



OSBA Mini Session

November 9, 2015

# The impact of new career-technical education board selection laws

Presenters: Great Oaks Board Members



**HB 59 (AS SIGNED BY THE GOVERNOR)  
JVSD BOARD COMPOSITION**

- Existing members serve until expiration of current terms.
- New members serve maximum of two 3-year terms. To be selected based on “diversity of employees in the region.” Three-fifths of members must live or work in JVSD territory. Boards presumably must coordinate to ensure requirement is met.
- Total number of members shall be in accord with existing “plan” on file with ODE. An individual shall not be a member of the appointing board unless they meet the business experience criteria—in which case they can.
- Members “shall have experience as CFOs, CEOs, HR managers, or other business, industry, or career counseling professionals who are qualified to discuss the labor needs of the region.” (This would seem to be a broad catch-all). The appointing board shall appoint “individuals who represent employers in the region who are qualified to consider the state’s workforce opportunities with an understanding of the skills, training and education needed for current and future employment. Note the statute does not lay out a process for “adjudicating” whether an appointee meets the criteria. It is possible ODE could do a rule to amplify this statute or that a Board member’s qualifications could be challenged in court.
- The appointing board may “give preference” to individuals serving on the JVSD advisory board.
- This amendment “shall not be construed to require a change of the JVSD plan” on file with ODE.

## **Background on Statutory Changes to JVSD Board Composition**

An amendment to the State Budget (HB 59) revised the criteria required to serve on the board of a Joint Vocational School District passed in 2013.

Two primary arguments were presented in favor of change:

1. Since vocational schools are training students for the workplace, industry should drive programming.
2. Since funding follows students, there could be a conflict of interest between decisions made on the affiliated boards and those on the JVSD board.

HB 59 made changes pertaining to JVSD board composition and individual requirements for JVSD board membership.

Requirements for Great Oaks Board Composition:

- Must represent diversity of employers in region
- Three-fifths of members must live or work in Great Oaks District
- Board member terms are three years; members may serve two consecutive terms

Requirements for individual Board Members:

- May or may not be member of appointing board
- Qualified to discuss (1) Ohio's labor demands and skills needed for sustaining a skilled workforce and (2) employers' perspective on labor needs
- May be given preference if a Great Oaks Advisory Committee Member

M E M O R A N D U M

**To:** Ohio General Assembly

**From:** Dickinson Wright PLLC, on behalf of Great Oaks Career Campuses  
Terrence O'Donnell & Adam Schira

**Date:** October 15, 2015

**Re:** Amendment Permitting JVSD Boards with Over 30 Terms Ending Simultaneously to Stagger Terms

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**Sec. 3311.191.** (A)(1) Subject to division ~~(B)~~(A)(2) of this section, if a joint vocational school district has an even number of member districts each appointing a member to the joint vocational school district board of education and the joint vocational school district's plan on file with the department of education provides for one additional board member to be appointed on a rotating basis by one of the appointing boards, the term of that additional member shall be for one year. The additional member shall otherwise meet the requirements for joint vocational school board members prescribed by section 3311.19 of the Revised Code.

~~(B)~~(2) If an additional member of a joint vocational school district board appointed on a rotating basis, as described in division (A)(1) of this section, was appointed on or after September 29, 2013, but prior to the effective date of this section, that member may continue in office until the expiration of the member's current term of office. If such member vacates that office for any reason prior to the expiration of that member's term, a new additional member shall be appointed according to the rotational basis prescribed by the district's plan, and that member shall serve for the remainder of the vacating member's term. Thereafter, the term of office of the additional member shall be as prescribed by division (A)(1) of this section.

(B) Notwithstanding the requirements of section 3311.19 of the Revised Code, the superintendent of public instruction may, upon a one-time application, approve a joint vocational school district with over thirty board members to stagger the terms of its board members. The application shall include the proposed changes to select board terms, the manner by which the staggering shall be accomplished, and any other information deemed necessary by the superintendent.