

2018

OFFICIAL BUSINESS





Ohio School Boards
Association

2018 OFFICIAL BUSINESS

TO: OSBA Board of Education Members

FROM: Randy Smith, President

DATE: September 14, 2018

RE: **2018 DELEGATE ASSEMBLY MATERIALS AND INFORMATION**

This memo provides important information regarding the OSBA Delegate Assembly that will take place November 12 at the Capital Conference.

Capital Conference 2018 is just around the corner. An expanded program, an outstanding line-up of speakers for our general sessions, hundreds of informative breakout sessions, a Student Achievement Fair, and a bigger and better exhibition of school products and service providers await your attendance. All this and the opportunity to network with thousands of Ohio's educational leaders — your peers. Don't miss this opportunity to bring a team from your district. If you're not registered, **do so today!** You don't want to miss the OSBA Capital Conference!

One of the most important parts of our Capital Conference is the gathering of OSBA membership to publicly articulate our association's policy positions on critical issues facing education. This important work will be performed by the delegates on **Monday, Nov. 12**. The 63rd Ohio School Boards Association Delegate Assembly will convene in the Union Station Ballroom of the Greater Columbus Convention Center at **2:30 p.m.** The critical work will center on refining the *OSBA Legislative Platform*. The delegates' work is not to pass laws, but to consider proposed amendments to our legislative platform. The platform guides our advocacy efforts and communicates OSBA's positions on important education issues to legislators and the citizens of Ohio. It sets forth our united agenda for public education.

Under the leadership of President-elect John W. Halkias, the OSBA Legislative Platform Committee met on Saturday, August 4 to review and deliberate on nine proposed amendments to the platform. The product of the committee's work, deliberations, and recommendations are provided for your review. The Legislative Platform Committee's recommendations for amending the *OSBA Legislative Platform* have been added to the platform in the proper plank. Deletions to the platform appear as ~~strikethroughs~~, additions appear in **BOLD CAPS**.

Please review and discuss these recommended changes in your school district prior to the Delegate Assembly.

OSBA leads the way to educational excellence by serving Ohio's public school board members and the diverse districts they represent through superior service, unwavering advocacy and creative solutions.

8050 N. High Street
Suite 100
Columbus, Ohio 43235-6481

(614) 540-4000
(800) 589-OSBA
(614) 540-4100 [fax]

www.ohioschoolboards.org

Boards of education were provided with an opportunity to offer proposed amendments to OSBA's Legislative Platform this spring. Those amendments were reviewed and discussed by the OSBA Legislative Platform Committee in August. If your board of education is interested in proposing an additional amendment to OSBA's Legislative Platform, please know that procedures must be followed in order for the Delegate Assembly to consider your board's proposal in November.

Specifically, any proposed amendment must first be approved by an OSBA member board of education via a resolution that specifies the proposed amendment revision language. The duly adopted resolution must be signed and dated by the treasurer. Before the Delegate Assembly may consider any proposed amendment, a two-thirds (2/3) favorable vote of all voting delegates is required. If the proposed amendment is brought to the floor for consideration, it would then require a three-fourths (3/4) vote of all voting delegates for adoption.

The following attachments are provided for your information and review:

- OSBA Legislative Platform* with recommended amendments by the Legislative Platform Committee.
- Proposed rules for the 2018 Annual Business Meeting.
- Report on the OSBA Legislative Platform Committee meeting, Aug. 4, 2018.

The work of the Delegate Assembly is extremely important in redefining and focusing our legislative agenda. Building on the efforts of past delegate assemblies, our task is to modify and refine the OSBA platform.

Should you have any questions on the materials or proposed changes, please call Renee Gibson at (800) 589-OSBA.

We look forward to seeing you in November!

NOTICE

A briefing on the proposed amendments to the *OSBA Legislative Platform* will be conducted by President-elect John W. Halkias on Monday, Nov. 12, at 8 a.m. in rooms A 120-122.

47 Students often require targeted assistance to help them learn and grow. Alternative schools and
48 educational programs offer supportive learning environments to accommodate the diverse needs
49 of students. Moreover, the school climate for all students may be improved when students with
50 diverse needs are served with alternative settings and/or programs.

51
52 *OSBA supports legislation that*

- 53 ● Allows school districts to collaboratively create alternative schools to address unique student
54 needs and provides state funding for those schools.

55
56 **Assessments**

57 Ongoing assessment of student learning provides an essential means for instruction and
58 accountability. To be fair, effective and meaningful, student performance should be measured
59 with appropriate tools and techniques that are clearly aligned with curriculum, instruction and
60 standards and be collected in an objective and credible manner. Assessment systems should
61 employ multiple and varied measures of knowledge, skill and abilities.

62
63 *OSBA supports legislation that*

- 64 ● Aligns state assessment laws with the federal requirements.
- 65 ● Uses assessments as a diagnostic tool to improve instruction and learning.
- 66 ● Uses data to ensure that every child has equal access to the resources necessary for a thorough
67 and efficient education.
- 68 ● Fully funds any and all requirements associated with implementing state and federal
69 assessment laws.
- 70 ● Provides school districts with flexibility and proper resources to meet their students' needs.
- 71 ● Increases the 1% cap on alternative assessments for students to a realistic percentage that
72 reflects the number of students with disabilities educated by the districts.

73
74 *OSBA opposes legislation that*

- 75 ● Subjects school districts to a one-size-fits-all approach that fails to recognize the unique needs
76 of individual students and individual school districts.
- 77 ● Rates and/or ranks schools or school districts or is used in a punitive manner.
- 78 ● Penalizes districts for a parent's refusal to allow his/her student to participate in assessments.
- 79 ● Subjects school districts to strict use of technology in testing requirements.
- 80 ● Prevents the advancement of a student to the next grade level and graduation based solely on
81 state assessment results.
- 82 ● Seeks to adopt the similar student measure.

83
84 **Curriculum**

85 Public education is the responsibility of the state and locally elected boards of education.
86 Governance must be vested in the locally elected board of education that is accountable to the
87 local community. Arts and extracurricular activities play an integral role in the education of
88 children. The primary responsibility for approving courses of study, instructional programs and
89 selection of instructional materials must remain with the locally elected board of education, with
90 input from the local community. Cuts, necessitated by finances, in no way diminish the belief
91 that all students should have access to a curriculum that includes art, music, theater, physical
92 education and world languages, in addition to mathematics, science, social studies, reading and

93 writing. Access to career-technical courses, such as, but not limited to agriculture, business
94 technology, industrial technology and family and consumer sciences is vital. All-day/every-day
95 kindergarten programs, accompanied by clear academic standards and a comprehensive
96 curriculum, have been proven to raise the achievement levels of all students and to reduce the
97 achievement and readiness gaps in students first entering school.
98

99 A comprehensive curriculum is one focused on approaches toward learning, cognitive and
100 general knowledge (including mathematics, science, and social studies), language and literacy
101 development, arts, physical well-being, motor development and social-emotional development.
102

103 *OSBA supports legislation that*

- 104 ● Enables locally elected boards of education to make decisions regarding the adoption of
105 curriculum, textbooks and instructional materials, with advice and input from staff, parents,
106 students and community members.

107

108 **Discipline**

109 Student conduct standards are integral to maintaining an optimal learning environment. All
110 students have the right to learn in a school environment that is safe and free of distraction.
111

112 *OSBA supports legislation that*

- 113 ● Furthers the ability of educators to maintain control of their classrooms, buildings, facilities
114 and other school property, and offers appropriate discipline measures as determined by locally
115 developed, board-approved policy and/or district procedures.

- 116 ● **PROHIBITS THE MANDATING OF ZERO TOLERANCE POLICIES AND INSTEAD**
117 enables discipline of students to be dealt with individually in a way that is appropriate for their
118 age, gender, mental health condition, emotional development and special educational needs and
119 appropriately protects the school's educational environment.

120

121 **Drug addiction prevention**

122 Drug addiction is a national, state and local crisis. The rate and incidence of heroin and other
123 opioid abuse among Ohioans is staggering. Local school districts are called upon to educate
124 students and families about the tragic consequences of drug addiction. It is essential that we
125 provide students with information, skills and support to help them abstain from such harmful
126 behaviors and its consequences.
127

128 *OSBA supports legislation that*

- 129 ● Provides new and additional dedicated funds to assist schools in the battle against drug
130 addiction, heroin and other opioid abuse.

131

132 **School year/school day**

133 Flexible instructional scheduling is important because time on task is critical to effective and
134 efficient learning.
135

136 *OSBA supports legislation that*

- 137 ● Provides more flexible school schedules to adequately meet the needs of all students.
- 138 ● Provides additional state aid for lengthening the school day and/or school year.

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State report card

Reports of school district quality should provide accurate reflections of district, staff and student achievement. Publication of district and school report cards must be accurate, fair and credible. Reports should be communicated to the public in a clear and concise manner.

OSBA supports legislation that

- Makes the overall rating on the state report card a meaningful indicator of the quality of a school district.
- Provides school districts with an appropriate amount of time to inform parents, students, staff and communities about changes to assessments and report card standards.
- Includes cohort graduation rates of students four and six years after entering the ninth grade cohort group.
- Ensures the graduation rate as computed by the Ohio Department of Education allows students with disabilities additional time to complete graduation requirements without penalty as stated in federal requirements.

OSBA opposes legislation that

- Does not include all students in the baseline beginning in kindergarten and continuing through grade three.

STUDENT AND SCHOOL EMPLOYEE SAFETY IS THE PARAMOUNT CONCERN FOR SCHOOL DISTRICTS. ENSURING A SAFE LEARNING AND WORKING ENVIRONMENT IS A SHARED RESPONSIBILITY AMONG SCHOOL BOARD MEMBERS, SCHOOL EMPLOYEES AND COMMUNITY MEMBERS WORKING IN COLLABORATION WITH LAWMAKERS, LAW ENFORCEMENT, MENTAL HEALTH AND SECURITY EXPERTS IN DETERMINING HOW BEST TO PROVIDE A SAFE ENVIRONMENT WITHIN OUR DISTRICTS.

OSBA SUPPORTS LEGISLATION THAT

- **PROVIDES FOR ENHANCED MENTAL HEALTH SERVICES AND SUBSTANCE ABUSE TREATMENT SO THAT ALL INDIVIDUALS, INCLUDING CHILDREN, HAVE SUFFICIENT ACCESS TO THESE SERVICES.**
- **INCREASES ACCESS TO SCHOOL SAFETY MEASURES, INCLUDING BUT NOT LIMITED TO, SCHOOL RESOURCE OFFICERS (SRO), SCHOOL SAFETY INFRASTRUCTURE AND OTHER SECURITY MEASURES DESIGNED TO PROTECT STUDENTS AND STAFF.**
- **PROVIDES FOR TRAINING FOR SCHOOL EMPLOYEES AND ENHANCED COORDINATION WITH LAW ENFORCEMENT AGENCIES AND FIRST RESPONDERS TO ENSURE APPROPRIATE RESPONSES TO INCIDENTS OF VIOLENCE IN SCHOOLS.**
- **PROVIDES FULL FUNDING FOR THE ITEMS ABOVE.**

OSBA OPPOSES LEGISLATION THAT

229 ● Allows for the exclusion of the locally elected board members from the discussion and work of
230 the commission.

231 ● Establishes academic distress commissions, as defined and implemented under Amended
232 Substitute House Bill 70 (131 GA) or any similar creation that interferes with the governance of
233 public school districts by elected boards of education.

234

235 **Board member training**

236 Effective school board members are aware of and knowledgeable about key issues affecting the
237 operation of public districts and schools. Awareness of key legislative and judicial decisions,
238 educational reform initiatives and research-based instructional strategies to enhance student
239 achievement is critical to being an effective board member. Ongoing professional development
240 prepares board members to provide leadership and make critical educational decisions that
241 support student achievement.

242

243 *OSBA supports legislation that*

244 ● Strongly encourages professional development for all elected school board members.

245

246 *OSBA opposes legislation that*

247 ● Mandates board member training.

248

249 **Charter/community schools**

250 OSBA supports educational options within the public school system as determined by locally
251 elected boards of education. Locally elected boards of education may decide to sponsor
252 charter/community schools. Charter/community schools authorized and sponsored by other
253 entities must be held accountable to the same standards as traditional public schools. All
254 charter/community schools must be required to report annually information concerning finances
255 and student achievement in a clear and concise manner. No local funds should be diverted from
256 the public school district to support charter/community schools sponsored by any entity other
257 than a locally elected board of education. The term, "Charter/Community Schools," as used in
258 this platform refers to brick and mortar schools, electronic schools and any other form of on-line
259 school.

260

261 *OSBA supports legislation that*

262 ● Holds charter/community schools and their operators to the same compliance and reporting
263 requirements as public schools.

264 ● Requires charter/community school students to meet the State Board of Education's minimum
265 standards to be granted a high school diploma.

266 ● Requires that charter/community schools be subject to full fiscal and administrative oversight
267 by a locally elected board of education.

268 ● Requires a charter/community school, receiving public tax dollars to disclose performance
269 metrics, including but not limited to, the overall performance index and four-year graduation rate
270 on all advertising.

271 ● Prohibits a charter/community school from advertising if that school does not meet or report
272 minimum academic and/or financial standards established by the state of Ohio.

273 ● **PROHIBITS A CHARTER/COMMUNITY SCHOOL FROM ANY AND ALL**
274 **ADVERTISING IF, AND WHILE, THAT SCHOOL IS BEING FORMALLY**

275 **INVESTIGATED BY ANY GOVERNMENTAL AGENCY FOR POSSIBLE MISUSE OF**
276 **TAXPAYER FUNDS.**

277

278 *OSBA opposes legislation that*

279 ● Authorizes the sponsorship of charter/community schools by an entity other than the locally
280 elected board of education.

281 ● Creates a charter/community school that adversely impacts a public school district.

282

283 **Consolidation/shared services**

284 Sound fiscal policy requires school districts to maximize the use of available resources. It is
285 important to examine carefully every feasible way to conserve financial resources.

286 Consolidation, merger and/or sharing services, programs and staff may save dollars. The
287 decision to undertake such efforts should be made by mutual agreement of the involved school
288 districts and their boards of education, taking local factors and circumstances into account.

289

290 *OSBA supports legislation that*

291 ● Supports and encourages districts to follow best practices regarding efficiencies and cost
292 savings that may result from shared services and programs.

293

294 *OSBA opposes legislation that*

295 ● Requires mandatory consolidation of school districts and or services.

296 ● Requires districts to join other joint vocational entities.

297

298 **Deregulation**

299 Freedom from excessive and constraining governmental regulation encourages innovative reform
300 efforts to improve student achievement. Public school districts should be granted exemptions
301 similar to those granted to nonpublic and charter/community schools.

302

303 *OSBA supports legislation that*

304 ● Expands deregulation to give locally elected boards of education the authority to exempt
305 themselves from state statutes and administrative codes that do not apply to chartered nonpublic
306 schools or to charter/community schools.

307 ● Gives educational service center governing boards the discretion to transfer regulatory
308 functions to locally elected boards of education.

309

310 **Educational services**

311 Regional educational service organizations may provide locally elected boards of education the
312 opportunity to purchase and offer services in a more efficient and less costly manner. The
313 decision to participate in a regional system must be the responsibility of the locally elected board
314 of education.

315

316 *OSBA supports legislation that*

317 ● Ensures school districts have access to quality regional educational services through the state's
318 educational delivery system.

319 ● Requires those responsible for delivering these regional educational services to be held
320 accountable to locally elected school board members.

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Legislative process

The Ohio School Boards Association believes that every piece of legislation introduced in the Ohio General Assembly should follow a consistent and thorough deliberative process, allowing ample opportunity for public review and comment, with the rules established by the Ohio Constitution.

OSBA opposes legislation that

- Once having been introduced, is later attached to a different and/or larger piece of legislation before it has been thoroughly and properly vetted and heard by both chambers of the General Assembly.

Locally elected boards of education

Control of the public school system by locally elected board members produces an educational system designed to meet the needs of the community’s children. The locally elected school board provides citizens with a direct means to influence local education policies, programs, costs and outcomes.

OSBA supports legislation that

- Maintains locally elected school boards, which exemplify representative government.

OSBA opposes legislation that

- Diminishes local control.
- Mandates alternative governance structures, including mayoral takeover, without a public referendum.

Open enrollment

Decisions regarding student enrollment must rest with the locally elected board of education of the district providing the educational service. Open enrollment may have local benefits, but the ultimate decision must be made by the locally elected board of education, based on local factors.

OSBA opposes legislation that

- Imposes mandatory open enrollment policies.
- Mandates expansion of open enrollment to noncontiguous districts.

Sale/lease of real property

School facilities represent a major investment of community resources for public education. School facilities and real property represent the most visible evidence of that investment. School board members are stewards of these community resources. Good stewardship requires that facilities be properly maintained and that any proposed disposition of property be of direct benefit to the district and its community. The locally elected board of education must retain the final decision in these matters.

OSBA supports legislation that

- 365 ● Provides school districts with the flexibility to sell or lease real property in a manner that
366 offers the most benefit to the school district as determined by the locally elected board of
367 education.
- 368 ● **REPEALS THE RIGHT OF FIRST REFUSAL TO PURCHASE PROPERTY BY**
369 **PRIVATE, CHARTER/COMMUNITY AND ON-LINE SCHOOLS.**
- 370 ● **ALLOWS LOCAL SCHOOL BOARDS THE FLEXIBILITY TO MAKE FACILITY**
371 **SALES AND PURCHASING DECISIONS BASED ON THE NEEDS OF THE DISTRICT.**

372
373 OSBA opposes legislation that

- 374 ● Provides facilities funding to private and charter/community schools.
375

376 **Service funds**

377 Financial resources are necessary to support the professional development of school board
378 members to attend appropriate workshops, seminars, conferences and local board development
379 activities to enable board members to be effective public officials and policymakers.
380

381 *OSBA supports legislation that*

- 382 ● Supports the authority of public school districts to create a service fund in which it sets aside a
383 sum each year from its general fund.
384

385 **State Board of Education**

386 The State Board of Education has a constitutional and statutory obligation to set forth the needs
387 of public education in its budget and policy recommendations to the governor and members of
388 the General Assembly. OSBA supports a State Board of Education composed entirely of elected
389 members.
390

391 *OSBA supports legislation that*

- 392 ● Provides for an elected State Board of Education.
393 ● Provides for a reduction in the number of appointed board members.
394 ● Provides for the regulation of education standards by an elected State Board of Education.
395 ● Provides no appointed board members.
396

397 *OSBA opposes legislation that*

- 398 ● Attempts to remove regulatory control of educational standards from the State Board of
399 Education as it fulfills its statutory responsibilities, including, but not limited to, the creation of a
400 professional practice board.
401

402 **Vouchers**

403 Although OSBA supports educational options within the public school system as determined by
404 locally elected boards of education, granting state-funded vouchers to students to attend
405 nonpublic schools reduces the level of funding available to support and improve the public
406 school system.
407

408 *OSBA supports legislation that*

- 409 ● Requires that schools accepting voucher students be held to the same standards and
410 accountability requirements as public schools.

411 ● Requires that schools accepting voucher students be held to the same performance reporting
412 requirements as public schools.

413
414 *OSBA opposes legislation that*

- 415 ● Uses public funds to expand voucher programs in nonpublic schools.
- 416 ● Expands vouchers, scholarships, tuition tax credits and similar programs at either the state or
417 federal levels.

418
419 **Finance**

420
421 Stable and adequate funding is essential to a sound educational system. OSBA supports the
422 creation and establishment of an adequate and equitable funding system for Ohio public schools.
423 The association believes that this is a constitutional responsibility of the General Assembly, with
424 oversight from the courts. The association pledges to work with the governor and members of the
425 General Assembly to create such a funding system.

426
427 **All-day/every-day kindergarten funding**

428 All-day/every-day kindergarten programs, accompanied by clear academic standards have been
429 proven to raise the achievement levels of all students and to reduce the achievement and
430 readiness gaps in students first entering school.

431
432 *OSBA supports legislation that*

- 433 ● Provides full state funding for all-day/every-day kindergarten that incorporates a
434 comprehensive curriculum.
- 435 ● Provides school facilities funding for districts that do not have sufficient space to
436 accommodate an all-day/every-day kindergarten program that incorporates a comprehensive
437 curriculum.

438
439 **Assessment rates**

440 The funding of public education is a shared responsibility of the state of Ohio and local
441 communities. Tax policy at the state level has a direct influence on local revenue. Consequently,
442 it is essential to maintain an appropriate balance between state and local revenues. State actions
443 that reduce local revenue resources must be accompanied by appropriate increases in state
444 educational funding.

445
446 *OSBA supports legislation that*

- 447 ● Replaces lost revenues with state funds when legislation results in local revenue losses, such as
448 a reduction of the tax base, exemptions from taxation or other tax structure changes.

449
450 **Average daily membership (ADM)**

451 School districts must have the ability to project revenues accurately on an annual basis. A
452 school-funding formula based on frequent measures of enrollment and attendance negatively
453 impacts a district's ability to make accurate forecasts.

454
455 *OSBA supports legislation that*

- 456 ● Supports enrollment calculations that allow school districts to prepare and provide programs
457 and services in a way that does not harm the educational experiences of students.
458 ● Stabilizes school funding by limiting the number and frequency of enrollment counts to three
459 or fewer spaced at appropriate intervals.

460

461 *OSBA opposes legislation that*

- 462 ● Changes average daily membership to average daily attendance.

463

464 **Base-formula amount**

465 The provision and funding of a thorough and efficient system of common schools are the
466 responsibilities of the state of Ohio. In practice, the funding of public education is a shared
467 responsibility of the state of Ohio and the local community. The capacity of local communities to
468 generate revenue varies widely across the state. Without the state providing sufficient funds for
469 all, some children will be denied the right to an adequate education. Local communities must
470 retain the ability to exercise discretion in offering educational programs that exceed the defined
471 level of an adequate education.

472

473 *OSBA supports legislation that*

- 474 ● Establishes a process for determining the components and costs of a high-quality education.
475 ● Provides that the state shall pay 100% of the cost for an adequate education for every child and
476 100% of the cost of categoricals that enable every school district to provide such an education to
477 every student.

478

479 *OSBA opposes legislation that*

- 480 ● Prohibits communities from voting additional taxes to provide educational programs beyond
481 the defined level of an adequate education.

482

483 **Categorical parity**

484 Children with special educational needs place extraordinary demands on public school district
485 revenues. Because of the wide disparities in the capacity to generate local revenues that exist
486 across school districts, additional state revenues must be made available to ensure that children
487 with special educational needs are served appropriately.

488

489 *OSBA supports legislation that*

- 490 ● Establishes that the state, in addition to determining the cost of a high-quality educational
491 program, must determine the additional costs necessary to provide services to students with
492 special educational needs, such as students who are economically disadvantaged, students with
493 disabilities and students who require career-technical education or gifted educational services.
494 ● Indexes the cost of providing educational services to students with special educational needs
495 against the cost of providing a high-quality educational program for regular students, so that each
496 component increases proportionately and in parity with those costs.
497 ● Fully funds at 100% of the cost, the services needed for every child with special educational
498 needs.

499

500 *OSBA opposes legislation that*

501 ● Equalizes the funding weights for special needs categories, in addition to the cost of a basic
502 education to provide educational services to special education, career-technical education and
503 gifted students.
504

505 **Charter/community school funding**

506 Full transparency of the costs of both public schools and charter/community schools dictates that
507 the flow of tax dollars be accurately reflected. Any transfer of state tax dollars to
508 charter/community schools must be based on accurate enrollment information. The public school
509 district of residence must be immediately notified when a student enrolls or withdraws from a
510 charter/community school. The current practice of deducting funding for charter/community
511 school children from the state funds provided to traditional public school districts is unnecessary
512 and confusing. State funding for charter/community schools must flow directly to the
513 charter/community school sponsor. All local dollars generated through local levies must remain
514 with the local taxing authority.
515

516 *OSBA supports legislation that*

- 517 ● Provides state base funding, as well as support for special education, career-technical
518 education, poverty aid and transportation services, directly to the charter/community school
519 rather than deducting the payment to the charter/community from the local district's state
520 funding.
- 521 ● Prohibits state funds for any charter/community school that refuses to accept all students who
522 apply.
- 523 ● Eliminates the process of flow-through funding to charter/community schools.
- 524 ● Prohibits the use of local tax dollars to fund charter/community schools, except those
525 sponsored by a locally elected board of education.
- 526 ● Requires that school districts be paid an administrative fee to cover the cost of tracking
527 charter/community school enrollment.
- 528 ● Provides full state funding to purchase additional buses required to provide transportation for
529 charter/community school students.
- 530 ● Requires charter/community schools to coordinate schedules with the district providing the
531 transportation services.
- 532 ● Requires transparency in finances and accounting for all funds transferred to management
533 companies by charter/community school governing boards for the purpose of administering and
534 operating a charter/community school.
- 535 ● Requires the management company to keep all financial records and to make all such
536 documents public records available to the governing boards and to the public.

537

538 *OSBA opposes legislation that*

- 539 ● Includes children attending charter/community schools in the public school district's ADM
540 count.
- 541 ● Deducts funding for children attending charter/community schools from the resident district.
- 542 ● Requires school districts to share local tax revenues and resources with charter/community
543 schools.
- 544 ● Transfers funds from a public school to a charter/community school without complying with
545 the legal requirement to notify the home district of enrollment or withdrawal.
546

547 **Court-ordered judgment counted as debt**

548 A true and accurate representation of school district valuation reflects all debt obligations.

549

550 *OSBA supports legislation that*

- 551 ● Requires that contractual agreements with the state and/or bonds issued to satisfy a court-ordered judgment will count as real debt for a district's net indebtedness for participation in state-assisted programs.

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555 **Developmental disabilities services**

556 Local tax revenues are generated to support programs for the clients of county developmental disabilities agencies. When a locally elected board of education is providing the educational programming and services, the public school district must be fairly compensated by the respective county developmental disabilities agency.

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561 *OSBA supports legislation that*

- 562 ● Develops a process for fair financial compensation to those school districts that provide the educational services to students that are within the jurisdiction of the county developmental disabilities agency, but whose developmental disabilities board declines to provide financial compensation to the actual provider.

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566

567 **Diversion of voter-approved tax revenue**

568 Voters must be assured that revenues raised through taxes will go directly for the purposes stated. Voter-approved tax funds generated for education purposes must be administered by locally elected boards of education and must be spent only for public education purposes.

569

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571

572 *OSBA supports legislation that*

- 573 ● Prohibits the diversion of voter-approved tax money without the approval of voters.

574

575 *OSBA opposes legislation that*

- 576 ● Diverts voter-approved tax funds to another purpose without voter approval.

577

578 **Earmarking/tax increases**

579 An adequate level of support for every Ohio public school student requires additional state revenues. Any additional revenues generated to support public education must be earmarked to ensure that it is spent for the designated public education purpose. New or additional sources of funding shall not be used to supplant general revenue funds or lottery profits funds currently designated for public education support.

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585 *OSBA supports legislation that*

- 586 ● Provides the necessary revenues to support an adequate and equitable system of funding public schools in Ohio and to permit them to offer a high-quality educational program to every student.
- 587 ● Provides an increase in state revenues either through the enactment of an increase in the state sales tax and/or the state personal income tax and/or the commercial activities tax.
- 588 ● Separately appropriates all lottery and casino profits funding to be allocated to districts on a per-pupil basis.

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593 **Educational service centers funding**

594 Educational Service Centers (ESCs) serve as a vital link and partner in the educational process.
595 Governed by locally elected boards of education, ESCs are considered to be school districts
596 under state law and as local education agencies under federal law. ESCs provide a wide variety
597 of direct and support services, including curriculum development, staff development, technology
598 assistance and special education services to the public school districts they serve, as well as
599 shared services with other governmental bodies. ESCs save the state of Ohio and school districts
600 money through cost-effective, collaborative ventures that expand equitable access to resources
601 and maximize operating and fiscal efficiencies. Despite diminishing levels of state financial
602 support, ESCs have maintained high levels of service by becoming more entrepreneurial in their
603 operations.

604

605 *OSBA supports legislation that*

606 ● Provides an adequate funding mechanism for educational service centers that provides for
607 inflationary growth.

608 ● Requires state funding for facilities to be part of the educational service centers' funding
609 formula.

610

611 **Election opportunities**

612 Public education depends upon support from local communities through voter-approved tax
613 levies and bond issues. Because the cycle of elections and revenue collection requires sufficient
614 opportunity to place issues before the public for approval, the current practice of a primary
615 election and a general election, combined with the opportunity for two special elections, is
616 necessary.

617

618 *OSBA opposes legislation that*

619 ● Reduces the number and frequency of election opportunities available to school districts for
620 ballot issues.

621

622 **Facilities**

623 OSBA supports a state facilities funding program that provides access to state support when
624 public school districts determine that a facility program is required. The facility program must
625 address the demands upon districts and issues related to classroom facilities caused by state
626 operating requirements and expenditure and reporting standards. A facility program must be
627 subject to state standards for school construction, rather than on a state-prescribed schedule.

628

629 *OSBA supports legislation that*

630 ● Provides funds and resources to support school safety programs.

631 ● Provides for safe facilities that meet building codes, are conducive to providing educational
632 services and support the inclusion of technology in the classroom.

633 ● Uses median income of the district's residents as a measure of fiscal capacity, in addition to
634 recognized valuation.

635 ● Immediately reflects in the facilities funding formula changes in valuation resulting from
636 legislative or judicial action.

637 ● Requires school buildings determined to be unsafe by local fire and health departments to be
638 upgraded immediately.

- 639 ● Authorizes locally elected boards of education that have unsafe buildings in their district to
640 impose an emergency capital improvements levy to upgrade and correct the unsafe conditions in
641 the facility.
- 642 ● Requires the state to provide its full faith and credit as backing for all local facility bonds.
643 ● Repeals the 1/2-mill maintenance requirements.
644 ● Provides funds to support mandated programs, such as all-day kindergarten, preschool
645 programs and accessibility needs.

646
647 **Fees**

648 Funds provided for educational purposes should be directed only for educational purposes.
649 Accordingly, user fees must not be charged to local educational agencies.

650
651 *OSBA supports legislation that*

- 652 ● Eliminates or reduces state-imposed fees for board of election expenses and auditor fees.
653

654 *OSBA opposes legislation that*

- 655 ● Requires districts to incur a debt limit that will harm a district's financial position.
656 ● Attempts to pass on to school districts any fees by government entities to pay for services that
657 are the normal responsibility of that entity.

658
659 **Gambling**

660 The Ohio Lottery Commission's advertisements and promotions frequently pair the lottery with
661 educational funding, which has generated misunderstanding among the general public. Such
662 advertisements give the general public the false impression that gambling and the lottery are a
663 major source of educational funds. While the lottery, by law, does direct lottery profits to
664 education, such revenues are not sufficient for educational funding and, over the years, have
665 been used to supplant other state funding. A portion of revenues derived from gambling
666 operations authorized by the state is also set aside for schools and other local government entities
667 and should not be used to supplant other state funding.

668
669 *OSBA supports legislation that*

- 670 ● Prohibits advertising or campaigning by the Ohio Lottery Commission or agents of the state of
671 Ohio that implies directly or indirectly that the funding of public education is contingent upon
672 gambling.

673
674 *OSBA opposes legislation that*

- 675 ● Uses profits from casinos and video lottery terminals to supplant other funding directed to
676 public education.

677
678 **Impact fees**

679 Impact fees are a source of capital expenses and have been widely used to meet school district
680 and community needs. Impact fees are particularly useful to those districts experiencing rapid
681 growth in residential development where the local tax base has not grown sufficiently to offset
682 the costs associated with student enrollment growth.

683
684 *OSBA supports legislation that*

685 ● Provides for locally elected boards of education to propose to the voters an impact fee assessed
686 on new housing to provide the additional revenues needed for capital expenses incurred in
687 rapidly developing school districts.

688
689 **Inflationary growth**

690 School districts must realize real funding growth adequate to address revenue needs without
691 requiring voter approval of new tax levies. House Bill 920, passed in 1976, places a tax reduction
692 factor on the inflationary growth on real property values caused by reappraisal. The net effect of
693 HB 920 is to prevent natural growth in revenues as property values grow, thereby requiring
694 school districts to continue to seek voter approval for school tax levies.

695
696 *OSBA supports legislation that*

697 ● Provides for inflationary growth to ensure an adequate and equitable funding system for
698 Ohio's public schools.

699
700 **Local taxing options**

701 The economic capacity of school communities varies widely across the state of Ohio. Locally
702 elected boards of education benefit from the availability of flexible options that enable ballot
703 issues designed to meet the unique economic conditions of the district.

704
705 *OSBA supports legislation that*

706 ● Supports local taxing options that allow flexibility at the county, district and regional levels for
707 school districts.

708
709 **Medicaid**

710 The Medicaid School Program is administered by the Ohio Department of Medicaid and the
711 Ohio Department of Education and reimburses schools for Medicaid eligible services provided to
712 children with an individualized education plan. The Ohio Department of Education is required to
713 administer aspects of the Medicaid School Program pursuant to an interagency agreement with
714 the Ohio Department of Medicaid.

715
716 *OSBA supports legislation that*

717 ● Supports a state program that reimburses school districts for medical and related services as
718 required by the Individuals with Disabilities Education Act provided to Medicaid-eligible
719 students.

720
721 **Phantom revenue/chargeoff**

722 The calculation of the local share of the cost of a high-quality education must be based on a true
723 representation of the true district valuation and effective millage rate. Such calculations must not
724 assume a higher millage rate than the amount actually in effect.

725
726 *OSBA supports legislation that*

727 ● Aligns the local share (chargeoff) of the cost of a high-quality education program with the tax
728 reduction floor.

729 ● Bases the local share on actual local revenues available at the chargeoff rate.

730 ● Eliminates all forms of phantom revenue.

731

732 **Pooling**

733 Locally elected boards of education must rely upon voter support to raise local tax revenues.

734 Local property taxes raised to support public education must only be used for public education
735 purposes.

736

737 *OSBA opposes legislation that*

738 ● Pools local property tax revenues and/or diverts locally approved revenues to other entities.

739

740 **Prekindergarten funding**

741 Prekindergarten programs benefit children, families and communities. Multiple studies have
742 shown that high-quality prekindergarten programs lead to increased graduation rates, reduced
743 retention rates and fewer children ultimately placed in special education.

744

745 *OSBA supports legislation that*

746 ● Provides full state funding to support prekindergarten programs when the locally elected board
747 of education chooses to offer such programs.

748

749 **Property tax relief**

750 Ohio's overreliance on local property taxes to fund public education has and will continue to
751 cause local burdens and hardships in fully funding the education system.

752

753 *OSBA supports legislation that*

754 ● Increases property tax relief, while ensuring that all taxpayers pay a fair share of the cost of
755 public education.

756 ● Eliminates the overreliance on local property taxes.

757 ● Enhances the Homestead Exemption Program to provide additional financial assistance for
758 senior citizens.

759

760 *OSBA opposes legislation that*

761 ● Achieves increased property tax relief from the existing funding for elementary and secondary
762 education.

763

764 **Public/nonpublic school funding**

765 The Ohio General Assembly is charged with providing a thorough and efficient system of
766 common schools. Public school districts must receive no fewer state funds than the amount
767 received by any nonpublic school.

768

769 *OSBA supports legislation that*

770 ● Grants Ohio's public schools at least the same per-pupil amount as the chartered nonpublic
771 schools in Ohio receive.

772 ● Directs any and all funds, returned to the state by charter/**COMMUNITY** schools, to
773 traditional public schools of residence.

774

775 *OSBA opposes legislation that*

776 ● Diverts state dollars from public education to support nonpublic schools.

777

778 **Pupil transportation**

779 Pupil transportation presents a significant challenge for many districts. In many areas of the state,
780 students would face great challenges in getting to school were it not for the option to ride a
781 school bus. Rural districts often encompass a large geographic area but have low-density
782 populations. Funding for transportation services should incentivize efficiencies and account for
783 specific circumstances among districts.

784

785 *OSBA supports legislation that*

- 786 ● Provides sufficient funding for every child who rides a school bus.
- 787 ● Rewards schools for efficiency.
- 788 ● Incentivizes school districts to transport students residing within one to two miles of their
789 school.
- 790 ● Incentivizes school districts to provide transportation for high school students.
- 791 ● Fully compensates districts for the transportation of students to schools which are not part of
792 the district.
- 793 ● Provides for better support of rural districts with low density and low wealth.
- 794 ● Operates separately from the education funding formula to ensure districts actually receive the
795 state transportation levels to which they are entitled.
- 796 ● Reinstates funding for school bus purchases.
- 797 ● Limits the requirement for public school districts to provide transportation to only those days
798 that are synchronous with the public school district adopted calendar.
- 799 ● Fully funds districts for the cost of transportation of special education students, foster children,
800 and homeless students who receive transportation accommodations.

801

802 **Robin Hood**

803 OSBA believes school funding must be equitable among Ohio's diverse public school districts.

804

805 *OSBA supports legislation that*

- 806 ● Provides the funding changes necessary for adequacy and equity, without lowering the funding
807 of other districts.
- 808 ● Supports a high-quality educational program for all public school students, regardless of their
809 geographical location in the state.

810

811 **School bus purchase and transportation reimbursement**

812 Because safe and reliable pupil transportation depends on the availability of mechanically sound
813 vehicles, locally elected boards of education rely upon scheduled state reimbursement payments
814 to maintain their transportation fleets.

815

816 *OSBA supports legislation that*

- 817 ● Provides for the revision of state standards for school bus purchase reimbursement to consider
818 the age and condition of the bus to be replaced, as well as the mileage.
- 819 ● Reinstates state funding for bus purchase reimbursements and operating expenses.
- 820 ● Makes a state appropriation to replace all buses that are more than eight years old and do not
821 have the latest safety features.

822

823 **School district income tax**

824 An increasing number of school districts rely on school district income taxes for a portion of
825 their funding. Tax credits for senior citizens on fixed incomes increase the likelihood that these
826 voters will support income tax levy campaigns.

827
828 *OSBA supports legislation that*

- 829 ● Provides for increasing the senior citizen school district income tax credit.
- 830 ● Establishes and enforces strict rules for reporting school district state income tax identification
831 numbers.

832
833 **School district levy reduction/repeal**

834 School district levy requests are based on five-year or longer projections of costs and revenues.
835 The ability to repeal levies within the first five years could increase the need for more frequent
836 levy requests.

837
838 *OSBA opposes legislation that*

- 839 ● Allows a reduction or repeal by citizen petition and vote of any levy that has been approved by
840 the voters unless such referendum has been initiated by the school district.

841
842 **School district liability**

843 Excessive court judgments against school districts can seriously impair the district's ability to
844 provide an adequate education to its students.

845
846 *OSBA supports legislation that*

- 847 ● Allows school districts to recover legal costs for any appeal of a court judgment when no
848 monetary damages were issued by the court.

849
850 *OSBA opposes legislation that*

- 851 ● Increases a school district's potential liability or increases the damages potentially assessed.

852
853 **School-funding factors**

854 OSBA believes school-funding distribution formulas must be equitable and adequate across
855 Ohio's diverse public school districts.

856
857 *OSBA supports legislation that*

- 858 ● Makes adjustments in school funding based on operational costs, needs of students and
859 geographical challenges and funding capacity that exist among school districts.

860
861 **Self-insured workers' compensation program**

862 School districts that are self-insured for purposes of workers' compensation realize benefits such
863 as self-administration and claim-related cost savings.

864
865 *OSBA supports legislation that*

- 866 ● Allows all public school districts in Ohio to self-insure for the purposes of workers'
867 compensation programs.

868

869 **State fuel tax exemption**

870 All local governments, including school districts, should be exempt from all state taxes in order
871 to avoid the imposition of a double tax on local taxpayers.

872
873 *OSBA supports legislation that*

- 874 ● Exempts fuel purchased by boards of education from the state fuel tax.

875
876 **State investment in education**

877 The Ohio Constitution requires the Ohio General Assembly to provide for a thorough and
878 efficient system of common schools. The state's commitment to public education was
879 strengthened by the 1851 Ohio Constitution's mandate that "it shall be the duty of the general
880 assembly to ... encourage schools and the means of instruction and to make such provision, as
881 will secure a thorough and efficient system of common schools throughout the State." An
882 investment in education is an investment in the future of Ohio's citizens and must be the top
883 priority of everyone.

884
885 *OSBA supports legislation that*

- 886 ● Makes the support of public education the state's number one priority.

887
888 *OSBA opposes legislation that*

- 889 ● Attempts to shift the responsibility of costs to locally elected boards of education.

890
891 **Tangible personal property tax replacement**

892 The local tax base relies on the fair and accurate assessment of property values. Challenges to an
893 assessed value must be reported to all affected taxing authorities at the time the challenge is
894 filed. Any affected taxing authority must have standing to appeal decisions on valuations.
895 Tangible personal property tax and public utility tangible property tax revenues are no longer
896 applied and replacement of these losses have been phased out from all but a few districts.

897
898 *OSBA supports legislation that*

- 899 ● Reinstates state reimbursement that fully matches the loss of the local tangible personal
900 property tax base.

- 901 ● Assesses no interest payment in cases when repayment is necessary due to an error on the part
902 of the taxpayer.

903
904 **Tax abatements**

905 Tax abatements siphon critical funding away from public school districts, leaving local taxpayers
906 to make up the difference.

907
908 *OSBA supports legislation that*

- 909 ● Requires that locally elected boards of education be involved in all discussions and decisions
910 regarding tax abatements.

- 911 ● Grants locally elected boards of education the authority to enter into negotiations to receive
912 compensation for lost revenues with entities granting abatements and with businesses receiving
913 abatements.

- 914 ● Grants locally elected boards of education veto power if, in the board’s judgment, the
915 abatements adversely impact the district.
916 ● Requires locally elected boards of education to receive state-mandated compensation based on
917 all payroll generated from the abatement (whether tenant or owner).
918 ● Requires locally elected boards of education to receive all reports, studies and information
919 available regarding the abatement.
920 ● Allows locally elected boards of education to have standing to institute legal action if the
921 recipient of an abatement has not complied with the terms of a tax abatement.
922

923 **Tax policy**

924 Ohio’s tax system must be stable, competitive and reflective of the current economy. The
925 funding of public education is a shared responsibility of the state of Ohio and local communities.
926 Tax policy at the state level has a direct influence on local revenues. It is essential to maintain an
927 appropriate balance between state and local revenues. State actions that reduce local revenue
928 resources must be accompanied by appropriate increases in state education funding.
929

930 *OSBA supports legislation that*

- 931 ● Requires all sectors of the economy to pay their fair share of the cost of public school
932 education and state government.
933 ● Replaces lost revenues with state funds when legislation results in local revenue losses, such as
934 a reduction of the tax base, exemptions from taxation or other tax structure changes.
935

936 **Taxing/spending limitations**

937 Locally elected boards of education should have the opportunity and flexibility to work with
938 their local communities on taxation and spending issues without restrictions from the state.
939

940 *OSBA supports legislation that*

- 941 ● Preserves and supports the right of locally elected boards of education to challenge or appeal
942 property tax valuations.
943

944 *OSBA opposes legislation that*

- 945 ● Restricts local taxation and spending by school districts.
946

947 **Unfunded/underfunded mandates**

948 Unfunded or underfunded mandates create burdens locally and sometimes disproportionately
949 across school districts in Ohio. Federal and state officials should be conscious of mandate
950 burdens being shouldered by public school districts.
951

952 *OSBA supports legislation that*

- 953 ● Prohibits the U.S. Congress, the Ohio General Assembly and federal or state administrative
954 agencies from enacting or promulgating statutes or rules that result in unfunded and underfunded
955 mandates.
956 ● Requires that fiscal impact statements accompany all school-related proposed statutes or rules.
957

958 *OSBA opposes legislation that*

- 959 ● Does not have funding associated with it.

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1005

Personnel

The effective recruitment and retention of high-quality staff are critical for the success of any school district. Properly trained and highly motivated personnel can provide maximum learning opportunities for students. Ongoing evaluation of staff performance is essential.

Ohio enacted a comprehensive collective bargaining statute in April 1984. The enactment of the collective bargaining bill and a series of court cases, particularly in the area of teacher evaluation and nonrenewal, have made it difficult for locally elected boards of education to effectively manage schools. OSBA believes that changes and modifications to Ohio Revised Code Chapter 4117, as well as to Section 3319.11, 3319.111 and 3319.16, are necessary.

Collective bargaining

OSBA believes that some board affairs may not be appropriate matters for formal negotiations such as, but not limited to, the length of the school day and school year, class size, curriculum, course of study, and textbook and instructional materials selection.

OSBA supports legislation that

- Restores management rights to the collective bargaining statutes.
- Recognizes the right of employees to organize for professional organization goals, without interference, coercion or reprisal from the board or its representatives, and guarantees employees the right to refrain from joining any organization.
- Permits parties to negotiate mutually satisfactory dispute resolution processes.
- Provides penalties and sanctions imposed upon striking public employees that are an effective deterrent to such strikes.
- Limits picketing at the residence and/or places of business of public officials.
- Requires a 10-day written notice prior to the commencement of picketing, striking or other concerted refusal to work.
- Allows locally elected boards of education to suspend individual employment contracts for all types of employees for economic considerations.
- Limits the ability of a local collective bargaining contract from impeding a districts ability to suspend individual employment contracts.
- Supports innovative approaches to employee compensation initiated on the local level.

OSBA opposes legislation that

- Places restrictions on the exercise of free choice of either party in designating its representatives to the bargaining team.
- Mandates joining an organization by a scheme of fees, assessments or other coercion by an organization upon nonmembers.
- Permits any person or agency to intervene in negotiations or a job action without the agreement of all parties.
- Permits strikes by public employees.
- Imposes binding arbitration as a method of resolving collective bargaining disputes.

Confidentiality of personnel applications

1006 Maintaining confidentiality permits districts to attract the best candidates possible for
1007 employment or promotions.

1008
1009 *OSBA supports legislation that*

1010 ● Provides through the Ohio Public Records Act that applications for employment, including
1011 applications for promotion, are confidential and not subject to disclosure except at the discretion
1012 of the locally elected board of education.

1013
1014 **Evaluations**

1015 Evaluations serve as both an evaluative process and a communication tool between the employer
1016 and employee. Evaluations communicate desired outcomes to employees and help employees see
1017 how their work and expected contributions benefit their schools.

1018
1019 *OSBA supports legislation that*

- 1020 ● Provides for evaluations of all school employees.
1021 ● Permits the removal of employees who do not correct identified deficiencies and improve their
1022 performance.
1023 ● Creates a probationary period for those employees who have deficiencies noted in the
1024 evaluation process so that they may correct deficiencies. Failure to correct deficiencies after
1025 appropriate intervention may be cause for termination.
1026 ● Authorizes the components of evaluations to be developed locally, including job descriptions
1027 and performance standards.
1028 ● Mandates that personnel evaluations of employees be confidential records which may be
1029 released only at the discretion of the board.

1030
1031 *OSBA opposes legislation that*

1032 ● Requires evaluations of school personnel in a manner that hinders a board's ability to
1033 nonrenew an employee.

1034
1035 **Health care**

1036 Health care pooling may offer significant savings for districts.

1037
1038 *OSBA supports legislation that*

1039 ● Supports the concept of expanding health care pooling, provided that school districts maintain
1040 local decision-making authority, that their employees maintain quality benefit levels and that
1041 significant cost savings or other efficiencies are created by the pooling.

1042
1043 **Professional development**

1044 Students must be prepared to compete in the global marketplace. Consequently, teachers must be
1045 prepared to provide modern methods and instructional strategies that meet the academic needs of
1046 students.

1047
1048 *OSBA supports legislation that*

1049 ● Requires institutions of higher education for teachers to include in their curriculum courses in
1050 technology, classroom management, crisis management and behavior management, including
1051 training in appropriate behavioral intervention techniques.

1052

1053 **Retirement systems**

1054 Ohio school employee retirement systems offer benefits to their members and may help attract
1055 and retain employees. OSBA supports the school employee retirement systems and has not
1056 opposed benefit enhancements in the past. However, when determining pension benefits and
1057 eligibility, the State Teachers Retirement System (STRS) and State Employees Retirement
1058 System (SERS) should consider current demographic realities such as life expectancy and the
1059 number of years employees remain in the workforce.

1060

1061 *OSBA supports legislation that*

1062 ● Includes representation of locally elected boards of education on the STRS and SERS boards.

1063

1064 *OSBA opposes legislation that*

1065 ● Provides future benefit enhancements proposed by STRS and SERS unless the enhancement is
1066 accompanied with a reduction in the 14% employer's share and repeal of the SERS surcharge.

1067 ● Increases the employer's share to cover increases in costs.

PROPOSED RULES FOR THE 2018 ANNUAL BUSINESS MEETING

1. **CREDENTIALS** — All delegates present at the annual meeting shall have their credentials filed with the Executive Director and approved by the Credentials Committee. Credential badges and ribbons shall be displayed where easily recognized. Delegate ribbons must be presented to the Sergeant-At-Arms to permit the delegate to be admitted to the meeting. A delegate may represent only one board.
2. **SEATING** — All delegates shall sit in designated areas. Any delegate leaving the floor shall check out with the Sergeant-At-Arms and shall check in before returning to his or her seat.
3. **PARLIAMENTARIAN** — There shall be an official parliamentarian to whom questions may be directed only through the chair.
4. **RECOGNITION BY CHAIR** — A delegate wishing to speak from the floor shall rise, go to the nearest microphone and secure recognition by the chair before speaking.

A DELEGATE SHALL GIVE HIS OR HER NAME IN FULL AND THE NAME OF THE SCHOOL DISTRICT HE OR SHE REPRESENTS BEFORE ADDRESSING THE ASSEMBLY.

5. **DEBATE ON THE FLOOR** — No delegate shall speak longer than three minutes at any one time except by consent of the majority of the delegates present. No delegate shall speak more than once on the same question until all other delegates have had an opportunity to speak on the question except by consent of the majority of the delegates present. All members of the Executive Committee and the Legislative Platform Committee shall have the privilege of speaking to any issue but not the privilege of voting on issues unless they are also delegates.
6. **MOTIONS TO TABLE** — A motion to table may be declared out of order by the chair if, in the opinion of the chair, there has not been sufficient discussion to provide the delegates with a clear understanding of the issues to be decided.
7. **DELEGATE ASSEMBLY VOTING REQUIREMENTS** — According to Article XII of the OSBA Constitution, amendments to that Constitution require a two-thirds (2/3) vote of the delegates present and voting for approval. The Constitution may not be amended unless a copy of the proposed amendment has been submitted by OSBA in writing (via postal delivery) to all member boards at least 30 days prior to the annual meeting.

According to Article 5 of the OSBA Bylaws, amendments to the Bylaws require a two-thirds (2/3) vote of the delegates present and voting for approval.

Approval of the OSBA Legislative Platform, amendments to the Legislative Platform, and any items raised under "New Business" shall require a three-fourths (3/4) vote of all delegates present and voting for approval.

Voting at the Delegate Assembly is conducted by a rising vote. If the results are unclear the chair may call for a count of those rising to vote.

8. **BUSINESS OF THE DELEGATE ASSEMBLY** — Article 6 of the OSBA Bylaws requires that the proposed OSBA Legislative Platform as recommended by the

Legislative Platform Committee for approval by the Delegate Assembly must be mailed to each member of OSBA member boards of education at least 30 days prior to the Annual Meeting.

Article 6 of the OSBA Bylaws also requires that any matter not so referred to members of member boards of education 30 days in advance requires a two-thirds (2/3) favorable vote of all registered delegates present in order to be placed on the agenda.

Any matter not referred to members of member boards of education 30 days in advance must be in the form of a duly adopted board of education resolution certified by the treasurer and stating the date of adoption. New Business may also be originated by the Legislative Platform Committee, the Board of Trustees or the OSBA staff.

9. **DISTRIBUTION OF MATERIALS** — No printed materials other than official reports of the association officers and committees shall be distributed to delegates at the Annual Business Meeting unless prior permission is granted by the presiding officer or by a two-thirds (2/3) vote of the delegates present and voting.
10. **APPROVAL OF MINUTES** — The Board of Trustees shall act as a minutes committee to approve the minutes of the Annual Meeting of the Delegate Assembly.
11. **ROBERT'S RULES OF ORDER** — Rules not covered by this report or by the OSBA Constitution and Bylaws shall be those set forth in Robert's Rules of Order (most recently revised).

2018 Legislative Platform Committee Meeting (Saturday, August 4, 2018)

Generated by Renee Gibson on Wednesday, August 8, 2018

Members present

Carol Porter, Charlie Wilson, Chris Varwig, Denise Baba, Jaimie Beamer, John Riebesell, Lynda O'Connor, Marguerite Bennett, Mark Milless, Paul Lockwood, Renda Cline, Roger Brown, Susie Lawson, Terry Groden, John Halkias, Randy Smith, Lee Schreiner, William Spahr, Sally Green, Brenda D. Kimble, Ed Bischoff, Tom Brophey

1. 2018 Legislative Platform Committee Meeting

Procedural: 1.01 Welcome, Introductions & Roll Call

Chairman John W. Halkias called the meeting to order at 9:32 a.m. on Saturday, August 4 and explained the days agenda and procedures to be followed. He welcomed the committee and introduced President Randy Smith. President Smith also welcomed the committee members and thanked them for attending. Roll call was taken in the format of an icebreaker/self-introduction.

OSBA staff in attendance - Rick Lewis, Kathy McFarland, Jennifer Hogue, Jay Smith, Renee Gibson

Members not present - Deborah Melda, Eric K. German, Penny Kill, Jamie S. Murphy, James B. Swingle, Gail Martindale, Lori Simms-Parks, David Yockey

Executive Committee Members not present - Mark Ewing, Kim Harless, Karen Dendorfer

2. Discussion on Proposed Amendments to the OSBA Legislative Platform

Information: 2.01 **2019 Proposed Legislative Platform**

Jennifer Hogue, director of legislative services, reviewed the charge of the Legislative Platform Committee, the purpose of the platform and outlined the process for submitting and reviewing resolutions. The following resolutions were discussed, amended and voted on by Legislative Platform Committee Members.

Action, Discussion: 2.02 **Resolution 2018-1**

Submitted by Xenia Community City S.D. Adds language in the Students and learning section, Discipline plank.

OSBA supports legislation that

- **PROHIBITS THE USE OF ZERO TOLERANCE POLICIES AND INSTEAD** enables discipline of students to be dealt with individually in a way that is appropriate for their age, gender, mental health condition, emotional development and special educational needs and appropriately protects the school's educational environment.

Motion #1 Susie Lawson moved, Jamie Beamer seconded, to consider Resolution 2018-1. Discussion followed.

Motion #2 Carol Porter moved, Susie Lawson seconded to amend the language changing the word "use" to "mandating". Motion carried.

OSBA supports legislation that

- **PROHIBITS THE ~~USE~~ MANDATING OF ZERO TOLERANCE POLICIES AND INSTEAD** enables discipline of students to be dealt with individually in a way that is appropriate for their age, gender, mental health condition, emotional development and special educational needs and appropriately protects the school's educational environment.

President Halkias called for a vote on Resolution 2018-1 as amended. **Motion Carried.**

Action, Discussion: 2.03 **Resolution 2018-2**

Submitted by Staff and Northridge Local (Montgomery). Adds a new plank in the Students and learning section.

STUDENT AND SCHOOL EMPLOYEE SAFETY

STUDENT AND SCHOOL EMPLOYEE SAFETY IS A PARAMOUNT CONCERN FOR SCHOOL DISTRICTS. ENSURING A SAFE LEARNING AND WORKING ENVIRONMENT IS A SHARED RESPONSIBILITY AMONG SCHOOL BOARD MEMBERS, SCHOOL EMPLOYEES AND COMMUNITY MEMBERS WORKING IN COLLABORATION WITH LAWMAKERS, LAW ENFORCEMENT, MENTAL

HEALTH AND SECURITY EXPERTS IN DETERMINING HOW BEST TO PROVIDE A SAFE ENVIRONMENT WITHIN OUR DISTRICTS.

OSBA SUPPORTS LEGISLATION THAT

- **PROVIDES FOR ENHANCED MENTAL HEALTH SERVICES AND SUBSTANCE ABUSE TREATMENT SO THAT ALL INDIVIDUALS, INCLUDING CHILDREN, HAVE SUFFICIENT ACCESS TO THESE SERVICES.**
- **INCREASES ACCESS TO SCHOOL SAFETY MEASURES, INCLUDING BUT NOT LIMITED TO, SCHOOL RESOURCES OFFICERS (SRO), SCHOOL SAFETY INFRASTRUCTURE AND OTHER SECURITY MEASURES DESIGNED TO PROTECT STUDENTS AND STAFF.**
- **PROVIDES FOR TRAINING FOR SCHOOL EMPLOYEES AND ENHANCED COORDINATION WITH LAW ENFORCEMENT AGENCIES AND FIRST RESPONDERS TO ENSURE APPROPRIATE RESPONSES TO INCIDENTS OF VIOLENCE IN SCHOOLS.**

OSBA OPPOSES LEGISLATION THAT

- **MANDATES THE IMPLEMENTATION OF ANY SAFETY AND SECURITY MEASURE THAT IS NOT FUNDED BY THE STATE.**
- **MANDATES ANY SECURITY MEASURE TO BE IMPLEMENTED WITHOUT THE APPROVAL OF THE LOCAL SCHOOL DISTRICT BOARD OF EDUCATION.**

Motion #1 Susie Lawson moved, Jamie Beamer seconded, to consider Resolution 2018-2.
Discussion followed.

Motion #2 Randy Smith moved, Terry Groden seconded to amend the language to add the word "fully" to first bullet in OSBA Opposes Legislation that. Motion carried.

STUDENT AND SCHOOL EMPLOYEE SAFETY

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- **PROVIDES FOR TRAINING FOR SCHOOL EMPLOYEES AND ENHANCED COORDINATION WITH LAW ENFORCEMENT AGENCIES AND FIRST RESPONDERS TO ENSURE APPROPRIATE RESPONSES TO INCIDENTS OF VIOLENCE IN SCHOOLS.**

OSBA OPPOSES LEGISLATION THAT

- **MANDATES THE IMPLEMENTATION OF ANY SAFETY AND SECURITY MEASURE THAT IS NOT FULLY FUNDED BY THE STATE.**
- **MANDATES ANY SECURITY MEASURE TO BE IMPLEMENTED WITHOUT THE APPROVAL OF THE LOCAL SCHOOL DISTRICT BOARD OF EDUCATION.**

Motion #3 Charlie Wilson moved, Ed Bischoff seconded to amend the language stating school safety is "the" paramount concern. Motion Carried.

STUDENT AND SCHOOL EMPLOYEE SAFETY

STUDENT AND SCHOOL EMPLOYEE SAFETY IS A THE PARAMOUNT CONCERN FOR SCHOOL DISTRICTS. ENSURING A SAFE LEARNING AND WORKING ENVIRONMENT IS A SHARED RESPONSIBILITY AMONG SCHOOL BOARD MEMBERS, SCHOOL EMPLOYEES AND COMMUNITY MEMBERS WORKING IN COLLABORATION WITH LAWMAKERS, LAW ENFORCEMENT, MENTAL HEALTH AND SECURITY EXPERTS IN DETERMINING HOW BEST TO PROVIDE A SAFE ENVIRONMENT WITHIN OUR DISTRICTS.

OSBA SUPPORTS LEGISLATION THAT

- **PROVIDES FOR ENHANCED MENTAL HEALTH SERVICES AND SUBSTANCE ABUSE TREATMENT SO THAT ALL INDIVIDUALS, INCLUDING CHILDREN, HAVE SUFFICIENT ACCESS TO THESE SERVICES.**
- **INCREASES ACCESS TO SCHOOL SAFETY MEASURES, INCLUDING BUT NOT LIMITED TO, SCHOOL RESOURCES OFFICERS (SRO), SCHOOL SAFETY INFRASTRUCTURE AND OTHER SECURITY MEASURES DESIGNED TO PROTECT STUDENTS AND STAFF.**
- **PROVIDES FOR TRAINING FOR SCHOOL EMPLOYEES AND ENHANCED COORDINATION WITH LAW ENFORCEMENT AGENCIES AND FIRST RESPONDERS TO ENSURE APPROPRIATE RESPONSES TO INCIDENTS OF VIOLENCE IN SCHOOLS.**

OSBA OPPOSES LEGISLATION THAT

- **MANDATES THE IMPLEMENTATION OF ANY SAFETY AND SECURITY MEASURE THAT IS NOT FULLY FUNDED BY THE STATE.**
- **MANDATES ANY SECURITY MEASURE TO BE IMPLEMENTED WITHOUT THE APPROVAL OF THE LOCAL SCHOOL DISTRICT BOARD OF EDUCATION.**

Motion #4 Lynda O'Connor moved, Denise Baba seconded to add the language as shown below under the OSBA supports legislation that.

**STUDENT AND SCHOOL EMPLOYEE SAFETY
STUDENT AND SCHOOL EMPLOYEE SAFETY IS THE PARAMOUNT CONCERN FOR SCHOOL DISTRICTS. ENSURING A SAFE LEARNING AND WORKING ENVIRONMENT IS A SHARED RESPONSIBILITY AMONG SCHOOL BOARD MEMBERS, SCHOOL EMPLOYEES AND COMMUNITY MEMBERS WORKING IN COLLABORATION WITH LAWMAKERS, LAW ENFORCEMENT, MENTAL HEALTH AND SECURITY EXPERTS IN DETERMINING HOW BEST TO PROVIDE A SAFE ENVIRONMENT WITHIN OUR DISTRICTS.**

OSBA SUPPORTS LEGISLATION THAT

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- **INCREASES ACCESS TO SCHOOL SAFETY MEASURES, INCLUDING BUT NOT LIMITED TO, SCHOOL RESOURCE OFFICERS (SRO), SCHOOL SAFETY INFRASTRUCTURE AND OTHER SECURITY MEASURES DESIGNED TO PROTECT STUDENTS AND STAFF.**
- **PROVIDES FOR TRAINING FOR SCHOOL EMPLOYEES AND ENHANCED COORDINATION WITH LAW ENFORCEMENT AGENCIES AND FIRST**

RESPONDERS TO ENSURE APPROPRIATE RESPONSES TO INCIDENTS OF VIOLENCE IN SCHOOLS.

- **PROVIDES FULL FUNDING FOR THE ITEMS ABOVE**

OSBA OPPOSES LEGISLATION THAT

- **MANDATES THE IMPLEMENTATION OF ANY SAFETY AND SECURITY MEASURE THAT IS NOT FULLY FUNDED BY THE STATE.**
- **MANDATES ANY SECURITY MEASURE TO BE IMPLEMENTED WITHOUT THE APPROVAL OF THE LOCAL SCHOOL DISTRICT BOARD OF EDUCATION.**

Chairman Halkias called for a vote on Resolution 2018-2 as amended. **Motion carried.**

Action, Discussion: 2.04 **Resolution 2018-3**

Submitted by OSBA staff. Removes and adds language to the Academic distress commission plank in the School governance section.

OSBA supports legislation that

- **PROVIDES FOR** the composition of the commission and review team ~~should~~ **TO** reflect the demographics (geographic, economic and social) of the school district.

Motion #1 Susie Lawson moved, Ed Bischoff seconded, to consider Resolution 2018-3. Chairman Halkias called for discussion. Hearing no opposition, now adopted. **Motion carried.**

Action, Discussion: 2.05 **Resolution 2018-4**

Submitted by North Olmsted City S.D. Adds language in the School governance section, Charter/community schools plank.

OSBA supports legislation that

- **PROHIBITS A CHARTER/COMMUNITY SCHOOL FROM ANY AND ALL ADVERTISING IF, AND WHILE, THAT SCHOOL IS BEING FORMALLY REVIEWED BY ANY GOVERNMENTAL AGENCY FOR POSSIBLE MISUSE OF TAXPAYER FUNDS.**

Motion #1 Margie Bennett moved, Jamie Beamer seconded, to consider Resolution 2018-4. Discussion followed.

- **PROHIBITS A CHARTER/COMMUNITY SCHOOL FROM ANY AND ALL ADVERTISING IF, AND WHILE, THAT SCHOOL IS BEING FORMALLY REVIEWED INVESTIGATED BY ANY GOVERNMENTAL AGENCY FOR POSSIBLE MISUSE OF TAXPAYER FUNDS.**

Motion #2 Sally Green moved, Margie Bennett seconded to change the word "reviewed" to "investigated."

Chairman Halkias called for a vote on Resolution 2018-4. **Motion carried.**

Action, Discussion: 2.06 **Resolution 2018-5**

Submitted by Northridge Local S.D. (Montgomery) Adds new language to the Sale/lease of real property plank in the School governance section.

OSBA opposes legislation that

- **PROVIDES FIRST RIGHT OF PURCHASE TO PRIVATE, CHARTER/COMMUNITY AND ON-LINE SCHOOLS.**

Motion #1 Ed Bischoff moved, Chris Varwig seconded, to consider Resolution 2018-5. Discussion followed.

Motion #2 Charlie Wilson made a motion to amend the resolution to restructure the language with the same intent as using language that supports rather than language that opposes legislation. Lynda O'Connor seconded. Motion carried.

*OSBA **SUPPORTS** legislation that*

- **REPEALS THE ~~PROVIDES FIRST RIGHT OF~~ FIRST REFUSAL TO PURCHASE PROPERTY BY PRIVATE, CHARTER/COMMUNITY AND ON-LINE SCHOOLS.**

Motion #3 Lynda O'Connor moved to add a second bullet point, Charlie Wilson seconded.

*OSBA **SUPPORTS** legislation that*

- **REPEALS THE RIGHT OF FIRST REFUSAL TO PURCHASE PROPERTY BY PRIVATE, CHARTER/COMMUNITY AND ON-LINE SCHOOLS.**
- **ALLOWS LOCAL SCHOOL BOARDS THE FLEXIBILITY TO MAKE FACILITY SALES AND PURCHASING DECISIONS BASED ON THE NEEDS OF THEIR DISTRICT.**

Motion #4 Margie Bennett moved and Carol Porter seconded a motion to change the word "their" to "the".

- **ALLOWS LOCAL SCHOOL BOARDS THE FLEXIBILITY TO MAKE FACILITY SALES AND PURCHASING DECISIONS BASED ON THE NEEDS OF ~~THEIR~~ THE DISTRICT.**

Chairman Halkias called for a vote on Resolution 2018-5 as amended. **Motion carried.**

Action, Discussion: 2.07 **Resolution 2018-6**

Submitted by Northridge Local S.D. (Montgomery). Adds a new plank in the School governance section.

SCHOOL SAFETY

EDUCATIONAL FACILITIES HAVE BECOME TARGETS FOR ATTACKS ON THEIR STUDENTS. THESE ATTACKS HAVE HIGHLIGHTED THE NEED FOR HEIGHTENED SAFETY MEASURES AT THESE FACILITIES BOTH INSIDE AND OUT.

OSBA SUPPORTS LEGISLATION THAT

- **PROVIDES FOR FUNDING OF INCREASED MENTAL HEALTH SERVICES WITHIN THE FACILITIES.**
- **PROVIDES FUNDING OF ADDITIONAL ACTIVE SHOOTER TRAINING FOR STAFF AND STUDENTS.**
- **PROVIDES FOR FUNDING OF ADDITIONAL SAFETY AND SECURITY MEASURES, INCLUDING BUT NOT LIMITED, TO BUZZ IN DOOR SYSTEMS, SURVEILLANCE CAMERAS, CAMPUS SECURITY OFFICERS**

AND ANY OTHER SECURITY TOOLS DEEMED NECESSARY BY THE DISTRICT'S BOARD OF EDUCATION.

OSBA OPPOSES LEGISLATION THAT

- **MANDATES THE IMPLEMENTATION OF ANY SAFETY AND SECURITY MEASURE THAT IS NOT FUNDED BY THE STATE.**
- **MANDATES ANY SECURITY MEASURE TO BE IMPLEMENTED WITHOUT THE APPROVAL OF THE LOCAL SCHOOL DISTRICT BOARD OF EDUCATION.**

Motion #1 Lynda O'Connor moved, Lee Schreiner seconded, to consider Resolution 2018-6. Discussion followed. A motion was made not to accept because the language was already included in Resolution 2018-2. Chairman Halkias called for a vote to not accept Resolution 2018-6. **Motion carried.**

Action, Discussion: 2.08 **Resolution 2018-7**

Submitted by OSBA staff. Adds language to the Public/nonpublic school funding plank in the Finance section.

OSBA supports legislation that

- Directs any and all funds, returned to the state by charter/**COMMUNITY** schools, to traditional public schools of residence.

Motion #1 Margie Bennett moved, Tom Brophy seconded, to consider Resolution 2018-7. Discussion followed. Chairman Halkias called for a vote. **Motion carried.**

Action, Discussion: 2.09 **Resolution 2018-8**

Submitted by OSBA staff. Removes language from the Pupil transportation plank in the Finance section.

OSBA supports legislation that

- ~~Reinstates funding for school bus purchases.~~

Motion #1 Sally Green moved, Jamie Beamer seconded, to consider Resolution 2018-8. Discussion followed. Chairman Halkias called for a vote. **Motion carried.**

Action, Discussion: 2.10 **Resolution 2018-9**

Submitted by OSBA staff. Removes language from the Personnel section.

Ohio enacted a comprehensive collective bargaining statute in April 1984. The enactment of the collective bargaining bill and a series of court cases, particularly in the area of teacher evaluation and nonrenewal, have made it difficult for locally elected boards of education to effectively manage schools. OSBA believes that changes and modifications to the Ohio Revised Code Chapter 4117, as well as Section 3319.~~11, 3319.111 and 3319.16~~, are necessary.

Motion #1 Lynda O'Connor moved, Jamie Beamer seconded, to consider Resolution 2018-9. Discussion followed. Chairman Halkias called for a vote. **Motion carried.**

3. Discussion on the NSBA Resolutions and Beliefs and Policies

Action, Discussion: 3.01 Jay Smith

Chairman Halkias called for a five minute break and allowed time for the committee members to review the NSBA documents.

Jay Smith, deputy director of legislative services, led the discussion and explained that any amendments offered by the Legislative Platform Committee would be presented to the OSBA Trustees for consideration and action at their meeting in November. No amendments were proposed.

4. Legislative Update

Information: 4.01 Jennifer Hogue

Jennifer Hogue provided a detailed overview of current legislation that is pending and what has been passed (HB 21) and what to watch.

5. Kids PAC

Information: 5.01 Jay Smith

Jay Smith explained the nuances of Kids PAC and the importance of supporting your PAC. He provided an overview of the election cycles and spoke about the importance of giving to Kids PAC and how the PAC supports Ohio legislators who are supportive of public education.

6. Closing Comments

Information: 6.01 John W. Halkias and Jennifer Hogue

Chairman Halkias and Rick Lewis, Chief Executive Officer, thanked the committee for their participation and expressed their appreciation. The meeting adjourned at 11:57 a.m.