

**2018**

**OFFICIAL BUSINESS**





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.

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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.  
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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***

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

## 189 **Technology**

190 Every public school district should have access to modern technology, regardless of the wealth  
191 or geographical location of the district, because students with limited access to educational  
192 technology are at an educational and economic disadvantage. Full access to the Internet for  
193 students, staff and communities is critical. Appropriate and ongoing training is essential for  
194 effective use of technology.  
195

196 *OSBA supports legislation that*

- 197 • Provides the funds necessary to provide for the hardware, software, staff instructional in-  
198 service and infrastructure necessary to provide access to modern technology for all students.  
199

## 200 **School governance**

201 The cornerstone of public education in Ohio is locally elected boards of education that exercise  
202 local control in establishing policy and governance of their public schools while remaining  
203 accountable to the citizens who elected them. Local control includes control over financial  
204 matters, curricula and educational programs, personnel, school calendars and educational  
205 priorities based on the unique needs of local communities.  
206

## 207 **Academic distress commission**

208 State law requires the Superintendent of Public Instruction to establish an Academic Distress  
209 Commission for each school district that has been declared to be in academic emergency.  
210

211 *OSBA supports legislation that*

- 212 • Fully includes locally elected boards of education and district administration in the decision  
213 making process.
- 214 • **PROVIDES FOR** the composition of the commission and review team should **TO** reflect the  
215 demographics (geographic, economic and social) of the school district.
- 216 • Provides transparency in the way district commissions are formed and chaired.
- 217 • Provides a transparent understanding of the goals and purpose for the work of the distress  
218 commissions.
- 219 • Provides clear accountability measures for the commissions, the districts and CEO's appointed  
220 to the district in collaboration with the locally elected board of education.
- 221 • Places a focus on student achievement.
- 222 • Provides supplemental or additional funding for implementation of commission work.
- 223 • Places an emphasis on identifying and seeking the input of community services agencies.
- 224 • Repeals Amended Substitute House Bill 70 (131 GA).

225 *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.

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

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

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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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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.

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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**

**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.**

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- **PROVIDES FOR ENHANCED MENTAL HEALTH SERVICES AND SUBSTANCE ABUSE TREATMENT SO THAT ALL INDIVIDUALS, INCLUDING CHILDREN, HAVE SUFFICIENT ACCESS TO THESE SERVICES.**
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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**

- **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**

- **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.