

*Ohio School Counselor Association
Legislative Report*

Higher Education Study Committee Releases Recommendations – Including “Mentorship Ohio”

Members of the House Study Committee on Higher Education released recommendations in early February to increase college attainment in Ohio, control student debt, and better connect coursework to in-demand jobs. Representative Cliff Rosenberger (R-Clarksville), who chaired the study committee that traveled the state last summer, said lawmakers learned Ohio lags the national average in degrees earned but exceeds it in student borrowing. Attainment, debt and other measures also vary widely from community to community in Ohio. "Such disparities impact the local and regional economic growth of our state," Rosenberger said.

The report includes 14 broad recommendations:

1. Establish state-level goals and annual benchmarks for important policy goals;
2. Establish higher education benchmarks for operational efficiency;
3. Further refine performance-based funding;
4. Target increases in financial aid to incent students;
5. Increase completion of higher education programs by implementing reforms;
6. Establish the Adult Learner Task Force to identify specific recommendations to improve opportunities and outcomes for adult learners;
7. Better utilize secondary career and technical programs and integrate into larger workforce development initiatives;
8. Implement reforms for teacher preparation programs;
9. Implement changes to dual enrollment program requirements to ensure quality, transferability, and improved participation;
10. Investigate tax credits for credentials of value with differentiation based on economic value;
11. Investigate expanded use of 529 Plans including raising deduction and increasing marketing;
12. Improve financial literacy training – require personal finance training of all college freshmen;
13. Require the Board of Regents to identify factors contributing to higher-than-average student debt levels and make recommendations to reduce student debt levels; and
14. Establish deadlines in legislation to ensure timely implementation of initiatives.

The full report with the recommendations can be downloaded here: www.ohiohouse.gov/committee/higher-education-reform-study-committee

Additionally, Representatives Christina Hagan (R – Alliance) along with Rosenberger said they hope to introduce legislation on a "Mentorship Ohio" program very shortly, as a way to bring professionals into schools to give students ideas about career choices. Hagan indicated that in addition to assisting “guidance counselors” with career counseling work, professionals also could work with teachers and administrators on aligning programs to job prospects. She said work on experiential learning will include greater recognition of apprenticeships, along the lines of recent efforts to grant recognition for skills and credentials earned in the military. OSCA representatives have reached out the sponsors of the proposal and requested a copy of the legislation in advance of introduction and requested that OSCA be included in any interested party meeting on the legislation.

Shawn Grime testified before this Study Committee on August 20, 2013 on behalf of the Ohio School Counselor Association.

*Ohio School Counselor Association
Legislative Report*

Repeal of Zero Tolerance Policy

Under current education law, school districts are required to have a policy of zero tolerance for violent, disruptive, or inappropriate behavior, including excessive truancy. The school districts are also required to establish strategies to address behavior that range from prevention to intervention. Senate Bill 167, sponsored by State Senator Charleta Tavares (D – Columbus), removes this requirement and, instead, requires each school district to eliminate its current zero tolerance policy and expressly prohibits a district from readopting that policy or adopting a new one.

The bill also requires each school district to adopt a policy that allows for many factors to be considered prior to the suspension or expulsion of a student. That policy must establish alternative strategies, including prevention, intervention, restorative justice, peer mediation, and counseling, to address discipline for student behavioral problems and to address harassment, intimidation, and bullying.

The bill states in the temporary law section that zero tolerance policies often punish a student with a behavioral problem twice by both expelling that student and preventing that student's education during the expulsion. The legislative intent of this bill and the Ohio General Assembly is to provide support for students with behavioral problems and to ensure that such students remain in school.

In her sponsor testimony, Senator Tavares presented data from the Department of Education's Consolidated State Performance Report for school year 2009-2010 which reported the following:

Grade	Classification	# of Expulsions
K-5	violent incident w/out physical injury	71
6-8	violent incident w/out physical injury	296
9-12	violent incident w/out physical injury	702
K-5	violent incident with physical injury	16
6-8	violent incident with physical injury	29
9-12	violent incident with physical injury	96

Senator Tavares told the Senate Education Committee that a number of states including Delaware, Florida, Georgia, North Carolina, Rhode Island and Colorado are amending their zero tolerance policies. According to Senator Tavares, under Senate Bill 167, the only circumstances under which expulsion remains mandatory are "those that involve a student who is found to have brought a firearm to school or possessed a firearm at school, in accordance with federal law, the Gun-Free School Act of 1994."

Sara Williams, President of OSCA was contacted by Sarah Biehl, the Policy Director of the Children's Defense Fund-Ohio to see if OSCA would support this legislation. Two hearings have been held in January. Additional, Representative Roland Winburn (D – Dayton) has introduced companion legislation, House Bill 441.

Senator Peggy Lehner (R – Kettering), Chair of the Senate Education Committee, hosted an interested party meeting on the legislation on February 14, 2014. Amanda Sines attended on OSCA's behalf. Also represented were Superintendents, school psychologists, OEA, civil rights activists, OSBA, and many other groups. The meeting was fairly lengthy and most people in attendance were in agreement on the issue of zero tolerance policies.

**Ohio School Counselor Association
Legislative Report**

Talking points focused on: Zero tolerance has not worked and creates unintended consequences; early intervention is more effective than punishments; zero tolerance policies have resulted in racial disparities. Most of the early intervention conversation was very consistent with ASCA's policy on discipline.

Senator Lehner made remarks that indicated that she does not believe that repealing zero-tolerance is the silver bullet at this point and that there is a feeling among her colleagues that repealing such a policy could make it seem like they tolerate violent and other inappropriate student behavior.

Someone in the meeting mentioned that Governor Kasich has a taskforce working on recommendations and one such recommendation could be to repeal zero-tolerance policies. Senator Lehner mentioned that if that is in fact the case, it could give her and her caucus some political "cover" to move forward with SB 167.

She plans to have this group meet again after the Governor's recommendations are released. Lehner also envisioned the group working on recommendations regarding early interventions and mental health services for children. She referenced the Study Committee she chaired many months ago with Senator LaRose and acknowledged that these types of issues are difficult to tackle.

Student Expulsion Policies

At the interested party meeting held on February 14, 2014 regarding zero-tolerance policies, the group also discussed House Bill 334, sponsored by Representatives Bill Hayes (R – Granville) and Jay Hottinger (R – Newark) and the companion legislation Senate Bill 239, sponsored by Senator Tim Schaffer (R – Lancaster).

HB 334 and SB 239 were introduced in response to a student issue brought to the sponsors by a superintendent of a Licking County school district. The bill in general permits school boards of education to establish policies that authorize the district's superintendent to expel a student for not more than 180 school days for actions that pose "imminent and severe endangerment to the health and safety" of other students or school employees. One condition for the student's reinstatement to the school included in the bill is an assessment to be done by a psychiatrist, psychologist, or school psychologist.

Many in attendance at the meeting expressed opposition to these bills. They stated that it is unwise to pass legislation that effects the entire state to address a circumstance in one district dealing with one student. It could cause unintended consequence much like the ones seen because of zero-tolerance polities. Also stated was the fear that removing students from school only exacerbates the underlying problems of these at risk students.

HB 334 has been reported out of the House Education Committee. SB 239 is being considered by the Senate Education committee.

Statewide School Seclusion Policy

Senators Mike Skindell (D – Lakewood) and Peggy Lehner (R – Kettering) have introduced legislation regarding school seclusion and restraint policies.

Senate Bill 266 would require the State Board of Education to adopt rules that establish a policy and standards for the implementation of positive behavior intervention supports and the use of physical restraint or seclusion on students.

Ohio School Counselor Association
Legislative Report

Additionally, each school district's board of education would be required to comply with the policy and standards adopted by the state board.

The State Board developed and implemented these policies in 2013, however they currently only apply to public schools. SB 266 would expand the applicability of the rules to other schools like charters and STEM schools.

Opiate Addiction Education in Health Curriculum

House Bill 367, co-sponsored by Representative Denise Driehaus (D – Cincinnati) and Robert Sprague (R – Findlay) would require each school district to include instruction in prescription opioid abuse prevention in the district's health curriculum.

Additionally, the bill would require the Governor's Cabinet Opiate Action Team (GCOAT) to develop recommendations for instruction in prescription opioid abuse prevention and submit the recommendations to the Department of Education no later than July 1, 2014. Once GCOAT submits the recommendation, the Department would need to publish them on its web site.

The bill has had 2 hearings before the House Education Committee and was introduced as a part of package of nearly a dozen bill addressing Ohio's opiate epidemic.

School Patrol Legislation Clears the House

House Bill 215, sponsored by Representative Anthony DeVitis (R – Uniontown) allows school districts to use current or retired law enforcement officers to provide school patrol services. The legislation was passed by the House of Representatives on December 4, 2013 by a vote of 63-27. It will now be considered by the Senate Finance Committee.

Specifically, HB 215, as passed by the House:

- Permits a public or nonpublic school to enter into an agreement with a current or retired law enforcement officer to provide volunteer patrol services.
- Requires the sheriff of each county to maintain a list of qualified current and retired law enforcement officers who wish to provide volunteer patrol services.
- Requires a retired law enforcement officer who wishes to provide volunteer patrol services to undergo a criminal records check, at the officer's own expense, every five years.
- Provides a qualified immunity from liability in a civil action for damages for a school district or its board of education, a public or nonpublic governing authority or its members, and any volunteer for injury, death, or loss to person or property allegedly arising from the volunteer's performance of services.
- Provides a nonrefundable personal income tax credit for a current or retired law enforcement officer who volunteers to patrol school premises in the amount of \$2 for each hour or part of an hour that services are provided, not to exceed \$500 in any taxable year exclusive of any permitted carry over amounts.

**Ohio School Counselor Association
Legislative Report**

High School Graduation Requirements

House Bill 193, sponsored by State Representative Andrew Brenner (R –Delaware), revises the diploma requirements for students enrolled in public and chartered nonpublic high schools, including the state administered assessments for all grades. House Bill 193 passed the Ohio House of Representatives on January 22, 2014 by a vote of 88 - 1 and will now be referred to a committee in the Ohio Senate.

This legislation would require students to meet one of the following conditions beginning with students entering ninth grade on or after July 1, 2015:

1. Score at "remediation-free" levels in English, math, and reading on nationally standardized assessments;
2. Score at "remediation-free" levels on the end-of-course examinations in English and math;
3. Attain a cumulative passing score on the end-of-course examinations; or
4. Attain a passing score on a nationally recognized job skills assessment or obtain either an industry-recognized credential or a state agency- or board-issued license for practice in a specific vocation.

House Bill 193 provides that the State Board of Education may not create or require any additional assessment for granting any type of high school diploma other than as prescribed by the bill. The bill allows school districts and schools to include remediation-free or workforce-ready endorsements on a student's diploma.

The bill provides the replacement of the Ohio Graduation Tests (OGT) with the college and work-ready assessment system as follows:

1. Beginning in the 2014-2015 school year, for students who have not yet entered the ninth grade by July 1, 2014, and for students in grades nine through twelve who wish to earn course credit by examination, and
2. Beginning in the 2015-2016 school year, for students who enter the ninth grade for the first time on or after July 1, 2015.

The bill requires the end-of-course examinations included in the college and work-ready assessment system be in five subject areas: science, American history, American government, math specifically algebra II or its equivalent, and English language arts III. The bill authorizes the Ohio Department of Education to offer an additional end-of-course examination, in each of mathematics and English language arts, provided the Department has sufficient funds to develop and furnish additional examinations. House Bill 193 also requires the end-of-course examinations in American history and American government to be administered beginning with the 2014-2015 school year, despite the other three end-of-course examinations being generally administered beginning in the following school year. The bill requires the State Board to compile a list of equivalent assessments that districts and schools may administer instead of the prescribed end-of-course examinations.

The bill prohibits the online administration of the elementary- and secondary-level achievement assessments prior to the 2015-2016 school year; requires the Department of Education to conduct a survey of the capacity and readiness of each school district for the online administration of the elementary- and secondary-level achievement assessments and issue a report of the survey and an implementation plan to address problems not later than 90 days after the bill's effective date.

A copy of the bill as passed by the Ohio House is available at www.legislature.state.oh.us.

Ohio School Counselor Association
Legislative Report

Revisions to Teacher Evaluations Passes Ohio Senate

State Senator Randy Gardner (R – Bowling Green), sponsor of Senate Bill 229, revises how a teacher's evaluation will be done. Senate Bill 229 was substituted and reported out of the Senate Education Committee December 2, 2013 and passed the Ohio Senate December 4, 2013 by a vote of 33 – 0. The bill has been referred to the House Education Committee and was given a sponsor hearing on February 10, 2014.

The bill specifies the factors that may make up an evaluation, and modifies the percentage attributable to student academic growth. The bill requires that student academic growth account for 35% of each teacher's performance evaluation, rather than 50% as is required by current law, but permits a school district or school to attribute an additional percentage, up to 15%, of each evaluation to student academic growth. The bill prescribes that the remaining percentage of each evaluation not attributed to student academic growth may include a combination of formal observations, student surveys, and any other factors a school district board of education determines necessary and appropriate.

The bill permits a school district or school to evaluate any teacher who received a rating of "accomplished" on the teacher's most recent evaluation once every three years; and permits a school district or school to evaluate any teacher who received a rating of "skilled" on the teacher's most recent evaluation once every two years.

Senate Bill 229 provides that in any year a teacher is not formally evaluated, as a result of receiving a "skilled" or "accomplished" rating on that teacher's most recent evaluation, that teacher must still receive an observation and a conference; permits a school district or school to require student surveys, teacher self-evaluations, or any other method of review determined necessary to ensure continued success of an accomplished or skilled teacher; and permits a school district or school to require any teacher who received a rating of "ineffective" on the teacher's most recent evaluation to prepare and implement an improvement plan.

Employees Who May Carry Concealed Handguns in Schools

House Bill 8, sponsored by State Representative Kristina Roegner (R – Hudson) and Representative Stephanie Kunze (R – Hilliard) is a school safety bill. Currently school districts are required to have a comprehensive school safety plan in place. House Bill 8 authorizes a school board or governing authority of a school district to incorporate into its school safety plan the designation of employees who may carry concealed handguns in a school safety zone and this could be done while in executive session.

This bill prohibits the disclosure of the names of designated employees authorized to possess or use a handgun in a school safety zone. In addition, the bill grants qualified civil immunity to a school board or governing authority and its designated employees for injury, death, or loss arising from a designated employee's authorized possession or use of the handgun in a school safety zone.

The bill requires the Ohio Attorney General to establish a model curriculum for training employees authorized to carry concealed handguns in a school safety zone; authorizes off-duty peace officers to possess deadly weapons or dangerous ordnance in a school safety zone; and excludes from collective bargaining the subject of development and implementation of a protocol for the designation of school employees who may carry concealed weapons in a school safety zone.

House Bill 8 was amended on the House floor by Representative Roegner to require a school district to provide mental health counseling to a school employee if there is an active shooter event and the employee discharges a firearm. House Bill 8 passed the Ohio House of Representatives on 1/22/2014 by a vote of 62 – 28. The bill will now be considered by the Senate Civil Justice Committee.

*Ohio School Counselor Association
Legislative Report*

Dual-Credit Changes Recommended by the Board of Regents

The Board of Regents is recommending changes to dual-credit programs that allow high school students to earn college credit. The recommendations have been made in a report required pursuant to the biennial budget bill, House Bill 59. The report is based on the meetings of a working group representing K-12 and higher education. House Bill 59 required the Board of Regents to recommend how Ohio should conduct dual-credit programs under the new College Credit Plus label.

According to the Board's Chancellor John Carey, "while there was not universal agreement on every element of what would make a successful program, there was universal agreement amongst stakeholders that Ohio needs to produce more college and career ready individuals, and that maintaining a highly functioning system of dual credit is a vital strategy in achieving this result." The report states that "Ohio's current dual credit system is underutilized and is administered across the state with varying degrees of efficacy and quality. The General Assembly's charge creates a great opportunity to transform this system into a highly effective and indispensable component of the state's education infrastructure."

The working group focused discussions in five areas: participation, funding, coursework, communication and data. The report recommends three basic parameters: (1) that College Credit Plus govern all arrangements where high school students enroll in courses that automatically result in dual credit upon completion; (2) that the program be the "primary mechanism" to pay for college credit earned during high school, paid for via transfer from district foundation funds or money appropriated for private and home-school students; and (3) that Advanced Placement and International Baccalaureate stay separate programs from College Credit Plus but remain as opportunities to earn advanced standing. Pertaining to the recommendations on participation, the report urges universal participation by all public school districts and public colleges and universities.

Other recommendations include:

1. Professional development for teachers of dual-credit courses and a requirement for scholarships and benefits offered to first-time college students to be similarly offered to students who have graduated high school after earning credit through dual enrollment.
2. The funding recommendations establish a minimum and maximum per-credit charge, based on percentages of the state's foundation per-pupil formula. Schools and public colleges could negotiate rates between the minimum and maximum, but a default formula would be established for situations where they fail to reach an agreement. Students could not be charged any of the per-credit cost of participation.
3. Coursework recommendations include a requirement for on-campus classes to be the same as those offered through College Credit Plus, and for all dual-enrollment classes to be among those that count toward a degree or professional certificate.
4. Also recommended is a requirement that all high schools spell out two College Credit Plus pathways, one for earning 15 credits in a year and one for 30 credits.
5. Communication requirements address promotion of the program on school and college websites and joint coordination of events for students and parents to learn about College Credit Plus.
6. Recommendations on data include gathering of information on participation, courses offered and taken, credits earned, instructor qualifications, student performance and innovative practices.

The full report of recommendations is available at:

<https://ohiohighered.org/sites/ohiohighered.org/files/uploads/CCP/CC%2BFINAL-Report-Dec30C.pdf>

*Ohio School Counselor Association
Legislative Report*

Board of Regents Report a Mild Dip in Remediation Rates in High School Graduates

According to the annual Board of Regents Report on College Readiness 40% of Ohio high school students graduating in 2012 and enrolling that Fall in a state college or university had to enroll in a remedial course. A priority of Governor Kasich's Administration has been reducing remediation as education leaders seek to boost readiness and reduce college costs, which can rise when students have to spend the beginning of their college career getting up to speed in courses that don't grant credit.

Governor John Kasich proposed annual reporting on remediation rates and development of remediation-free standards for schools in his first biennial budget. The 40 percent figure is a slight improvement on the 41 percent rate seen in previous reports based on 2009, 2010 and 2011 high school graduates. The report specifically measures whether students enrolled in a "developmental" English or math course.

Among the 51,672 high school graduates accounted for in the report, 34 percent took remedial math, 20 percent took remedial English and 14 percent took both. According to the report, about three-quarters of the graduates enrolling for the fall went to a university or university regional campus, and about one-quarter went to a community college. The remediation reports and remediation-free standards are available at <https://www.ohiohighered.org/data-reports/college-readiness>.

How to Contact Your Lobbyists

Carolyn Towner and Amanda Sines
Towner Policy Group, LLC
33 North Third Street, Suite 320
Columbus, Ohio 43215

614-221-7157 (telephone)

carolyntowner@sbcglobal.net amandasines@sbcglobal.net