

Education Update

To: LWVO
From: Joan Platz
Education Update for February 16, 2009

1) 128th General Assembly: Activity increased at the Statehouse last week. The House Finance and Appropriations Committee, chaired by Representative Sykes, held meetings to hear overviews of HB 1, the FY10-11 state budget (Sykes), and by the end of the week lawmakers had introduced two bills in the Ohio House, and 51 bills in the Ohio Senate. Committee hearings in the House on the budget were slated for next week, but later canceled until the language of HB1 (Sykes) is available later in the month. The House will continue work on separate budgets for the Department of Transportation (HB 2 - Ujvagi), the Bureau of Workers' Compensation, and the Ohio Industrial Commission. The transportation budget includes \$3.2 billion in FY10 and \$2.8 billion in FY11, and must be signed by Gov. Ted Strickland by April 1.

*The Democratic Agenda: House Democrats, led by House Speaker Armond Budish, held a news conference on February 9, 2009 to outline their initial legislative agenda for this session. According to the presenters, the Democratic Caucus intends to focus first on passing the biennial budget (HB1 - Sykes), but will also introduce legislation to create jobs, support energy initiatives, expand distance learning technologies in schools, protect homeowners, expand health care, support families, increase government accountability, support a movie maker tax credit, and provide veterans with bonuses funded through bonds.

One of the proposed legislative recommendations, the Distance Learning Initiative, will be introduced by Representatives Phillips and Garrison. This proposal creates the Distance Learning Pilot Program, and requires education agencies to work together to offer three Advanced Placement courses via teleconferencing to every public high school in the state beginning in 2009-10 school year. According to Representative Garrison, approximately 600 of 800 or so high schools in the state do not have teleconferencing capacity. The cost to equip those schools with the technology is approximately \$6 million.

*Bills Introduced in the Senate: Also last week Senate Republicans introduced 51 bills, including the following of interest:

SB 2 (Carey) Creates a process to spend expected federal infrastructure stimulus money.

SB 4 (Schaffer) Requires performance audits of state regulatory agencies.

SB 5 (Buehrer) Establishes a grant program to help retain Ohio graduates.

SB 6 (Coughlin) Creates a special education pilot program.

Senate Democrats introduced the following legislation:

SB 11 (Fedor) Ohio Veterans' Home Agency SB 12 (Sawyer) All Day Kindergarten SB 13 (Dale Miller)

Foreclosures on rental properties SB 14 (Dale Miller) Licensed home inspectors SB 15 (Dale Miller) Support health coverage for mental illness

*Secretary of State Jennifer Brunner will host a two day Ohio Elections Conference at the Hyatt on Capital Square in Columbus on March 12 & 13, 2009. The conference will focus on Ohio's elections process and laws. For more information please visit <http://www.sos.state.oh.us/SOS/PressReleases/2009/20090213.aspx>.

2) This Week at the Statehouse: The Ohio House and Senate will hold sessions on Wednesday, February 18, 2009. House and Senate committees will meet on the following dates:

FEBRUARY 17, 2009

*The Senate Finance & Financial Institutions Committee, chaired by Senator Carey, will meet at 1:30 PM in the finance hearing room to hear sponsor testimony on the following bills:

SB 1 Revitalization Debt Authority (Hughes) SB 2 Federal Stimulus Funding (Carey) SB 5 Grants for Graduates (Buehrer) SB 12 All-Day Kindergarten (Sawyer) SJR 1 Veteran Bonuses (Grendell, Wilson)

*The Senate Education Committee, chaired by Senator Cates, will meet at 4:00 PM in the North Hearing Room. The committee will hear a presentation from Chancellor Eric Fingerhut on the state of higher education. The committee will also hear sponsor testimony on SB 6 (Coughlin) Special Education Voucher Program.

FEBRUARY 18, 2009

*Education Voters Institute will hold a news conference on charter school policies and practices in the Ladies Gallery, Statehouse, Columbus, at 2:00 PM.

*The Senate Finance & Financial Institutions Committee, chaired by Senator Carey, will meet at 8:30 AM in the finance hearing room to hear testimony on the following bills:

SB 1 Revitalization Debt Authority (Hughes) SB 2 Federal Stimulus Funding (Carey) SJR 1 Veteran Bonuses (Grendell, Wilson)

3) Federal Stimulus Package: Congress approved The American Recovery and Reinvestment Act of 2009 (ARRA - HR 1) on February 14, 2009. The Act, which will cost \$787 billion over ten years, is expected to create an estimated 3.5 million jobs and stimulate the economy through spending and approximately \$286 billion in tax cuts. The Act also provides \$54 billion dollars for states to stabilize their budgets, \$120 billion dollars for infrastructure, \$14.2 billion dollars for health care, and \$37.5 billion dollars for energy infrastructure, and more. The President is expected to sign the act sometime this week.

TOTAL funding for the U.S. Department of Education in the ARRA is estimated to be \$44.6 billion distributed in the following ways:

-Title I - Education for the Disadvantaged \$13 billion -IDEA - Special Education (Part B state grants) \$11.7 billion - Impact Aid Construction \$100 million -Education Technology \$650 million -Education for Homeless Children and Youth \$70 million -Teacher Incentive Fund \$200 million -IDEA - Infants and Families (Part C state grants) \$500 million -Rehabilitation Services and Disability Research \$680 million -Statewide Data Systems \$250 million - Student Financial Assistance (Pell Grants - Appropriated) \$15.640 billion -Student Financial Assistance (Pell Grants - Mandatory) \$1.470 billion -Student Aid Administration \$60 million -College Work-Study \$200 million -Teacher Quality Enhancement Grants \$100 million

(Source: Center on Budget and Policy Priorities at <http://www.cbpp.org/>.)

According to the Center for American Progress' web site, Ohio is expected to receive \$20.9 billion. This site has an interactive map that includes other information about state allocations.

(Available at

http://www.americanprogress.org/issues/2009/02/compromise_map.html.)

The Center on Budget and Policy Priorities released a report on February 13, 2009 called "American Recovery and Reinvestment Act of

2009: State by State Estimates of Key Provisions Affecting Low and Moderate Income Individuals". This report includes the following information about the stimulus package for Ohio, and is available at <http://www.cbpp.org/>.

Estimates of Stimulus Package Funding for Ohio:

*Temporary Increase in State Federal Medical Assistance Percentage (FMAP): \$3.01 billion

*State Fiscal Stabilization Fund:

-Education Block Grant - \$1.463 billion

-Flexible Block Grant - \$325.7 million

*Unemployment Insurance: \$25 increase per week in unemployment insurance *Child Care: \$68.14 million for Child Care and Development Blockgrant *Child Support: \$114 million *Worker Training and Employment Services:

-Youth - \$56 million

-Dislocated Workers - \$68 million

-Adult - \$23.6

*Food Stamp (or Supplemental Nutrition Assistance) Program:

-Food Stamps - \$756 million increase in benefits -Administration - \$11.2 million *Emergency Shelter Grant Program: \$66.1 million *Child Tax Credit: The Act temporarily expands the Child Tax Credit by lowering the eligibility level, called the "refundability threshold," to make the credit available to tax filers with at least \$3,000 of earnings. Under current law, the credit was typically available only to those with earnings of \$8,500 or more in tax year

2008 and \$12,550 in tax year 2009.

4) Update on Biennial Budget: The House Finance and Appropriations Committee, chaired by Representative Sykes, commenced work this week on HB 1 (Sykes), the \$54.7 billion FY10-11 budget proposed by Governor Strickland. The budget will be debated by the House and Senate over the next few months, and must be approved and signed into law by a June 30, 2009 deadline.

Even though the language of the bill is not available, the Finance Committee heard testimony from members of Governor Strickland's administration, the Legislative Service Commission, and testimony from Superintendent of Public Instruction, Deborah Delisle. The following are some highlights of the testimony presented on HB 1 last week:

*Office of Budget and Management: J. Pari Sabety, director of the Office of Budget and Management (OBM), opened the hearings on the Governor's budget proposal, HB 1 (Sykes), with several hours of testimony on February 10, 2009. The testimony provided an overview of Ohio's economy and the revenue assumptions that the budget is based upon. Economists are now predicting that the economy is not likely to recover until the third quarter of FY10, and unemployment may reach 10.4 percent this year. According to the Director, "The situation I've described in the national and Ohio economies is reflected in the administration's revenue forecast as we see a baseline decline in Ohio tax revenues of 7.1% in FY 2009, 5.4% in FY 2010, and 0.1% in FY 2011,"

The testimony also reviewed Governor Strickland's budget priorities for preK-16 education, affordable health care, the federal stimulus package, restructuring state spending, and restructuring Medicaid.

Following her presentation Chairman Sykes asked two questions that many in the room were, no doubt, thinking about during Tuesday morning's session: What is the impact of the Senate's version of the federal stimulus package on the proposed budget, and why isn't the Governor recommending raising taxes?

In answer to the first question, Director Sabety listed an estimated \$1 billion in budget reductions that would be necessary if lower than anticipated support was provided through the federal stimulus package.

Director Sabety answered the second question by saying that Governor Strickland believes that increasing taxes now would not be productive for Ohio's economy given the impact of the economic crisis on Ohio and the nation. It would just add to an already difficult economic position, and it is "not the right thing to do."

*Legislative Service Commission: Mark Flanders, Director of the Legislative Service Commission (LSC), presented an overview of the economy and forecasts for economic performance, General Revenue Fund revenues, Medicaid expenditures, and the Ohio Works First programs.

According to the written testimony, LSC's analysis of the severity of the recession and timing of the recovery are the basis for differences between OBM's and LSC's revenue forecasts. For FY 2009, LSC estimates total GRF tax revenue to be \$17.87 billion in FY09, which is \$179.4 million (1.0 percent) less than OBM's estimate.

For FY 2010, LSC forecasts total GRF tax revenue to decline to \$16.93 billion, a \$937 million (5.2 percent) decrease from FY 2009, and \$146.4 million (0.9 percent) less than the OBM baseline forecast.

For FY 2011, LSC forecasts total GRF tax revenue to be \$17.56 billion, a \$627.5 million (3.7 percent) increase from FY 2010, which is \$501.9 million (2.9 percent) more than the OBM baseline forecast.

"For the FY 2010-FY 2011 biennium, LSC forecasts total GRF tax revenue to be \$34.48 billion, a decrease of \$2.8 billion (7.5%) from the FY 2008-FY 2009 biennium."

*Deb Delisle: Superintendent of Public Instruction, Deborah Delisle, testified before the committee on February 11, 2009. The testimony included information about the current status of primary and secondary education in Ohio, the vision and recent work of the State Board of Education, and information about the role and responsibilities of the Ohio Department of Education in the Governor's proposed Evidence Based Model to reform education.

According to the testimony, there are a number of similarities between the legislative and policy recommendations of the State Board of Education and the Governor's proposed education reform plan, including the following:

- Funding students where they are located, including students attending community schools.
- Using a prior year Average Daily Membership (ADM) count of students.
- Funding transportation based on a new formula (developed in 2006 by never implemented).
- Measuring the level of poverty in districts based on free and reduced price lunch eligibility rather than Ohio Works First participation.
- Providing resources for students with Limited English proficiency.
- Applying updated special education weights.
- Funding all day Kindergarten.
- Revising academic content standards and benchmark them to international standards.
- Providing students post-secondary opportunities.
- Coordinating early childcare services under one agency, the ODE.
- Incorporating technology seamlessly into learning experiences.

Superintendent Delisle also provided more detail about the components of the Governor's plan, including 21st Century Learning Environments, Early Childhood Education, Statewide Use of Technology, Family & Community Engagement, Teacher Quality, Measure Students Against the World, and Accountability.

The time lines associated with the policy and rule changes that would be required if the plan was approved by lawmakers have yet to be worked out. They will be included in a ten-year strategic plan which will be developed for the Department of Education by the end of this year.

According to Superintendent Delisle, the role of ODE in the Governor's plan is to help districts implement systems that incorporate 21st Century skills into their curriculum; work with the Chancellor to develop a P-16 pipeline that prepares students for college, helps them succeed in college or the workforce, and encourages them to work in Ohio; and through a new Center for Creativity and Innovation, monitor, capture, develop, and disseminate research on the most creative and innovative education practices.

The testimony of the Superintendent is available at <http://www.ode.state.oh.us/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=1599&ContentID=62806&Content=63410>

*Ohio Board of Regents: Ohio Chancellor Eric Fingerhut made a presentation to the Finance and Appropriations Committee on February 12, 2009 regarding the proposed budget for the Ohio Board of Regents. According to written testimony, the proposed budget includes \$2.75 billion in FY10 in General Revenue Fund (GRF), which is a decrease of 1.4 percent from FY09 levels. The total in FY11 is \$2.77 billion, which is an increase of .8 percent over FY10 levels. Non GRF appropriations are \$49.6 million in FY10 and \$49.4 million in FY11.

The proposed budget also eliminates twenty line items previously funded.

Chancellor Fingerhut said that the proposed budget focuses on keeping higher education affordable for Ohioans, and proposes a new funding formula that pays universities for students who complete courses and degrees rather than total student enrollment. Community colleges will be compensated for students reaching specified benchmarks of progress. It also revamps student aid, which may be one of the more controversial recommendations.

Chancellor Fingerhut also noted the creation of the Advisory Committee on Efficiency in the University System of Ohio. This committee includes trustees, presidents, faculty, students, staff, and representatives of the business community. It will examine business practices and identify improvements that can be used throughout the university system.

The Chancellor also stated that he will be working with State Superintendent of Public Instruction, Deborah Delisle, to build a true P-16 system, and align the Board of Regents with the Ohio Department of Education.

5) State Board of Education Meetings: The State Board of Education, Jennifer Sheets president, met on February 8-10, 2009.

On February 8, 2009 the NEW 21st Century Learning Subcommittee, chaired by Steve Millett and Debbie Cain, met at 3:00 PM at the Embassy Suites, 2700 Corporate Exchange Dr. in Columbus, Ohio. Dr.

John Stanford, Education Policy Advisor for Governor Strickland, presented information about the governor's Education Reform Plan.

The subcommittee also discussed a proposed resolution commending Governor Strickland for his plan "Reforming Ohio's Education System in the 21st Century", to be considered at the Board's business meeting.

MEETINGS ON MONDAY, FEBRUARY 9, 2009

The State Board of Education's Executive Committee, co-chaired by Jennifer Sheets and Debbie Cain, met on February 9, 2009 and discussed the Board's committee work and plans for the June 2009 State Board retreat. The committee agreed to change the date of the retreat from June 2009 to July 12-14, 2009 in order for the Board to have final information about the biennial budget and education reform initiative, which should be approved by the end of June.

The Achievement Committee, chaired by Ann Womer-Benjamin and vice chairman Mike Collins, and the Capacity Committee, chaired by Rob Hovis and vice chairwomen Kristen McKinley also met.

The Achievement Committee approved a resolution of intent to adopt the proposed Plan for Credit Flexibility; approved a resolution of intent to rescind Rule 3301-61-18, Criteria for Career Based Intervention and Family and Consumer Studies Programs, and adopted new Rules 3301-61-05, Criteria for Career Based Intervention Programs and 3301-61-04, Criteria for Family and Consumer Sciences Programs; approved a resolution of intent to amend rule 3301-61-03, Criteria for Secondary Workforce Development Programs; approved a resolution of intent to amend Rule 3301-68-01, Criteria for Career Development Programs; approved a resolution of intent to amend Rule 3301-18-01, Calculation of Student Attendance; discussed proposed new Rule 3301-56-01, School District and Building Improvement Planning, Parent Notification, and Intervention, and heard a report on State Test Cut Scores.

The Capacity Committee approved a resolution of intent to amend Rule 3301-29-01, Community School EMIS; approved a resolution of intent to amend Rules 3301-73-01 to -06, -08 to -10, -13, -16, -20 to -26, Professional Conduct; discussed the amending of Rules 3301-37-01 to -12, Child Day Care; made a recommendation Regarding Guidelines for the Evaluation of Principals; and heard an update on the State Board's desegregation policy.

First Lady Frances Strickland, State Board President Jennifer Sheets, and Superintendent of Public Instruction Deborah Delisle welcomed National and Ohio Career-Technical Teacher of the Year, Jim Scott, and Ohio Teacher of the Year, Jennifer Walker. Both were presented with proclamations from the Governor, and the State Board presented resolutions in honor of their accomplishments.

Following lunch, the SBE heard reports from the Achievement Committee and Capacity Committee; discussed the work of the 21st Century Learning Subcommittee and the proposed resolution commending Governor Strickland; reviewed written reports; reviewed items for vote; and heard committee updates from Board members. A Chapter 119 Hearing was held on the following proposed rules:

- * Rule 3301-46-01, Innovative Education Pilot Programs
- * Rule 3301-51-20, Blind/Deaf Schools Standards for Admission, Transfer, Suspension of Expulsion
- * Rule 3301-10-01, School Enrollment/Domestic Violence
- * Rules 3301-103-01 through -08, Autism Scholarship Program

The Board then adjourned for the evening.

MEETING ON TUESDAY, FEBRUARY 10, 2009

The State Board of Education began its business meeting on February 10, 2009 starting at 8:30 AM, and immediately convened into executive session. After the executive session, the Board heard the report of the Superintendent of Public Instruction, Deborah DeLisle, which included an update about the Performance-Based Assessment Project and a preview of the testimony Superintendent DeLisle was delivering to the House Finance Committee on February 11, 2009.

The Board then accepted public participation on agenda items.

Presenting to the Board were Loren Taber regarding the rules for Career Based Intervention, and Superintendent Jack Porter, requesting a transfer of the Northern Local School District to the Muskingum County Educational Service Center. The Board took action on six personnel items, and the resolutions included below. The Board then adjourned. The next meeting will be held on March 9 -10, 2009 at the Ohio School for the Deaf.

SBE BUSINESS AGENDA

- *Approved a Resolution of Intent to Amend Rule 3301-18-01, Calculation of Student Attendance to meet minimum performance standards
- *Approved a Resolution of Intent to Amend Rule 3301-29-01, Community School EMIS
- *Approved a Resolution of Intent to Amend Rule 3301-61-03, Criteria for Secondary Workforce Development Program
- *Approved a Resolution of Intent to Rescind Rule 3301-61-18, criteria for career based intervention/family and consumer studies programs, and to adopt new Rules 3301-61-04, Criteria for Family and Consumer Sciences Programs and 3301-61-05, Criteria for Career Based Intervention
- *Approved a Resolution of Intent to Amend Rule 3301-68-01, Criteria for Career Development Programs
- *Approved Rules 3301-73-01 to -06, -08 to -10, -13, -16, -20 to -26, Professional Conduct
- *Approved a Resolution of Intent to adopt Ohio's proposed plan for Credit Flexibility.
- *Approved a Resolution of Intent to consider the proposed transfer of school territory from the North Fork Local School District Licking County to the Newark City School District, Licking County pursuant to Section 3311.06 of the Revised Code
- *Approved a Resolution to Accept the recommendation of the hearing officer and deny the Transfer of School District Territory from the Youngstown City School District to the Hubbard Exempted Village School District pursuant to Section 3311.24 of the Ohio Revised Code.
- *Approved a Resolution to Accept the Recommendation of the Hearing Officer and to Deny the Transfer of School District Territory from the Youngstown City School District to the Lowellville Local School District pursuant to Section 3311.24 of the Ohio Revised Code.

*Approved a Resolution of the Northern Local School District Board of Education to Sever the Northern Local School District from the Territory of the Perry-Hocking Educational Service Center and Annex to the Territory of the Muskingum Valley Educational Service Center, pursuant to Section 3311.059 of the Ohio Revised Code.

*Approved a Resolution to Accept the Recommendation of the Hearing Officer and Deny the Transfer of School District Territory from the Trotwood-Madison City School District to the Northmont City School District pursuant to Section 3311.24 of the Ohio Revised Code.

*Approved a Resolution Commending Jennifer Walker for Achievement of Being Named 2009 Ohio Teacher of the Year.

*Approved a Resolution Commending Jim Scott for the Achievement of Being Named 2008 National Career-Technical Teacher of the Year and 2008 Ohio Career-Technical Teacher of the Year.

*Approved a Resolution to Commend Governor Ted Strickland for his recommendations for reforming Ohio's education system for the 21st century.

*Approved a motion regarding State Board of Education 2009 Retreat - this Motion changes the date of the 2009 State Board of Education retreat to July 12-14, 2009.

*Approved a Resolution addressing post-employment restrictions applicable to Deborah Delisle in her capacity as the state superintendent of public instruction.

6) More on the Governor's Education Plan:

*The Ohio Business Roundtable, Richard Stoff president, issued a statement on February 10, 2009 endorsing Governor Strickland's education reform plan. According to the statement, the Roundtable believes that the plan builds on the recommendations of the Achieve Report and the Public-Private Collaborative Commission, and promotes a 21st Century education system. It urges state officials to "...embrace the plan and work together to make it even better." A copy of the statement is available on the Governor's web site at <http://www.governor.ohio.gov/News/PressReleases/2009/February2009/News210091/tabid/991/Default.aspx>

*The "evidence based approach" for determining state aid to school districts has been selected by Governor Strickland to determine the resources needed to provide students in Ohio with a 21st Century education system in his education reform and funding proposal.

Details about the model are outlined in the book "School Finance, A Policy Perspective" by Allan R. Odden and Lawrence O. Picus (McGraw Hill 2004). The chapter in the book entitled "Adequate Staffing and Resources for America's Schools" (chapter 4) provides more information about the research that supports many of the recommendations included in Ohio's Evidence Based Model (EBM), and provides some insight about how certain decisions were made about key components of the plan for Ohio.

For example, chapter 4 defines an adequate education and describes issues that should be considered when determining adequacy, such as preschool, full-day Kindergarten, student counts for funding purposes, and school size. The authors also cite the research that supports their recommendations for optimum class size and staffing levels for core teachers, staffing levels for other personnel, extra services for struggling students, professional development, and resources, such as books, technology, and computers

There is also a section in chapter 4 called "Staffing for Extra Student Needs", which includes the research on successful strategies to support struggling students, students who have limited English proficiency, gifted students, students in career technical programs, and students in special education programs.

As detailed as this information is, however, questions remain regarding the research supporting some of the components of the evidence based model.

For example, specialist teachers, which are defined as teachers for art, music, and physical education, are not allocated to schools based on any research that aligns the number of art, music, and physical education teachers needed to ensure that students achieve the academic content standards in these areas. Instead, an additional twenty percent is allocated for specialist teachers at the elementary and middle school levels so that each classroom teacher can be provided with "one period a day for collaborative planning and professional development". At the high school level the authors recommend a thirty-three percent additional allocation for specialist teachers for the same purpose. No support is provided for dance or drama teachers at any level.

The Ohio EBM includes the recommended twenty percent additional allocation at the elementary/middle level for specialist teachers, but applies a twenty-five percent additional allocation at the high school level rather than the 33 percent. No support is directly provided for dance or drama teachers at any level.

The recommendation for gifted education is also perplexing. Even though the authors cite the research and best practices for quality gifted education programs, they conclude the section on gifted education with a description of an "internet-based platform" which can be used to assess student interests and abilities, and direct students to interactive websites and simulations. According to the authors, "Such an approach may be the future for the very bright student." p. 14. The only cost associated with gifted education in this chapter is a recommended \$25 per student, hardly enough to fund a gifted intervention specialist or gifted coordinator, or even identify gifted students, but maybe enough for the internet-based program.

Ohio's proposed Evidence Based Model includes \$25 per formula ADM for gifted education, and \$200 per ADM phased-in at 25 percent for Enrichment Funds. Questions remain about the adequacy of this level of support for gifted education programs, which must meet Ohio's standards for gifted education and Ohio law.

Once the language of the budget bill is available some of these questions regarding the Evidence Based Model for Ohio will be clarified, and work can then begin on better aligning the components to address student needs.

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