

THOMAS B. FORDHAM FOUNDATION LEGISLATIVE UPDATE 2022

An overview of recent legislative changes impacting sponsors and community schools

porterwright

AGENDA

- House Bill 82
- House Bill 110
- House Bill 244
- Senate Bill 1

HOUSE BILL 82

Revised the following statutes:

3301.0712 ♦ 3301.0714 ♦ 3301.0715 ♦ 3301.52 ♦ 3302.02 ♦ 3302.04 ♦
3302.13 ♦ 3313.413 ♦ 3313.618 ♦ 3313.6114 ♦ 3314.012 ♦ 3314.02 ♦
3314.03 ♦ 3314.034 ♦ 3314.037 ♦ 3314.05 ♦ 3314.35

HOUSE BILL 82

PRACTICAL IMPLICATIONS

STATE SCHOOL REPORT CARD SYSTEM

- The rating system will stop using the A-F grade scale and start using a 1-5 star scale. The components will be rated using the 1-5 star scale starting with the 2021-2022 school year, except for the College, Career, Workforce and Military Readiness component, which will not be rated until the 2024-2025 school year. The overall rating will be added starting with the 2022-2023 school year
- Starting with the 2021-2022 school year, the report card will include six components: Gap Closing, Achievement, Progress, Graduation, Early Literacy and College, Career, Workforce and Military Readiness.

HOUSE BILL 82

PRACTICAL IMPLICATIONS

STATE SCHOOL REPORT CARD SYSTEM

- The Achievement component will be based solely on the Performance Index. The previously graded Indicators Met measure now will be reported for informational purposes only.
- The Progress component will include three years of data, and the calculation will weight the most recent year higher than the two prior years. This means the calculation will include student growth over a three-year period, but the most recent year will impact the component rating more than the two prior years.

HOUSE BILL 82

PRACTICAL IMPLICATIONS

STATE SCHOOL REPORT CARD SYSTEM

- The Early Literacy component will be expanded to include the percent of students scoring proficient or higher on the third-grade reading segment of the English language arts state test, whether the school or district is making progress to improve off-track readers and the percent of students promoted to fourth grade.
- New Student Opportunity Profiles will be phased in starting with the 2022-2023 school year. These profiles will include data on educators, staffing, enrollment and participation in specialized courses and extracurriculars — among many other items. This data will be reported for informational purposes only and will not factor into a school or district rating.

HOUSE BILL 82

PRACTICAL IMPLICATIONS

STATE SCHOOL REPORT CARD SYSTEM

- Within 30 days after the Department issues state report cards, parents must be notified that the state report card has been released and how parents can access it and include a link to the state report card on its website
- Eligibility for Alternative Diagnostic Assessments - Authorizes a school district, community school, or STEM school that receives a performance rating of four stars or higher for the Achievement component or the Progress component

HOUSE BILL 82

PRACTICAL IMPLICATIONS

STATE SCHOOL REPORT CARD SYSTEM

- Reading Achievement Improvement Plans - Requires a school district or a community school to submit to the Department an annual reading improvement plan that meets requirements prescribed by the State Board if: a performance rating of less than three stars for the Early Literacy component, and less than 51% of its students attained at least a proficient score on the third grade English language arts assessment
- Specifies a district or school no longer needs to submit an improvement plan if, on the most recent state report card, both of the following apply to the district or school: three stars or higher for the Early Literacy component, and not less than 51% of its students attained at least a proficient score on the third grade English language arts assessment

HOUSE BILL 82

PRACTICAL IMPLICATIONS

- Permits the parent or guardian of a high school student to opt the student out of the requirement to take a nationally standardized college admission assessment (currently, the ACT or the SAT) beginning with the class of 2026
- The number of students enrolled in all-day kindergarten is now data that is required to be maintained in the educational management information system.
- District evaluations will now account for data regarding available resources – such as student-staff ratio, course offerings, and technology and transportation availability.
- The State Report Card Review Committee will be established on July 1, 2023, and will include a representative of community schools.

HOUSE BILL 82

PRACTICAL IMPLICATIONS

VISUALS

Overall rating	Descriptor
5 stars	“Significantly exceeds state standards”
4 or 4½ stars	“Exceeds state standards”
3 or 3½ stars	“Meets state standards”
2 or 2½ stars	“Needs support to meet state standards”
1 star or 1½ stars	“Needs significant support to meet state standards”

HOUSE BILL 82

PRACTICAL IMPLICATIONS VISUALS

Report Card Overall Grade and Star Rating Component Weights if CCWMR Component is Rated		
Component	Current Law	H.B. 82
Achievement	20%	25%
Progress	20%	25%
Graduation	15%	12.5%
Gap Closing	15%	12.5%
Early Literacy*	15%	12.5%
College, Career, Workforce, and Military Readiness**	15%	12.5%

*Formerly called Improving At-Risk K-3 Readers

**The College, Career, Workforce, and Military Readiness component (formerly Prepared for Success) is not included in the new overall rating until the 2024-2025 school year, subject to Joint Committee on Agency Rule Review approval of rules establishing it as a rated component.

Report card component	Elementary (K–8)		High School (9–12)	
	Current weight in Overall rating	HB 82 weight in Overall rating*	Current weight in Overall rating	HB 82 weight in Overall rating*
Achievement	27.5%	33.3%	23.0%	28.6%
Progress	27.5%	33.3%	23.0%	28.6%
Gap Closing	22.5%	16.7%	18.0%	14.3%
Graduation	X	X	18.0%	14.3%
Early Literacy	22.5%	16.7%	X	X
College, Career, Workforce, & Military Readiness*	X	X	18.0%	14.3%
Total Weight	100.0%	100.0%	100.0%	100.0%

HOUSE BILL 110

Revised the following statutes:

9.822, 9.83, 102.02, 103.11, 103.22, 103.41, 103.60, 105.41, 107.03, 109.02, 109.08, 109.111, 109.112, 109.32, 109.57, 109.572, 109.79, 109.803, 111.16, 111.27, 111.28, 111.48, 117.04, 117.05, 117.06, 117.09, 117.13, 117.22, 121.02, 121.03, 121.07, 121.08, 121.084, 121.22, 122.01, 122.011, 122.041, 122.09, 122.15, 122.151, 122.153, 122.154, 122.156, 122.17, 122.171, 122.178, 122.23, 122.403, 122.42, 122.60, 122.601, 122.603, 122.65, 122.72, 122.73, 122.74, 122.751, 122.76, 122.77, 122.78, 122.79, 122.82, 122.84, 122.85, 122.87, 122.89, 122.90, 122.92, 122.98, 123.01, 123.02, 123.151, 123.152, 123.153, 123.154, 124.136, 124.152, 124.19, 125.02, 125.035, 125.04, 125.05, 125.08, 125.081, 125.09, 125.111, 125.112, 125.14, 125.18, 125.65, 125.832, 125.95, 126.021, 126.37, 126.60, 127.13, 128.55, 131.02, 131.025, 131.43, 131.50, 133.06, 135.02, 135.143, 135.45, 149.11, 149.311, 149.43, 149.434, 153.59, 155.011, 166.01, 166.03, 166.27, 167.03, 169.05, 173.38, 173.381, 173.39, 173.391, 173.392, 173.393, 174.01, 174.02, 183.021, 183.33, 184.01, 184.173, 187.03, 301.30, 307.921, 307.93, 319.54, 321.27, 323.153, 325.19, 329.12, 340.13, 341.12, 349.01, 351.021, 503.56, 504.04, 507.021, 511.10, 701.10, 715.013, 715.014, 715.72, 733.81, 901.171, 901.91, 905.59, 955.15, 1121.30, 1181.06, 1321.21, 1322.09, 1322.10, 1322.20, 1322.21, 1337.11, 1345.21, 1503.03, 1503.05, 1503.141, 1503.33, 1505.09, 1509.12, 1509.13, 1509.28, 1509.70, 1509.71, 1509.72, 1509.73, 1509.74, 1509.75, 1509.77, 1509.78, 1513.08, 1521.06, 1521.061, 1521.40, 1521.99, 1531.01, 1531.17, 1531.33, 1531.35, 1533.01, 1533.101, 1533.11, 1533.321, 1546.06, 1546.21, 1547.59, 1551.01, 1551.33, 1551.35, 1561.12, 1561.23, 1703.27, 1706.83, 1707.37, 1710.01, 1710.06, 1733.321, 1901.31, 1907.15, 2133.01, 2151.011, 2151.152, 2151.23, 2151.362, 2151.412, 2151.416, 2151.421, 2151.451, 2151.452, 2151.453, 2303.05, 2317.54, 2323.52, 2329.312, 2743.01, 2743.02, 2743.03, 2743.15, 2743.16, 2743.19, 2746.04, 2915.01, 2915.08, 2915.081, 2915.082, 2915.09, 2915.091, 2915.092, 2915.093, 2915.095, 2915.10, 2915.101, 2915.12, 2915.13, 2921.36, 2929.15, 2929.19, 2929.34, 2953.25, 2953.31, 2953.33, 2967.04, 2967.17, 2967.28, 2981.13, 3107.11, 3107.15, 3119.01, 3301.079, 3301.0712, 3301.0714, 3301.0715, 3302.036, 3302.04, 3302.20, 3302.41, 3307.31, 3309.51, 3310.02, 3310.03, 3310.032, 3310.035, 3310.07, 3310.10, 3310.13, 3310.16, 3310.41, 3310.51, 3310.52,

**Actually,
nevermind**

HOUSE BILL 110

STATE OPERATING BUDGET FOR FYS 2022-23

- Implementation of the Cupp-Patterson school funding formula which:
 - Creates a base cost model that relies primarily on statewide employee compensation data and fixed staff-to-student ratios
 - Phases in the per-pupil cost increase
 - Includes an equalizing mechanism that adjusts each district's base amount to account for its property wealth and resident income
 - Retains some categorical funding streams, i.e. ELL, disability, etc.
 - Directly funds public charter and STEM schools, private-school scholarships, and interdistrict open enrollment students, rather than through deductions from districts' state funding
 - Increases the funding base for economically disadvantaged students

HOUSE BILL 110

STATE OPERATING BUDGET FOR FYS 2022-23

Specific to community schools:

- Raises funding for the quality charter school program from \$30 to \$54 million per year
- Doubles the charter and STEM school facility allowance from \$250 to \$500 per pupil
- Repeals 3314.02's requirement that startup community schools be located in a “challenged school district.” Accordingly, a startup community school may open in any district.
- Creates a clearer definition of an “unused facility” to prevent districts from withholding underutilized facilities from charters for lease or purchase under right of first refusal laws

HOUSE BILL 110

STATE OPERATING BUDGET FOR FYS 2022-23

Specific to transportation:

- Deadline for districts to determine payment in lieu of transportation: 30 calendar days prior to first day of student instruction in the district or 14 calendar days after student enrolls
- Requirement for board of education to issue letter to parents, community/non-public school, and state board of education stating reasons for determining payment in lieu of transportation is appropriate
- Provision allowing parents to designate community/non-public school to act on parents' behalf in regards to payment in lieu of transportation process, including mediation

HOUSE BILL 110

SUBSTANTIVE CHANGES

- Each community school is now required to establish the school's start and end times for a particular school year not later than the first day of April prior to that school year.
- Additionally, the community school is responsible for providing such start and end times to each school district that the school expects will be responsible for providing transportation services to eligible students.
- Community schools are not subject to closure based on any report card issued for the 2019-20, 2020-21, or 2021-22 school years. The 2022-23 school year begins a new starting point for automatic closure of community schools.
- The Ohio Educator Standards Board will now include one person who represents community schools.

HOUSE BILL 244

Revised the following statutes:

3701.13 ♦ 3301.60 ♦ 3301.65 ♦ 3792.04

HOUSE BILL 244

- Prohibition on public schools in Ohio from mandating vaccines not yet approved by the FDA
- Public schools may not discriminate against those not vaccinated by making them do different activities from their vaccinated counterparts
- Prohibits public schools from requiring that unvaccinated individuals take infection control precautions different from those precautions taken by individuals who are vaccinated

SENATE BILL 1

Revises the following statutes:

3313.603 ♦ 3314.03 ♦ 3326.11 ♦ 121.086 ♦ 3319.238 ♦ 3319.239

SENATE BILL 1

- Requires students who enter ninth grade on or after July 1, 2022, to complete one-half unit of instruction in financial literacy as part of the required high school curriculum
- Beginning with the 2024-2025 school year, financial literacy teachers will be required to have a financial literacy license validation (obtained at the school district's expense). Teachers who hold a license or endorsement in social studies, family and consumer sciences, or business education are not required to have the financial literacy validation
- Permits a public school, for the 2021-22 school year only, to employ a substitute teacher according to the school's own education requirements, provided the individual also is deemed to be of good moral character and successfully completes a criminal records check. The State Board must issue a nonrenewable temporary substitute teachers license to an individual who meets those requirements



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