



*The OEA will lead the way for continuous improvement of public education while advocating for members and the learners they serve.*

**OHIO EDUCATION ASSOCIATION**  
**House Finance Subcommittee on Primary and Secondary Education**  
**House Bill 110 Testimony**  
**March 4, 2021**

Good morning Chair Richardson and members of the House Finance Subcommittee on Primary and Secondary Education. My name is Scott DiMauro. I am a high school social studies teacher from Worthington with 16 years of classroom experience, and I currently serve as President of the Ohio Education Association. On behalf of the more than 120,000 OEA members, we look forward to working with you on House Bill (HB) 110 to ensure that a high-quality public education, and the resources needed to succeed, are available for all Ohio’s students. The following are some of our thoughts regarding the Governor’s proposals in the budget bill:

**School Funding**

OEA leadership and membership are encouraged by recent efforts in the Ohio House to address school funding. I would like to extend our appreciation to the members of the Ohio House for their bipartisan support of House Bill 305 last general assembly. OEA has long advocated for state lawmakers to address the shortcomings of Ohio’s school funding system.

OEA believes that Ohio should enact a student-centered formula that is equitable, adequate, predictable, and that ensures that all students have the resources to succeed regardless of where they live or their family’s income. Additionally, the school funding formula should directly fund charter schools in a way that is fair to both school districts and charters, as well as local taxpayers. The Fair School Funding Plan outlined in House Bill 1 accomplishes these goals.

Under House Bill 110, Ohio’s broken school funding methodology is frozen at FY 2019 levels. Every school district remains on either a foundation guarantee or gain cap. Instead, Governor DeWine continues to fund the Student Wellness and Success Funds by providing an additional \$100 million in each fiscal year over the biennium, outside of the formula, to support disadvantaged students by providing wraparound services, mental health counseling, physical health care services, and other means of addressing student needs.

Educators know firsthand that students’ access to these integrated services and supports are critical to the social and emotional development and academic success of the student. OEA believes the Fair School Funding Plan (FSFP) builds upon and perfectly complements Governor DeWine’s leadership on the importance of providing funding for these services. The social, emotional, and life support



component of the FSFP provides \$50 million more per year than the FY23 Student Wellness and Success Funds would provide for these services under the executive budget. This number would only increase if the economically disadvantaged component of the plan was counted as supporting these same wraparound services, which we believe they would.

We urge the Ohio House to incorporate the Fair School Funding Plan into the budget bill. It is time once and for all to move away from our unconstitutional funding system. OEA looks forward to working with members of the legislature to finally deliver the school funding system our children and communities deserve.

### **Student Wellness and Success Fund Expenses**

The budget bill removes professional development regarding trauma informed care and cultural competence from the list of allowable expenses for Student Wellness and Success Funds. OEA is opposed to this change.

Ohio's student body is increasingly diverse, and our achievement gaps demonstrate that Ohio's African-American, Hispanic, English learners, economically disadvantaged, and students with disabilities continue to lag academically behind their white, non-disabled peers. Students who were impacted by poverty, adverse childhood experiences, and homelessness prior to the COVID-19 pandemic have, in many cases, experienced increased poverty-related traumas. To address these achievement gaps and evidences of trauma, Ohio's educators need access to relevant cultural competency and trauma informed education professional development.

Student Wellness funds should continue to be used to address the nuanced learning needs of our increasingly diverse and impoverished student body. For these reasons, OEA requests these programs be reinserted into the approved list of use for the funds.

### **Revised Graduation Requirements**

The Executive Budget would require each student, as a condition of graduation, to provide evidence of having completed and submitted a free application for federal student aid (FAFSA). This can be waived with a letter from parent/guardian or a record from the school that completing the application is impossible or impracticable. OEA opposes this provision. We fully support making higher education more affordable and accessible for Ohio's students. This includes encouraging and providing support to students and families seeking financial aid. However, making completion of a FAFSA form a pre-condition of graduation is a bridge too far and may present needless obstacles to some students.

The bill calls for several additional changes to the high school graduation requirements for the Class of 2023 and beyond. Those requirements were enacted two years ago in the budget bill. OEA views allowing students to use a course grade of "B" or higher in associated courses as a qualification for the science and citizenship seals as an improvement. However, we would caution against making too many changes to graduation requirements in a budget bill. Separate legislation would allow for greater focus and input on these policies that impact so many students, parents, and educators.

## **Academic Distress Commissions (State Takeovers of Local School Districts)**

OEA supports extending the HB 110 provision extending the moratorium on new state takeovers through the 2021-2022 and 2022-2023 school years. State takeovers of local school districts are a failure. Grabbing power from elected school boards and sidelining the voice of classroom educators is the wrong approach to supporting school districts struggling to overcome barriers to learning associated with widespread student poverty and trauma.

The Ohio House took action last General Assembly to repeal the failed state takeover law by passing the bi-partisan HB 154 (83-12). The HB 154 language was also included in the last House-passed biennial budget bill. Unfortunately, that language was omitted from the final version of the budget. HB 110 presents a new opportunity to turn the page on failed state takeovers by returning local control to elected school boards and restoring the voice of educators.

OEA requests that HB 110 include either of two bi-partisan bills (HB 54 and HB 100) that would repeal the failed state takeover law, return local control to elected school boards, restore the voice of classroom educators, and re-engage local communities. (HB 54 is the re-introduced version of HB 154 from the 133<sup>rd</sup> General Assembly.)

## **Computer Science Curriculum**

House Bill 110 contains many provisions related to computer science course curriculum. The bill requires a committee to develop a state plan for computer science instruction for primary and secondary education. Secondly, it phases in a requirement that all K-12 students by the 2024-2025 school year have access to a computer science course offered by their school district or alternate provider approved by the Ohio Department of Education.

While OEA can understand the importance of offering computer science curriculum to students we see many barriers to making this proposal a reality. OEA has identified the following initial set of concerns with the proposal: adequate staffing and training; lack of resources to pay for the computers and software needed to participate in the program; broadband challenges and accessibility; impacts on an already crowded curriculum; and how the needs of special education students will be addressed in the instructional offerings. Additionally, OEA believes that any alternate provider should be required to have non-profit status. No one should profit off the state's lack of resourcing to kids in local public schools.

OEA requests that the computer science provisions be removed from the budget bill and introduced as a stand-alone piece of legislation. This will allow for more time to fully explore the computer science options that currently exist and more thoroughly examine what could be offered in the future.

## **Educator Licenses**

**State Board of Education authority to deny/limit/suspend/revoke:** OEA opposes budget language that would allow the state board of education to take action against a license (deny, limit, suspend, revoke) without considering whether the individual's alleged immoral act, incompetence, negligence,

or conduct is connected or unbecoming to the individual's position. Instead, the state board would be allowed to take action against a license if it generally finds alleged acts or conduct to be unbecoming to the teaching profession. Such a broad standard threatens to shift Ohio away from predictable professional conduct criteria towards a general morality test for professional licensure, an approach that lacks clarity and may be subject to abuse.

- Amendment Request: Revert to current law in lines 24653- 24659 (HB 110 As Intro).

**“Inactivating” an educator license:** OEA opposes requiring the state superintendent to “inactivate” a license in addition to the current requirement that a school district suspend an individual from duties involving the care, custody, or control of a child during the pendency of a criminal action (arrest/summons/indictment) for certain offenses (RC 3319.40). Ohio law does not have a process for “inactivating” an educator license (a license can be denied/limited/suspended/revoked with due process protections). Requiring automatic license “inactivation” during the pendency of a criminal action could have unintended legal implications such as loss of salary, benefits, and other employment rights before the outcome of a criminal action and without due process protections (HB 110 states that the state board and the state superintendent need not provide the person with an opportunity for a hearing with respect to automatic license inactivation). However, the intent of the language appears to be preventing an individual from seeking employment in a different district during the pendency of a criminal action, not to deny salary, benefits, and employment rights without due process. OEA recommends the amendment language below to resolve this problem.

- Amendment Request: Line 25414 (HB 110 - As Intro) add “A district or school shall continue to provide salary, benefits and all other rights of employment to an employee whose license is inactivated under this section during the pendency of the criminal action and any related state board of education investigation.”

**Computer Science Licensure:** OEA supports extending a temporary law provision for two more school years that allows a licensed educator in grades seven through twelve to take a professional development program approved by the district to be eligible to teach computer science, instead of being required to satisfy one of the eligibility requirements in permanent law (RC 3319.236: a computer science license, a license endorsement in computer technology and a passing score on a content examination, or a supplemental teaching license in computer science - leading to a full license in computer science).

- Amendment Request: Provide funding in HB 110 to reimburse educators and/or school districts for the cost of professional development programs that satisfy the temporary eligibility requirements to teach computer science.

Chair Richardson, this concludes my testimony. OEA looks forward to working with the legislature on making improvements to House Bill 110. I would be happy to address your questions.