

HB 153 Omnibus Amendment: 5/3/11

The House Finance and Appropriations Committee completed its work on the proposed FY12-13 budget Tuesday night, voting HB153 (Amstutz) out on a straight party line vote of 20-12. The hearing even ended shortly after 9 p.m. -- a respectable hour for a finance committee and set up an expected Thursday, May 5 floor vote on the bill. Wednesday has been designated "reading day," giving representatives the opportunity to sort through a bill that must now be close to 5,000 pages.

There were five amendments accepted during the course of the evening -- an omnibus amendment, two amendments from Rep. Randy Gardner (R-Bowling Green), the first of which added, what he explained, was an agreed to approach for an alternative procedure for publishing legal notices, while the second increased the funding available for the Ohio College Opportunity Grant (OCOG) by \$6 million/year. Funding for this was diverted from the co-op internship program which has not yet begun.

The final two amendments came from the Democrats: the first one, from Rep. Carlton Weddington (D-Columbus), addresses ongoing issues at Central State University by requiring the school "to support the Speed to Scale Task Force and the goals of the Speed to Scale Plan, which include increasing student enrollment, student retention rates, and the proportion of in-state students to 80 percent of the total students." It also "requires the task force to ... develop methods of enhancing Third Frontier collaborations and marketing of current academic programs and exploring the possibility of merger, acquisition or expansion of Central State University." The second Democratic amendment came from Ranking Minority Member Rep. Vern Sykes (D-Akron) and increased the General Revenue Fund appropriations for the Ohio Civil Rights Commission by \$171,402/year.

Perhaps the most notable item was one that did not happen -- despite an earlier report coming from Speaker Bill Batchelder (R-Medina) that language clarifying the application of the Commercial Activity Tax (CAT) to casino gross receipts was being removed, it was not -- leading committee chair Rep. Ron Amstutz (R-Wooster) to comment that "this proves this CAT has more than one life." A lot can happen in five hours.

Talking Points

- We are pleased that "Help me Grow" has received additional funding. We want all children to enter school ready to learn.
- The amendments offered by Republicans re: charter schools accountability did not significantly improved charter accountability. When Democrats

offered an amendment implementing the Fordham Foundation's accountability measures it failed on a party line vote.

- Allowing for-profits and the State Board of Education to sponsor charter schools is not good policy. The State Board of Education (SBOE) sponsorship of charter schools is a conflict of interest. Budget cuts at ODE will impact the staff ability to fulfill its oversight role much less sponsor schools. We have been down this road before and ODE didn't the sponsor role.
- The over 30 amendments introduced in the Sub bill of 153 reducing accountability and oversight of charter school came as result of a direct request of charter operators.
- Allowing charter schools to operate basically uncheck/unregulated is the same policy that led to the collapse of the housing market.
- Quadrupling the number statewide vouchers will hurt suburban schools and smaller city school with private schools. Additional cuts to these schools budgets will have serious consequences on their academic rating, staffing and most likely will result in levy attempts.
- As the House prepares to vote on the next biennium budget, school districts still don't have any real sense for what the actual funding level will be. The ODE has failed to provide a response to legislators request for a district-by-district account of all the funding cuts school districts can expect. Even though Innovation Ohio has done so.
- The Ohio House has repealed the Evidence Based Model, a 10-year plan for funding education in Ohio, and replaced it with an uncertain, temporary, two-year plan.
- The Governor said he wanted more money to the classroom but this budget doesn't do that unless he meant more money to for-profits and private schools.
- It's a parent's right to send their children to private schools but it is a constitutional mandate for state legislators to maintain a system of common public schools. Expanding private education undermines the Ohio constitution.
- The budget even attacks private sector unions by excluding a variety of programs and institutions from prevailing wage. Prevailing wage law ensures workers a livable wage.
- This budget says public sector workers should be treated as slave labor without recourse for workers.
- This budget doesn't create jobs. PolicyMatters Ohio estimates that 51,000 jobs will be lost because of this budget. OFT estimates that over 1,500 of its members could lose jobs.
- This budget hurts more than it helps traditional public schools, will result in unemployment in the public sector. If you don't believe it just read the headlines in the your local paper and across the state.
- The Ohio Chamber of Commerce didn't have answers when questioned about the Fordham Foundation concerns about the lack of charter school oversight, the lack of gifted funded, or the lack of STEM funding. It supported the

overall bill. (Many of Kasich's transition meetings were held at the Chamber's Columbus office.)

Highlights of the Omnibus

Preschool

Restores \$750,000 per year of the substitute bill reduction to Help Me Grow.

Requires the Director of JFS to establish enhanced reimbursement ceilings for childcare providers who participate in Step up To Quality.

Provides various reforms to regulations and rules as it relates child-care.

Specifies that Help Me Grows' purpose, in addition to current mission, is to provide family-centered parenting education and support. Requires DOH to obtain written consent before providing services. Specifies in-home visits are voluntary.

K-12

Allows a schools district to lease space to institutions of higher learning for evening or summer classes.

In instances where the Department of Education serves as the sponsor of a community school, ODE is provided with all the powers and enforcement that a normal sponsor has.

Removes current language regarding the parental takeover of schools and creates a pilot program for the concept in the Columbus City School District.

Clarifies that the halting of the TPP & KWH phase-out begins on July 1, 2013.

Charter (Community) Schools

Confirms that money received by a community school is public money.

Updates the statutory language as to what appropriations made through Auxiliary Services can be used for.

Removes provisions in relation to the new community authority expansion accepted in the substitute bill.

Removes exemptions for community schools that are not required to be ranked by ODE.

Requires certain actions of the State Superintendent when the Auditor of State determines that the financial recovery plan of a school district in fiscal emergency cannot reasonably be expected to correct and eliminate its fiscal emergency conditions within five fiscal years.

Exempts substitutes and adult education instructors who work less than 120 days, and seasonal or intermittent employees from current sick leave accrual statutes.

Provides flexibility for school districts in regards to 412 certificates.

Restores the moratorium on e-schools until the General Assembly adopts operating standards for such schools.

Removes the provisions that limit the amount of cash reserves certain community schools may accumulate.

Removes language in the substitute bill relating to hybrid schools.

Specifies the moratorium on the establishment of e-schools applies to new community schools established under section 3314.013.

Eliminates the requirement that every student enrolled in an e-school gets a computer, instead every household gets one computer, and additional computer is supplied for every child over a factor of two.

Exempts adults who are home schooled or graduated from a charter school from current educational requirements for employment at a day-care center

Higher Education

Eliminates requirement for a state institution of Higher Ed with less than 5,000 FTEs to enter into strategic partnerships for shared services.

Expands the classes a person with specialized skills, but not a B.A., may teach at a private non-chartered school to music, religion, computer technology and fine arts.

In relation to the Ohio College Opportunity Grant provides the following distributions: \$38M per year for students enrolled in private non-profit institutions, \$34M per year for students enrolled at public institutions of higher education, and \$8.3M for students attending proprietary schools.

Other Issues

Revert to Executive language in relation to the School Employees Health Care Board, which eliminates the board.