

# Summary of Education Provisions in House Bill 1

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- Evidence Based Model
  - Applies the EBM to city, exempted village, and local school districts. Specifically does not apply the EBM to community schools, STEM schools, open enrollment students, and PSEO students, but codifies a per pupil method for those students based on current law.
  - Guarantees each district, in FY10, 99% of its previous year's base and, in FY11, 98% of its previous year's base.
  - Sets the gain cap at  $\frac{3}{4}$  of 1% more than the previous year's base.
  - ADM counts
    - Counts students enrolled in community schools and STEM schools in the average daily membership and formula ADM of their resident school districts.
    - Counts open enrollment students in the ADM and formula ADM of their resident school districts.
  - Revises the definition of "potential value," used in calculating the "Talawanda" adjustment to the local share of certain school districts, to distinguish between districts levying 20.1 or more effective class one mills and districts levying fewer than 20.1 effective class one mills.
  - Career-Technical Education
    - Sets the payment for career-technical education services at  $\frac{3}{4}$  of 1% more than the previous year's amount.
    - Defines "career-technical education teacher," for purposes of the EBM, as a person who is licensed to provide specialized instruction in career and technical courses.
    - Specifies that school districts may use career-technical funding provided under the EBM only for career-technical programming approved by ODE. Directs ODE to require districts to report data annually to allow ODE to monitor spending of career-technical funding.
    - Sets the payment for each JVSD at  $\frac{3}{4}$  of 1% more than the previous year's amount.
  - All Day Kindergarten
    - Starting with FY10, kindergarten students will be funded as full time whether or not they are in school full time or part time.
    - Requires every school district, no matter the district's rating, to offer ADK to all kindergarten students, beginning in FY11, subject to the following exceptions: (1) requires districts to continue to accommodate kindergarteners whose parents elect to enroll them for only half-day kindergarten; and (2) permits districts to apply for a waiver of the requirement to the State Superintendent. Permits the State Superintendent to take into consideration space concerns or alternative delivery approaches when considering the waiver. Waiver provision and applications will be available from ODE at a date to be determined.
    - Permits school districts and community schools that, in FY09, offered ADK and charged tuition for participating students to continue to charge tuition in FY10 and FY11, at the same per student rate charged in FY09. Prohibits districts and community schools from charging tuition for ADK after FY11.

- Permits a school district to use space in a child day-care center licensed by the Department of Job and Family Services to provide ADK to district students.
    - Permits school districts to use state funds provided under the school funding formula for the modification or purchase of classroom space to provide ADK or to reduce class sizes in kindergarten through third grade if those funds are not specifically allocated for another purpose and the district certifies its need for additional space to ODE.
  - Adjustments to EBM for payments to community schools and STEM schools as well as other payments/transfers are as follows:
    - Sets the formula amount for community schools and STEM schools at \$5,718 in FY 10 and \$5,703 in FY11, except for computing deductions and payments for special education and vocational education.
    - For special education and vocational education, specifies that deductions and payments be computed by multiplying the respective fiscal year 2009 weight times \$5,732.
    - Sets the formula amount at \$5,732 for both fiscal years for open enrollment and PSEO students.
    - Authorizes the State Superintendent and the Chancellor of the Board of Regents jointly to adopt rules allowing school districts, community schools, STEM schools, and nonpublic schools to enter into alternative funding agreements to use an alternate funding formula to calculate or alternate method to transmit payments to colleges and universities for high school students taking college courses through PSEO programs, including Seniors to Sophomores.
  - Ohio School Funding Advisory Council
    - Creates a permanent Ohio School Funding Advisory Council to provide recommendations to the State Board, the General Assembly and the public every two years on the adequacy of the evidence-based school funding model (EBM). The first report of the Council is due December 1, 2010 and must include the following:
      1. Analysis of the funding model's adequacy in financing for special education, gifted education services, career-technical education, arts education, services for limited English proficient students, and early college high schools;
      2. Recommendations for a student-centered EBM that uses a per pupil level of funding to follow a student to the school that best meets the student's individual learning needs;
      3. Study of the extent to which current funding for joint vocational school districts and compact and comprehensive career-technical schools is responsive to state, regional, and local business and industry needs, and recommendations for revisions to career-technical education programming and funding;
      4. A study of the extent to which the current ESC system supports school districts and recommendations for a new regional service delivery system, the educational service system governance structure, and accountability metrics for ESCs;
      5. A study of existing compensation and retirement benefits for teachers and recommendations for changes to the system of teacher compensation and retirement benefits to improve the connections between teacher compensation, teaching excellence, and higher levels of student learning;
      6. A consideration of whether community schools and STEM schools should be subject to the expenditure and reporting standards and accountability requirements that apply to school districts; and

7. An analysis of the effects of open enrollment on students and school districts, and recommendations for ensuring that open enrollment policies and financing are equitable for students and school districts.

The Council may also include recommendations for options to encourage “excellent” school districts and schools to go beyond state standards and aspire to higher international norms.

- Establishes a subcommittee of the Ohio School Funding Advisory Council to make recommendations for fostering collaboration between school districts and community schools and permits the Council to establish other subcommittees.
- Spending and Reporting Requirements
  - Applies only to school districts, and not to community schools and STEM schools, the requirements to comply with spending and reporting rules of the State Superintendent and to have an annual spending plan and provisions for sanctions, waivers and the “Formula Accountability and Transparency” form.
  - Specifies that the State Superintendent’s rules for spending and reporting of components in the core academic strategy category must provide flexibility in determining how to spend funds depending on the district’s current academic performance rating, instead of merely requiring flexibility for “effective” and “excellent” districts.
  - Specifies that districts rated as “excellent” or “excellent with distinction” are not subject to spending rules (except for the requirements of all day kindergarten), but are subject to reporting rules.
  - Modifies the current requirement for the State Board to develop a standard for reporting financial information to the public by (1) requiring districts and ESCs to report revenues and expenditures by school building and (2) eliminating a requirement that the reporting format include year-to-year comparisons of budgets over a five-year period. (The amendment does not apply the requirement to community schools and STEM schools.)
  - Requires school districts to spend portions of their federal stimulus funds on services to students in nonpublic schools as prescribed by federal law.
- Sanctions and Oversight
  - Prohibits the imposition of any sanctions before July 1, 2011.
  - Eliminates altogether the requirement for performance reviews.
- Tangible Personal Property Reimbursement
  - Specifies that the “state education aid offset” used to compute a city, local, or exempted village school district’s reimbursement for the phase-out of the TPPT and the phase-in of electric deregulation is the greater of the value computed for the current fiscal year or the value computed for FY09. Specifies that the “state education aid offset,” for these same purposes, for JVSDs, is the value computed for FY09.
  - Makes technical corrections to the definition of “state education aid” used in computing the “state education aid offset” for (a) additional transitional aid paid to some low-wealth, high-density districts that also receive an additional pupil transportation subsidy under the EBM, in the case of both electric deregulation and TPPT reimbursements, and (b) EdChoice and community school deductions, in the case of electric deregulation reimbursements.
  - Makes the levy loss reimbursement for each school district 100% through FY13 (rather than FY11) for the losses resulting from the phase-out of taxes on business personal property and telecommunications property.

- Conversion Levies
  - Authorizes school districts levying current expense taxes with an aggregate effective tax rate exceeding 20 mills on residential/agricultural real property to convert that excess millage, with voter approval, to a single levy for a specified amount of money and for a term of up to 10 years or continuously.
  - Specifies that a school district conversion levy applies to the tax year in which voters approve it and authorizes voters to repeal a conversion levy that originally was imposed for a continuing period of time. Specifies that, if a conversion levy is repealed, reimbursement based on passage of the levy is terminated.
  - Requires a conversion levy and the renewal of a conversion levy to be proposed only at a primary or general election.
  - Requires the state to reimburse a school districts levying a conversion tax for the amount of tax revenue lost from nonresidential/agricultural real property and public utility personal property due to the conversion. Phases out the reimbursement over 13 years.
  - Authorizes school boards to propose conversion levies for five years (2010 through 2014).
  - Authorizes a school board eligible to impose a conversion levy under the bill to propose that the levy raise a smaller amount (from Class I property) than the levies that the conversion levy would replace. Specifies that, if a school board chooses to levy a smaller amount, it will not receive additional reimbursement for the nonresidential/agricultural real property and public utility tangible personal property losses incurred by a smaller conversion levy.
  - Prevents a school board eligible to impose a conversion levy from repealing fewer mills than is necessary to reduce the effective tax rate for current expense levies on residential/agricultural real property to 20 mills.
- Standards and Curriculum Models
  - Requires the State Superintendent to develop a model curriculum for instruction in college and career readiness and financial literacy in grade 7 to 12 for optional use by school districts, community schools, and STEM schools.
  - Requires each school district, community school, and STEM school to adopt and submit to ODE a resolution describing how the district or school will address college and career readiness and financial literacy in its curriculum for at least the seventh or eighth grade.
  - Requires the standards for business education that the State Board must adopt under the bill be for grades 7 to 12.
  - Requires the State Board, by June 30, 2010, and at least once every five years thereafter, to adopt new statewide academic standards for all grades in English language arts, mathematics, science, and social studies and adopt model curricula reflecting the revised standards by March 31, 2011.
  - Requires the State Board, after completing the standards listed above, to revise the academic standards and model curricula for grades K-12 in fine arts and foreign language, revise the standards and curricula in computer literacy and expand them to cover grades K-12, and adopt standards and curricula for grades K-12 in the new area of financial literacy and entrepreneurship.
  - Requires that all academic standards specify (1) skills related to creativity and innovation, critical thinking, problem solving, communication and collaboration, (2) skills that promote information, media, and technological literacy, (3) skills that promote productivity, accountability, leadership and responsibility, and (4) interdisciplinary, project-based real world learning opportunities.
  - Requires the State Board to convene a committee of national and state experts and local practitioners to provide guidance in the design of the updated standards and model curricula.

- Requires the ESB's standards for teachers to reflect the revised academic standards
  - Requires that the State Board periodically revise its physical education standards.
  - Requires that the academic standards specify skills that promote personal management.
  - Requires the State Superintendent to present the revised standards and model curricula in the core academic areas to the House and Senate education committees at least 45 days prior to the deadline for their adoption.
- Assessments
    - Prohibits the administration of the elementary writing and social studies achievement assessment during the 2009-2010 and 2010-2011 school years, unless the State Superintendent determines that ODE has sufficient funds to pay the costs of furnishing and scoring the assessments.
    - Requires testing of scholarship students enrolled in nonpublic schools under the Cleveland Scholarship Program (testing of scholarship students in the EdChoice Program is already required under current law).
    - Requires ODE to post disaggregated assessment data for voucher students on its web site and to provide parents of students eligible for vouchers with that information.
    - Requires ODE to provide the parent of each voucher student with information comparing the student's performance on the assessments with the performance of similar students enrolled in the school district building the student would otherwise attend.
    - Renames the state achievement tests as achievement assessments.
    - Combines the separate grade-level reading and writing achievement assessments and diagnostic assessment into the single subject of English language arts.
    - Reduces the number of scoring levels on the achievement assessments from five to three.
    - Transfers authority for designating dates for the administration of the achievement assessments from the State Board to the State Superintendent and repeals the current statutory restrictions on the administration dates and times.
    - Requires that the State Board, State Superintendent, and Chancellor of the Board of Regents develop a new high school assessment system to replace the Ohio Graduation Tests (OGT) that consists of (1) a nationally standardized assessment in science, mathematics, and English/language arts, (2) a series of end-of-course examinations in science, mathematics, English language arts, and social studies, and (3) a senior capstone project.
    - Requires the State Board to adopt rules for implementing the new high school assessment system.
    - Prohibits the release of the OGT as a public record.
    - Delays, until a date set by the State Superintendent, (1) administration of elementary English/language arts assessments as a replacement for the separate reading and writing assessments and (2) the requirement for three score ranges on all of the elementary assessments.
    - Requires the State Superintendent to present the new high school assessment system to the House and Senate education committees at least 45 days before the State Board adopts a resolution directing the ODE to file the rules implementing the system in final form.
  - Local Curriculum Requirements
    - Allows school district boards to waive the requirement to take an American History course for promotion from eighth grade to ninth grade for academically accelerated students who show a mastery of the subject. (Retains current law requiring one unit of American history and government in high school for a diploma.)

- Clarifies that a high school that permits students below the ninth grade to take advanced work for high school credit must award high school credit for successful completion of that work.
  - Revises the current law permitting school districts to include community service education within their educational programs by: (1) adding permissive authority for community and STEM schools, (2) requiring the State Superintendent to develop guidelines for a scoring rubric for school officials to use to evaluate community service projects, (3) requiring the State Superintendent to adopt rules for granting a student special certification, recognition, or notification upon successful completion of an approved community service project.
- **Report Card**
    - Eliminates the requirement that there be a minimum of 17 performance indicators.
    - Repeals a requirement that the State Board include measures of high school graduates' preparedness for higher education and the workforce on the report cards, beginning with report cards issued for 2012-2013.
    - Requires the State Board, by December 31, 2011, and upon recommendation of the State Superintendent, to establish a performance indicator that reflects the level of services provided to, and performance of, gifted students.
    - Requires the State Board, within one year after adoption of rules for implementation of the bill's new assessment system for high school graduation and once every six years thereafter, to establish new performance indicators for the school district and building report cards, based on recommendation of the State Superintendent.
- **Minimum Operating Standards**
    - Requires that the State Board adopt minimum operating standards for school districts, which districts must comply with unless they receive a waiver from the State Superintendent. Specifies that the operating standards override any conflicting provisions of a collective bargaining agreement. The operating standards must include (1) standards for the effective and efficient organization, administration, and supervision of districts, (2) standards for the establishment of business advisory councils and family and civic engagement teams, (3) standards for incorporating the classifications of the components of the adequacy amount into core academic strategy components and academic improvement components, and (4) standards for school district organizational units.
    - Requires that the ESB's standards for teachers, principals, superintendents, and treasurers be aligned with the minimum operating standards.
    - Requires that the State Board's existing minimum standards for all public schools require instructional materials and equipment, including library materials, to be aligned with the academic content standards.
- **Increased Learning Opportunities**
    - Reduces the five excused calamity days to three calamity days for the 2010-2011 school year.
    - Requires the State Superintendent to report recommendations on extending the school year to the General Assembly not later than December 31, 2010.
- **Educator Programs**
    - Transfers responsibility for approving teacher preparation programs from the State Board to the Chancellor of the Board of Regents and expands the requirement to include approval of preparation

programs for other school personnel. Directs the Chancellor, jointly with the State Superintendent, to: (1) establish metrics and educator preparation programs for the preparation of educators and other school personnel, and (2) provide for inspection of the institutions.

- Requires the Chancellor to issue an annual report on the quality of approved teacher preparation institutions.
- Eliminates “gross inefficiency or immorality” and “willful and persistent violations of reasonable regulations of the board of education” as statutory grounds for termination of a school district teacher employment contract.
- Retains “good and just cause” as statutory grounds for termination of a school district teacher employment contract.
- Specifies that the bill’s changes to the grounds for termination prevail over any conflicting collective bargaining agreement entered into after the changes’ effective date.
- Repeals the current law provision that limits referees who hear termination cases of licensed educators to hearing no more than two cases per school year.
- Educator Standards Board (ESB)
  - Requires the ESB to develop a method of measuring the academic improvement of individual students over a one-year period and to make recommendations for incorporating the measurement, as one of multiple evaluation criteria, into eligibility for teacher or principal licenses, the Ohio Teacher Residency Program and the Board’s model teacher and principal evaluation instruments.
  - Allows the State Board to extend the duration of a resident educator license and the alternative resident educator license, on a case-by-case basis, to enable the license holder to complete the Ohio Teacher Residency Program.
  - Directs the ESB to adopt criteria that certain applicants for a lead professional educator license must meet to be considered a lead teacher. Specifies that meeting either the definition of a master teacher or the criteria developed for a lead teacher suffice as qualification for a lead professional educator license.
  - Requires ODE, in consultation with the ESB and by December 31, 2010, to develop a model peer assistance and review program and to make recommendations to expand the use of peer assistance and review programs in school districts. Specifies that the model program must include the following elements: (1) releasing experienced teachers from instructional duties for up to three years to mentor and evaluate new and underperforming teachers, (2) targeted professional development, and (3) a committee containing representatives of teachers and the employer to review evaluations and make recommendations regarding teachers’ continued employment.
  - Directs the ESB to develop and recommend to the State Board of Education standards for school district superintendents and treasurers and standards for school district treasurers and business managers.
- Makes regular classroom teachers who become licensed for the first time on or after January 1, 2011, eligible for a continuing contract (tenure) after seven years of holding an educator license.
- Repeals the provision of current law permitting an applicant for an alternative educator license in the area of intervention specialist to delay passage of the applicable Praxis II subject content assessment until after completing the additional college coursework required as a condition of holding the license. Eliminates this option also for intervention specialists who apply for the renamed alternative resident educator license under the bill.

- Delays the effective date of the following provisions of the bill until January 1, 2010: (1) the requirement for criminal records checks of persons applying for issuance of an educator license for employment with a public or chartered nonpublic school or ESC to include only an FBI check, if the person (a) has previously had a records check by the Bureau of Criminal Identification and Investigation (BCII) for licensure or employment purposes and (b) the person provides proof of continuous Ohio residency for the previous five-year period; and (2) the prohibition on the State Board requiring a criminal records check for licensure purposes any more often than every five years.
  - Replaces the term “master teacher” with “lead teacher.”
  - Permits the creation of the Ohio Teaching Program to provide undergraduate scholarships for qualified students going into the teaching profession who commit to teaching at a hard-to-staff or academic watch or emergency public school for at least four years if there is sufficient funding for the program. Failure to fulfill the four-year teaching commitment will result in a conversion of the scholarship into a loan that accrues interest at 10% annually.
- **School Nurses**
    - Requires the State Board to adopt rules establishing standards and requirements for obtaining a school nurse or school nurse wellness coordinator license. Directs that if any examinations are required for licensure the results must be provided by ODE to the Chancellor of the Board of Regents, to the extent permitted by law.
    - Establishes the nine-member School Health Services Advisory Council to make recommendations on (1) the content of courses of instruction required to obtain a school nurse license or a school nurse wellness coordinator license, and (2) best practices for the use of school nurses and school nurse wellness coordinators in providing health and wellness programs for students and employees of public schools.
- **Early Childhood**
    - **Early Childhood Advisory Council**
      - Creates the Early Childhood Advisory Council to serve as the federally mandated state advisory council for early childhood education and care, and advise the state regarding the creation and duties of the Center for Early Childhood Development in ODE.
      - Directs the Early Childhood Advisory Council to establish an Early Childhood Financing Workgroup, to be chaired by the chairperson of the Early Childhood Advisory council, to develop recommendations for a single financing system for early care and education programs. Requires the Council to submit its recommendation to the Governor by December 31, 2009.
    - Continues the GRF-funded early childhood education program at school districts, JVSDs, or ESCs for children at least three years old as of the district entry date for kindergarten (except that children with an IEP where the early childhood education program is the least restrictive environment may be enrolled on their third birthday), not eligible for kindergarten, and whose families earn not more than 200% of the federal poverty guidelines.
    - **Center for Early Childhood Development**
      - Directs the State Superintendent and the Governor to create the Center for Early Childhood Development, comprised of staff from ODE, ODJFS and Health, and any other state agency as determined necessary, to research and make recommendations regarding the transfer of authority and responsibility to implement and coordinate early childhood programs and services for children, beginning with prenatal care until entry into kindergarten from various state agencies to ODE.

- Directs the State Superintendent and the Governor to hire a Director for the Center for Early Childhood Development, and requires the Director to report to the State Superintendent and the Governor.
  - Eliminates the Early Learning Initiative (ELI) that was jointly administered by ODE and ODJFS to provide early learning services on a full-day and part-day basis to TANF-eligible children. Also, eliminates the requirement for ELI providers to reimburse the state for start-up funds they received in FY04 and/or FY05 when they are Head Start/Head Start Plus providers.
  - Creates a committee to study publicly funded child care services. Requires that the committee provide a report of its findings by June 30, 2010. Requires that ODE provide the committee with meeting space and clerical assistance.
  - Reduces the number of annual inspections of preschool programs and licensed school child programs by ODE from twice during each 12-month period of operation to once each 12-month period of operation. Permits ODE to inspect any program more than once during any 12-month period if considered necessary by ODE.
- Community Schools
  - Eliminates the two-year wait before ODE begins issuing annual report cards for a community school.
  - Exempts from consideration the ratings on the report cards for the first two years a community school has been in existence from automatic closure or any other matter based on report card ratings.
  - Clarifies that ODE's authority to oversee and monitor community school sponsors applies to all sponsors, regardless of whether or not they must initially be approved by ODE for sponsorship.
  - Requires ODE's annual report on community schools to include the performance of community school sponsors.
  - Revises the exception to the cap on new start-up community schools by prohibiting contracts with operators that manage other schools in Ohio, unless at least one of those schools has a report card rating higher than academic watch.
  - Permits the conversion of a building operated by a JVSD board of education into a community school, in the same manner as a building operated by a city, local, or exempted village school district board of education or an ESC governing board may be converted under current law.
  - Permits a community school, beginning in the 2009-2010 school year, to operate from its current facility, rather than relocating to another school district, if the school meets the following criteria: (1) it has been located in its current facility for at least three years, (2) it is sponsored by a school district adjacent to the district in which the school is located, (3) it emphasizes serving gifted students, and (4) it has been rated continuous improvement or higher for the previous three years.
  - Specifies that if a community school closes, the chief administrative officer must transmit all educational records to the student's resident district within seven business days.
  - Adds computers and software to the instructional items for which Internet or computer-based-community schools (e-schools) may use the per pupil amount of state funds calculated for base classroom teachers. (Current law allows those funds to be used only for teachers, curriculum, academic materials other than computers, and other instructional purposes designated by the State Superintendent.)
  - Revises the current performance criteria that trigger automatic closure of a community school effective July 1, 2009, as follows: (1) For schools that do not offer a grade higher than 3, requires closure if the school has been in academic emergency for three of the four most recent years, instead of four consecutive years; (2) For schools that offer any of grades 4 to 8 but no grade higher than 9, requires

closure if the school has been in academic emergency for two of the three most recent years, instead of three consecutive years, and has shown less than one year of academic growth in reading or mathematics for at least two of the three most recent years; (3) For a school that offers any of grades 10 to 12, requires closure if the school has been in academic emergency for three of the four most recent years, instead of three consecutive years with two years not showing two years of academic growth in reading or mathematics.

- Exempts from automatic closure any community school in which a majority of the enrolled students are children with disabilities receiving special education and related services.
- Continues to prohibit a community school that was not open for operation as of May 1, 2005, from operating from certain residential facilities that receive and care for children.
- Continues to permit an early college high school that is currently run by a Big Eight school district in partnership with a private university to operate as a start-up community school if certain conditions are met.

▪ Jarod's Law and School Safety

- Repeals current law establishing the School Health and Safety Network under which boards of health, in accordance with standards and procedures adopted by the Director of Health, must inspect public and chartered nonpublic schools and their grounds at least annually to identify conditions dangerous to public health and safety.
- Requires board of health to inspect the sanitary condition of school semiannually, rather than annually, as under current law.
- Repeals authorization for boards of health to close a school for imminent public health threat other than an epidemic or a high prevalence of communicable disease.
- Requires school districts, community schools, STEM schools, and chartered nonpublic schools to periodically review their policies and procedures to ensure (1) the safety of persons using a school from known hazards that pose an immediate risk to health or safety, and (2) compliance with federal health and safety laws and regulations applicable to schools.
- Repeals the specification of current law that the practice of registered sanitarians includes the administration and enforcement of the Director of Health's School Health and Safety Network.
- Extends to public middle and high schools a requirement that under existing law applies to public elementary schools under which specified employees must complete four hours of in-service training in the prevention of child abuse, violence, and substance abuse, and the promotion of positive youth development.
- Establishes a deadline of two years after the effective date of this amendment for the specified middle and high school employees to take the required four hours of in-service training.
- Allows districts and schools to adapt or adopt the curriculum developed by ODE for the in-service training, as an alternative to the existing law requirement that each district or school develop its own curriculum.
- Directs districts and schools to incorporate training in school safety and violence prevention into their in-service training in the prevention of child abuse, violence, and substance abuse, and the promotion of positive youth development.
- Requires school districts, community schools, STEM schools, and chartered nonpublic schools to inform, prior to opening day each school year, each enrolled student and the student's parent of the parental notification procedures in the school's protocol for responding to threats and emergency events, which are established under existing law.

- Harmon Commission
  - Establishes the Harmon Commission to designate, upon application, classrooms as creative learning environments. Permits ODE to accept gifts, devises, or bequests of money, lands, or other properties for the Harmon Commission.
  - Permits the Harmon Commission, beginning in FY 11, to award grants or stipends to school districts and community schools that have classrooms designated as creative learning environments, to the extent the Commission determines that sufficient funds are available, instead of providing for a fixed pilot subsidy.
  - The amendment does not provide state funding for the commission’s operation or for payments to districts and schools for innovative classrooms.
  
- State Education Technology Plan
  - Transfers the responsibility for developing a state education technology plan from the State Board to the eTech Ohio Commission. Requires the Commission to consult with the State Board in the development and modification of the plan.
  - Changes the purpose of the state education technology plan from “promoting the use of technological advancements in educational settings” to “creating an aligned educational technology system that spans preschool to postsecondary education and complies with federal mandates.”
  - Requires the eTech Ohio Commission to “implement” the plan (but does not specify any powers or duties with which to do so and retains budget language requiring ODE to maintain a system of information technology throughout the state).
  
- Other
  - Requires school districts that owe tuition for a regular education student housed in a residential facility to pay an amount determined by a formula approved by ODE, if the student (1) resides in a facility that is not a foster home or a facility maintained by the DYS and (2) receives educational services at the facility from a school district under contract with the facility to provide those services. Requires that the formula be designed to calculate a per diem cost for the educational services provided to the child and to reflect the actual costs incurred in providing the services.
  - Specifies that no school district for which a reduction was made in its reported formula ADM for FY05 based on community school enrollment reports and, accordingly, for which a reduction was made in its foundation or transitional aid funding for FY05, FY06, or FY07, has a legal right to reimbursement for that reduction in funding except as expressly provided in a final court judgment or settlement agreement. Specifies that the settlement agreement must be executed on or before June 1, 2009.
  - Requires the State Board to post via the Internet audio recordings of all regular and special business meetings of the State Board within five business days of the meeting, beginning with meetings held on or after the provision’s effective date.
  - Eliminates current law that permits ODE to contract with an independent for-profit or nonprofit entity to provide information on Ohio government through the Ohio Education Computer Network (OECN) to school district libraries to assist teachers in social studies course instruction and support student research projects and, instead permits ODE to approve and administer funding for educational technology technical support, maintenance, consulting, and group purchasing services for ITCs, school districts, ESCs, and other entities and to deliver to schools programs operated by the InfOhio Network and OECN Management Council.

- Specifies that ITCs are not required to have operating reserve accounts or funds or minimum cash balances relative to their operating funding. (A rule of the State Board requires all ITCs to maintain a minimum cash balance equivalent to the higher of an average of thirty days' expenditures for the previous twelve month period or anticipated expenditures for the next sixty days.)
- Ratifies the Interstate Compact on Educational Opportunity for Military Children. Establishes the Council on Educational Opportunity for Military Children within ODE. Directs the Governor to appoint a Compact Commissioner who is responsible for administering the state's participation in the compact. Directs the State Council established by the bill to appoint a Military Family Education Liaison to assist families in implementing the Compact. Requires that the annual fee for participation in the Compact be divided evenly between ODE and the Department of Veterans Services.
- Allows the State Superintendent to create the Center for Creativity and Innovation within ODE. No funds are allotted in the current budget for this center.
- Provides up to \$500,000 to support the administration and activities of the Governor's Closing the Achievement Gap Initiative in GRF 200100, Personal Services.
- Requires ODE to share aggregate student value-added data and calculations, analyses, and reports using aggregate student value-added data with the Chancellor of the Board of Regents.
- Prohibits school districts from preventing a teacher from having student recite the Pledge of Allegiance in the teacher's classroom. Prohibits school districts from altering the Pledge of Allegiance from the wording set forth in the United State Code.
- Prohibits all school districts from charging instructional or materials fees to students eligible for free lunch.
- Beginning July 1, 2011, permits only school district employees who are licensed health professionals, or who have completed a drug administration training program conducted by a licensed health professional and considered appropriate by the district, to administer prescription drugs to students.
- Increases from \$300 to \$325 the maximum amount per pupil for reimbursement of chartered nonpublic school administrative costs.
- Repeals a statutory procedure for a school district not covered by the State Civil Service law (exempted village and local school district and some city school districts) to terminate some or all of its pupil transportation staff and to instead engage an independent contractor to provide pupil transportation.
- Prohibits corporal punishment in school districts, ESCs, community schools, and STEM schools and eliminates the requirement that ODE collect data on the percentage of students receiving corporal punishment. Continues to allow corporal punishment in chartered nonpublic schools.
- Requires school districts, community schools, and STEM schools to count as excused absence, up to four days per school year, time that a student is absent from school for the sole purpose of traveling out of state to participate in an enrichment activity approved by the district or school governing body or in an extracurricular activity. Requires the student to make up all missed classroom assignments. Specifies that if the student will be out of state for four or more consecutive school days for a school-approved enrichment activity, a classroom teacher employed by the district or school must accompany the student to provide instructional assistance.
- Modifies existing procedural guidelines established for ODE to protect the rights of a child whenever the parents of a child are not known, specifying that the surrogate parent be assigned by the school district or other educational agency responsible for educating the child or by the court with jurisdiction over the child's custody.
- Requires school districts to appoint a family and civic engagement team and permits districts to appoint one committee to function as both that team and a business advisory council, which city and exempted

village districts must appoint under current law. Permits community schools and STEM schools to appoint a family and civic engagement team.

- Requires the State Board, by January 29, 2010, to develop a list of best practices for improving parental involvement in schools for optional use by public and nonpublic schools. Requires the list be made available on the ODE web site.
- Permits two local school districts to renew their contract for vocational education (career-technical ) services for a term of fewer than five years, if the district receiving the services, had been created out of the territory of the district providing the services and began operating in FY05. (A rule of the State Board otherwise requires such contracts to be for a term of at least five years.)
- Abolishes the Partnership for Continued Learning and transfers duties of the Partnership to ODE as applicable. Replaces and transfers the responsibilities of the STEM subcommittee of the Partnership to an independent STEM committee.
- Requires the eTech Ohio Commission, with assistance from ODE and in consultation with the Board of Regents, to develop and implement a pilot project to provide at least two Advanced Placement courses and one foreign language interactive distance learning course through grants to eligible schools. Earmarks the lesser of one-half of the amount allocated to the state for federal EETT grants or \$4.5 million each fiscal year from FED appropriation item 200641, Education Technology, for the pilot project and requires ODE and the Commission to enter into a memorandum of understanding. Qualifies entities eligible under federal EETT Act for the grants and permits schools not awarded a grant to participate in the pilot project at their own expense.
- Authorizes a board of education that (1) acquired or acquires a parcel of real property between January 1, 2008, and December 31, 2010, and that (2) determines, by vote of a majority of its members, that a portion of the parcel, or a portion of the improvements located on or to be constructed on, the parcel is not required for school use to convey a leasehold interest in that excess property for a term not to exceed ninety-nine years, without reserving any right to cancel or terminate the lease other than breach of the lease by the lessee.
- Authorizes two or more school boards in a county with a population greater than 1,200,000 to create a taxing district for the joint funding of special education and behavioral health services for students and their immediate families.
- Requires school districts, community schools, STEM schools, and chartered nonpublic schools to establish policies with respect to protecting students with peanut or other food allergies, in consultation with parents, school nurses, other school employees, school volunteers, students, and community members.