- **Medicaid Expansion** – The original budget bill proposed by Governor Kasich included an expansion of Medicaid eligibility to 138% of the federal poverty level. The expansion of the Medicaid program was removed from House Bill 59 by the Ohio House, due to lack of support to pass the proposal. The Medicaid expansion was not included in the enacted legislation. The Expansion is broadly supported by the business industry, the healthcare industry, and advocates for the poor. However, the House Republican caucus did not have sufficient support to pass the expansion as part of the budget. The Senate never formally considered the proposal.

House and Senate members have introduced at least a half dozen separate pieces of legislation regarding Medicaid. Some bills include the Expansion as proposed by Kasich, while others are focus solely on “reform”. The reform proposal focus on things like work force development with the goal of getting more Ohioans into jobs that provide healthcare, so there is less reliance on Medicaid.

- **Mental Health and Drug Treatment** -- The House did add an additional \$30 million per year to counties for mental health services and an additional \$20 million per year for drug treatment for a total of \$100 million new dollars in the biennium.

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At least 50% of the \$20 million set aside in each fiscal year for allocation to community alcohol, drug addiction, and mental health services boards for addiction services is to be used for drug treatment using non-opiate drugs.

- **Ohio Department of Mental Health and Addiction Services** -- The Ohio Department of Mental Health and the Department Alcohol and Drug Addiction Services have officially merged into the Ohio Department of Mental Health and Addiction Services as a result of provisions in the budget. The departments have been moving forward with the consolidation for some time, but made it official on July 1<sup>st</sup>. The new Department will be led by ODMH Director Tracy Plouck. Former ODADAS Director Orman Hall will now serve as the Director of the Governor’s Cabinet Opiate Action Team.
- **Ohio Department of Mental Health and Addiction Services Problem Gambling Appropriations**
  - \$60,000 for each fiscal year is to be used for the administration of problem gambling services;
  - \$275,000 per fiscal year was appropriated for problem gambling services;
  - \$1,361,592 for each year was appropriated for the administration of problem gambling and casino addictions;
  - \$4,084,772 was appropriated per fiscal year for problem gambling and casino addictions.
- **State Lottery Commission** -- \$2 million appropriated for fiscal year 2014 and \$3 million for 2015 for problem gambling.
- **Ohio Department of Medicaid** -- Creates a stand-alone Department of Medicaid led by the current Medicaid Director John McCarthy.
- **ABA Therapy** – Language was included in the bill creating a certified Ohio Behavior Analyst to practice ABA therapy. Carolyn and Amanda were able to get an amendment that licensed professional counselors and licensed professional clinical counselors would not need certification under Chapter 4783 to provide ABA services to their patients if the practice of applied behavior analysis engaged in by the licensee was within the licensee’s education, training, and experience. School professionals were also exempt from certification when a school professional was under the regulation of the state board of education when the professional was acting within the scope of that employment.
- **Opportunities for Ohioans with Disabilities Agency** -- Renames the Rehabilitation Services Commission the “Opportunities for Ohioans with Disabilities Agency” and generally requires the Agency to perform the duties and exercise the responsibilities assigned to the Rehabilitation Services Commission, and provides for the transition to the Agency. The bill replaces the Administrator of the Commission with the Executive Director of the Agency, and generally requires the Executive Director to perform the duties and exercise the responsibilities assigned to the Administrator under current law.
- **School Safety Levies** – Language from Senate Bill 42, which would allow school districts to levy property taxes exclusively for school safety and security, was included in House Bill 59.
- **Property Tax Rollback** -- Eliminates the 2.5% and 10% real property tax rollbacks, effective with new or replacement levies.

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- **Sales Tax** -- Increases the state sales and use tax rate from 5.5% to 5.75% beginning September 1, 2013. Applies the sale or use of electronically transferred digital audio or audiovisual works or digital books to sales and use tax beginning January 1, 2014. Eliminates the sales and use tax exemption for sales of magazine subscriptions, beginning January 1, 2014.
- **Personal Income Taxes (PIT)** -- Phases in a 10% reduction in income tax rates for all brackets over three years by reducing current rates by 8.5% for taxable years beginning in 2013; 9% for taxable years beginning in 2014; and 10% for taxable years beginning in 2015. Suspends inflation-indexing adjustments to the income tax brackets and the amount of the personal and dependent exemptions for taxable years beginning in 2013, 2014, or 2015.
- **Taxpayer Personal Exemption** -- Eliminates the \$20 credit for each personal exemption for taxpayers with incomes over \$30,000 as reported on individual or joint returns
- **Homestead Exemption** -- Seniors age 65 or older and Ohioans who are permanently disabled qualify for the homestead exemption, shielding \$25,000 of the market value of their home from property taxation. Those who are not yet 65 and who earn more than \$30,000 no longer would qualify for the homestead exemption. House Bill 59 establishes a means test to qualify for the homestead exemption.

**Senate Bill 42 – School Safety Levies – Included in Budget Bill**

Senate Bill 42, sponsored by Senators Gayle Manning (R – North Ridgeville) and Randy Gardner (R – Bowling Green), would allow school districts to levy property taxes exclusively for school safety and security. In sponsor testimony, they indicated that the issue was brought to them by Vermillion School officials who requested the permissive change to state law, saying restricting funds raised for safety and security will ensure taxpayers that future school boards or superintendents won't have the ability to divert that money to other purposes.

The bill is also supported by the Fraternal Order of Police, the Ohio School Boards Association, Buckeye Association of School Administrators, the Ohio Association of School Board Business Officials, and the Ohio Education Association.

During the bill debate on the Senate floor, Senate Peggy Lehner, who co-chaired the Joint Committee on Safe and Secure Schools, indicated that SB 42 was not the beginning or the end of the discussion on school safety and that recommendations from her committee were forthcoming.

The legislation was considered by the Senate Ways and Means Committee. It was passed by the Ohio Senate on April 10, 2013 by a vote of 31-2. SB 42 has been referred to the House Ways and Means Committee for consideration.

The legislation was ultimately added to HB 59, the state budget bill.

**House Bill 543, Jason Flatt Act – Goes Into Effect**

Last session, Representative Marlene Anielski (R – Walton Hills) was successful in passing House Bill 543, the Jason Flatt Act, which mandates all public school personnel complete training to recognize the signs of those who may be at risk of harming themselves. OSCA supported HB 543 and submitted testimony in the House and Senate Committees encouraging passages of the legislation.

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The 2013-2014 year will be the first full school year in which all Ohio school employees will receive this training. The enactment of the legislation and Representative Anielski's personal story was recently highlighted by the Columbus Dispatch: <http://www.dispatch.com/content/stories/public/2013/08/20/Ohio-suicide-awareness-program.html>

***Mental Health and Addiction Services Officially Merge***

The Ohio Department of Mental Health and the Department Alcohol and Drug Addiction Services have officially merged into the Ohio Department of Mental Health and Addiction Services as a result of provisions in the budget. The departments have been moving forward with the consolidation for some time, but made it official on July 1<sup>st</sup>. The new Department will be led by ODMH Director Tracy Plouck. Former ODADAS Director Orman Hall will now serve as the Director of the Governor's Cabinet Opiate Action Team.

Information on the new combined department can be found at <http://mha.ohio.gov/>.

***How to Contact Your Lobbyists***

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