



Ohio School  
Boards Association

# 2017 Legislative Platform





# 2017 Ohio School Boards Association Legislative Platform

## **Mission**

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

## **Vision**

*OSBA is the recognized and respected voice of public education, leading through demonstrated expertise, active and engaged membership, and superior service in a competitive, global environment.*

# Foreword

In 1996, OSBA's Delegate Assembly adopted its first Legislative Platform to reflect legislative goals and beliefs adopted by members in the past. The platform is an ongoing, evolving document that conveys to legislators, policymakers, the public and the media, OSBA's positions on issues. It also guides the association's advocacy efforts.

Each year, OSBA's Delegate Assembly considers resolutions that amend the platform. Regional legislative platform meetings are held to expand involvement by member boards in the process and to provide opportunities for discussion, reactions and input on proposed amendments. Those discussions, reactions and input are then shared with the OSBA Legislative Platform Committee. That committee meets in August to develop recommendations on amendments to the platform for consideration by the Delegate Assembly. Member boards wishing to submit a resolution to amend the platform are required to submit the duly adopted resolutions to OSBA Executive Director Richard Lewis. Proposed amendments to the platform are then forwarded to the Legislative Platform Committee.

Involvement by board members in the legislative process has never been needed more. Critical issues of school finance, taxation, governance and others are being considered and debated at the state and federal level. Legislative liaisons and Federal Relations Network (FRN) members need to become actively involved at the grassroots level to convey the OSBA platform to their local legislators. Your involvement is needed because Ohio's public schools are our future and investing in education is an investment in that future, not an expense.

**Denise Baba**, president, [dbaba@ohioschoolboards.org](mailto:dbaba@ohioschoolboards.org)

**Richard Lewis**, CAE, executive director, [rLewis@ohioschoolboards.org](mailto:rLewis@ohioschoolboards.org)

**Damon Asbury**, director of legislative services,  
[dasbury@ohioschoolboards.org](mailto:dasbury@ohioschoolboards.org)

**Jay Smith**, deputy director of legislative services,  
[jaysmith@ohioschoolboards.org](mailto:jaysmith@ohioschoolboards.org)

**Jennifer Hogue**, lobbyist, [jhogue@ohioschoolboards.org](mailto:jhogue@ohioschoolboards.org)

Ohio School Boards Association  
8050 North High Street, Suite 100  
Columbus, Ohio 43235-6481

(614) 540-4000 ● (800) 589-OSBA

fax: (614) 540-4100 ● [www.ohioschoolboards.org](http://www.ohioschoolboards.org)

# Table of contents

Preamble .....	1
Students and learning .....	1
Adult education.....	2
Alternative schools .....	2
Assessments .....	2
Curriculum .....	3
Discipline .....	4
School year/school day .....	4
State report card .....	4
Technology.....	5
School governance .....	5
Academic distress commission .....	5
Board member training .....	6
Charter/community schools .....	6
Consolidation/shared services .....	7
Deregulation.....	8
Educational services .....	8
Locally elected boards of education .....	8
Open enrollment.....	9
Sale/lease of real property .....	9
Service funds.....	9
State Board of Education .....	9
Vouchers .....	10
Finance .....	10
All-day/every-day kindergarten funding.....	11
Assessment rates.....	11
Average daily membership (ADM).....	11
Base-formula amount .....	12
Categorical parity .....	12
Charter/community school funding .....	13
Court-ordered judgement counted as debt.....	14
Developmental disabilities services.....	14
Diversion of voter-approved tax revenue .....	14
Earmarking/tax increases.....	15
Educational service centers funding .....	15
Election opportunities .....	16
Facilities .....	16
Fees.....	16
Gambling .....	17
Impact fees.....	17
Inflationary growth .....	18
Local taxing options .....	18

Medicaid .....	18
Phantom revenue/chargeoff.....	19
Pooling.....	19
Prekindergarten funding .....	19
Property tax relief .....	19
Public/nonpublic school funding .....	20
Pupil transportation .....	20
Robin Hood.....	21
School bus purchase and transportation reimbursement.....	21
School district income tax .....	21
School district levy reduction/repeal.....	22
School district liability.....	22
School-funding factors .....	22
Self-insured workers' compensation program .....	22
State fuel tax exemption .....	23
State investment in education.....	23
Tangible personal property tax replacement .....	23
Tax abatements.....	24
Tax policy.....	24
Taxing/spending limitations .....	25
Unfunded/underfunded mandates .....	25
Personnel .....	25
Collective bargaining.....	26
Confidentiality of personnel applications .....	27
Evaluations.....	27
Health care .....	27
Professional development.....	28
Retirement systems.....	28

# **2017 Ohio School Boards Association Legislative Platform**

## **Preamble**

The purpose of the Ohio School Boards Association (OSBA) Legislative Platform is to state publicly OSBA's positions on a variety of issues facing public education. The platform conveys to legislators, policymakers, the public and the media where OSBA stands. The platform guides OSBA's advocacy efforts.

Each item in the platform has been approved by at least 75% of the voting delegates in the OSBA Delegate Assembly, where every member board of education has a vote.

The level of specificity in the language is by design. The platform is sufficiently precise to state OSBA's position, but it is not so specific that it ties OSBA's hands and prevents OSBA from achieving the best result consistent with the platform. Latitude is given to the staff to interpret and apply the statements in the platform. The staff is accountable to the membership and keeps the membership informed about progress in implementing the platform.

Recognizing that support of public education is an investment in Ohio's future, OSBA works in cooperation with parents, students, staff, community groups, members of educational organizations, state and local policymakers and others to make the support of public education a state priority. OSBA promotes and supports reform that provides for a system of public schools that is accountable to the communities they serve and prepares students to be productive citizens in a competitive and global society.

## **Students and learning**

The education of Ohio's public school students is OSBA's top priority. Every child can learn, and every child will learn if the conditions are right. The key component to establishing the right educational environment is the relationship among students, parents, the school district and the community. Each needs to be accountable for sharing in the process.

OSBA believes that all students must have equal access to a high-quality education that prepares them for higher education or career entry. Every student must be provided with challenging instructional programs

presented by competent and caring teachers in a safe and supportive setting.

## **Adult education**

Ohio's adult residents and employees have ongoing needs for education and training. Ohio's public school districts should help meet the adult education needs of the communities they serve. Public school district facilities and programs should be made available for these purposes as determined by locally elected boards of education and as resources permit.

### *OSBA supports legislation that*

- Develops and funds adult education programs in Ohio's public schools.

## **Alternative schools**

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

### *OSBA supports legislation that*

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

## **Assessments**

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

### *OSBA supports legislation that*

- Aligns state assessment laws with the federal requirements.
- Uses assessments as a diagnostic tool to improve instruction and learning.
- Uses data to ensure that every child has equal access to the resources necessary for a thorough and efficient education.
- Fully funds any and all requirements associated with implementing state and federal assessment laws.
- Provides school districts with flexibility and proper resources to meet their students' needs.
- Increases the 1% cap on alternative assessments for students to a realistic

percentage that reflects the number of students with disabilities educated by the districts.

### *OSBA opposes legislation that*

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

## **Curriculum**

Public education is the responsibility of the state and locally elected boards of education. Governance must be vested in the locally elected board of education that is accountable to the local community. Arts and extracurricular activities play an integral role in the education of children. The primary responsibility for approving courses of study, instructional programs and selection of instructional materials must remain with the locally elected board of education, with input from the local community. Cuts, necessitated by finances, in no way diminish the belief that all students should have access to a curriculum that includes art, music, theater, physical education and world languages, in addition to mathematics, science, social studies, reading and writing. Access to career-technical courses, such as, but not limited to agriculture, business technology, industrial technology and family and consumer sciences is vital. All-day/every-day kindergarten programs, accompanied by clear academic standards and a comprehensive curriculum, have been proven to raise the achievement levels of all students and to reduce the achievement and readiness gaps in students first entering school.

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

### *OSBA supports legislation that*

- Enables locally elected boards of education to make decisions regarding the adoption of curriculum, textbooks and instructional materials, with



advice and input from staff, parents, students and community members.

## **Discipline**

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

### *OSBA supports legislation that*

- Furthers the ability of educators to maintain control of their classrooms, buildings, facilities and other school property, and offers appropriate discipline measures as determined by locally developed, board-approved policy and/or district procedures.
- Repeals state law Ohio Revised Code (OCR) 3313.534, so that the discipline of students can be dealt with individually in a way that is appropriate to their age, gender, mental health condition, emotional development and special educational needs while appropriately protecting the school's educational environment.

## **School year/school day**

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

### *OSBA supports legislation that*

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

## **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.

- Includes graduation rate as computed by the Ohio Department of Education allowing 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.

## **Technology**

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

*OSBA supports legislation that*

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

## **School governance**

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

## **Academic distress commission**

State law requires the superintendent of public instruction to establish an Academic Distress Commission for each school district that has been declared to be in academic emergency.

*OSBA supports legislation that*

- Fully includes locally elected boards of education and district administration in the decision-making process.
- Calls for the composition of the commission and review team to reflect the demographics (geographic, economic and social) of the school district.
- Provides transparency in the way distress commissions are formed and chaired.

- Provides a transparent understanding of the goals and purpose for the work of the distress commissions.
- Provides clear accountability measures for the commissions, districts and CEOs appointed to the district in collaboration with the locally elected board of education.
- Places a focus on student achievement.
- Provides supplemental or additional funding for implementation of the commission's work.
- Places an emphasis on identifying and seeking the input of community services agencies.

#### *OSBA opposes legislation that*

- Allows for the exclusion of the locally elected board members from the discussion and work of the commission.

## **Board member training**

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

#### *OSBA supports legislation that*

- Strongly encourages professional development for all elected school board members.

#### *OSBA opposes legislation that*

- Mandates board member training.

## **Charter/community schools**

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

schools, electronic schools and any other form of online school.

*OSBA supports legislation that*

- Holds charter/community schools and their operators to the same compliance and reporting requirements as public schools.
- Requires charter/community school students to meet the State Board of Education's minimum standards to be granted a high school diploma.
- Requires that charter/community schools be subject to full fiscal and administrative oversight by a locally elected board of education.
- Requires a charter/community school, receiving public tax dollars to disclose performance metrics, including but not limited to, the overall performance index and four-year graduation rate on all advertising.
- Prohibits a charter/community school from advertising if that school does not meet or report minimum academic and/or financial standards established by the State of Ohio.

*OSBA opposes legislation that*

- Authorizes the sponsorship of charter/community schools by an entity other than the locally elected board of education.
- Creates a charter/community school that adversely impacts a public school district.

## **Consolidation/shared services**

Sound fiscal policy requires school districts to maximize the use of available resources. It is important to examine carefully every feasible way to conserve financial resources. Consolidation, merger and/or sharing services, programs and staff may save dollars. The decision to undertake such efforts should be made by mutual agreement of the involved school districts and their boards of education, taking local factors and circumstances into account.

*OSBA supports legislation that*

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

*OSBA opposes legislation that*

- Requires mandatory consolidation of school districts.
- Requires districts to join other joint vocational entities.

## Deregulation

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

### *OSBA supports legislation that*

- Expands deregulation to give locally elected boards of education the authority to exempt themselves from state statutes and administrative codes that do not apply to chartered nonpublic schools or to charter/community schools.
- Gives educational service center governing boards the discretion to transfer regulatory functions to locally elected boards of education.

## Educational services

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

### *OSBA supports legislation that*

- Ensures school districts have access to quality regional educational services through the state's educational delivery system.
- Requires those responsible for delivering these regional educational services to be held accountable to locally elected school board members.

## 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*

- Provides school districts with the flexibility to sell or lease real property in a manner that offers the most benefit to the school district as determined by the locally elected board of education.

### *OSBA opposes legislation that*

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

## Service funds

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

### *OSBA supports legislation that*

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

## State Board of Education

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

elected members.

*OSBA supports legislation that*

- Provides for an elected State Board of Education.
- Provides for a reduction in the number of appointed board members.
- Provides for the regulation of education standards by an elected State Board of Education.
- Provides for no appointed board members to the State Board of Education.

*OSBA opposes legislation that*

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

## **Vouchers**

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

*OSBA supports legislation that*

- Requires that schools accepting voucher students be held to the same standards and accountability requirements as public schools.
- Requires that schools accepting voucher students be held to the same performance reporting requirements as public schools.

*OSBA opposes legislation that*

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

## **Finance**

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

## **All-day/every-day kindergarten funding**

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

### *OSBA supports legislation that*

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

## **Assessment rates**

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

### *OSBA supports legislation that*

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

## **Average daily membership (ADM)**

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

### *OSBA supports legislation that*

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

### *OSBA opposes legislation that*

- Changes average daily membership to average daily attendance.



## Base-formula amount

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

### *OSBA supports legislation that*

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

### *OSBA opposes legislation that*

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

## Categorical parity

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

### *OSBA supports legislation that*

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

### *OSBA opposes legislation that*

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

## **Charter/community school funding**

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

### *OSBA supports legislation that*

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

### *OSBA opposes legislation that*

- Includes children attending charter/community schools in the public

school district's ADM count.

- Deducts funding for children attending charter/community schools from the resident district.
- Requires school districts to share local tax revenues and resources with charter/community schools.
- Transfers funds from a public school to a charter/community school without complying with the legal requirement to notify the home district of enrollment or withdrawal.

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

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

*OSBA supports legislation that*

- 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.

## **Developmental disabilities services**

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.

*OSBA supports legislation that*

- 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.

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

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.

*OSBA supports legislation that*

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

### *OSBA opposes legislation that*

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

## **Earmarking/tax increases**

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.

### *OSBA supports legislation that*

- 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.
- 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.
- Separately appropriates all lottery profits funding to be allocated to districts on a per-pupil basis.

## **Educational service centers funding**

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

### *OSBA supports legislation that*

- Provides an adequate funding mechanism for educational service centers that provides for inflationary growth.
- Requires state funding for facilities to be part of the educational service centers' funding formula.

## Election opportunities

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

### *OSBA opposes legislation that*

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

## Facilities

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

### *OSBA supports legislation that*

- Provides funds and resources to support school safety programs.
- Provides for safe facilities that meet building codes, are conducive to providing educational services and support the inclusion of technology in the classroom.
- Uses median income of the district's residents as a measure of fiscal capacity, in addition to recognized valuation.
- Immediately reflects in the facilities funding formula changes in valuation resulting from legislative or judicial action.
- Requires school buildings determined to be unsafe by local fire and health departments to be upgraded immediately.
- Authorizes locally elected boards of education that have unsafe buildings in their district to impose an emergency capital improvements levy to upgrade and correct the unsafe conditions in the facility.
- Requires the state to provide its full faith and credit as backing for all local facility bonds.
- Repeals the 1/2-mill maintenance requirements.
- Provides funds to support mandated programs, such as all-day kindergarten, preschool programs and accessibility needs.

## Fees

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

### *OSBA supports legislation that*

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

### *OSBA opposes legislation that*

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

## Gambling

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

### *OSBA supports legislation that*

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

### *OSBA opposes legislation that*

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

## Impact fees

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

### *OSBA supports legislation that*

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

## **Inflationary growth**

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

### *OSBA supports legislation that*

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

## **Local taxing options**

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

### *OSBA supports legislation that*

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

## **Medicaid**

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

### *OSBA supports legislation that*

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

## **Phantom revenue/chargeoff**

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

### *OSBA supports legislation that*

- Aligns the local share (chargeoff) of the cost of a high-quality education program with the tax reduction floor.
- Bases the local share on actual local revenues available at the chargeoff rate.
- Eliminates all forms of phantom revenue.

## **Pooling**

Locally elected boards of education must rely upon voter support to raise local tax revenues. Local property taxes raised to support public education must only be used for public education purposes.

### *OSBA opposes legislation that*

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

## **Prekindergarten funding**

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

### *OSBA supports legislation that*

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

## **Property tax relief**

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

### *OSBA supports legislation that*

- Increases property tax relief, while ensuring that all taxpayers pay a fair share of the cost of public education.
- Eliminates the overreliance on local property taxes.



### *OSBA opposes legislation that*

- Achieves increased property tax relief from the existing funding for elementary and secondary education.

## **Public/nonpublic school funding**

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

### *OSBA supports legislation that*

- Grants Ohio's public schools at least the same per-pupil amount as the chartered nonpublic schools in Ohio receive.
- Directs any and all funds, returned to the state by charter schools, to traditional public schools of residence.

### *OSBA opposes legislation that*

- Diverts state dollars from public education to support nonpublic schools.

## **Pupil transportation**

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

### *OSBA supports legislation that*

- Provides sufficient funding for every child who rides a school bus.
- Rewards schools for efficiency.
- Incentivizes school districts to transport students residing within one to two miles of their school.
- Incentivizes school districts to provide transportation for high school students.
- Fully compensates districts for the transportation of students to schools which are not part of the district.
- Provides for better support of rural districts with low density and low wealth.
- Operates separately from the education funding formula to ensure districts actually receive the state transportation levels to which they are entitled.
- Reinstates funding for school bus purchases.

## **Robin Hood**

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

### *OSBA supports legislation that*

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

## **School bus purchase and transportation reimbursement**

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

### *OSBA supports legislation that*

- Provides for the revision of state standards for school bus purchase reimbursement to consider the age and condition of the bus to be replaced, as well as the mileage.
- Reinstates state funding for bus purchase reimbursements and operating expenses.
- Makes a state appropriation to replace all buses that are more than 10 years old and do not have the latest safety features.

## **School district income tax**

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

### *OSBA supports legislation that*

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

## **School district levy reduction/peal**

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

### *OSBA opposes legislation that*

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

## **School district liability**

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

### *OSBA supports legislation that*

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

### *OSBA opposes legislation that*

- Increases a school district's liability or increases the damages assessed against a school district.

## **School-funding factors**

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

### *OSBA supports legislation that*

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

## **Self-insured workers' compensation program**

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

### *OSBA supports legislation that*

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

## State fuel tax exemption

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

### *OSBA supports legislation that*

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

## State investment in education

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

### *OSBA supports legislation that*

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

### *OSBA opposes legislation that*

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

## Tangible personal property tax replacement

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

### *OSBA supports legislation that*

- Reinstates state reimbursement that fully matches the loss of the local tangible personal property tax base.
- Assesses no interest payment in cases when repayment is necessary due to an error on the part of the taxpayer.

## Tax abatements

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

### *OSBA supports legislation that*

- Requires that locally elected boards of education be involved in all discussions and decisions regarding tax abatements.
- Grants locally elected boards of education the authority to enter into negotiations to receive compensation for lost revenues with entities granting abatements and with businesses receiving abatements.
- Grants locally elected boards of education veto power if, in the board's judgment, the abatements adversely impact the district.
- Requires locally elected boards of education to receive state-mandated compensation based on all payroll generated from the abatement (whether tenant or owner).
- Requires locally elected boards of education to receive all reports, studies and information available regarding the abatement.
- Allows locally elected boards of education to have standing to institute legal action if the recipient of an abatement has not complied with the terms of a tax abatement.

## Tax policy

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

### *OSBA supports legislation that*

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

## **Taxing/spending limitations**

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

### *OSBA supports legislation that*

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

### *OSBA opposes legislation that*

- Restricts local taxation and spending by school districts.

## **Unfunded/underfunded mandates**

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

### *OSBA supports legislation that*

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

### *OSBA opposes legislation that*

- Does not have funding associated with it.

## **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 Sections 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

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

### *OSBA supports legislation that*

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

## Evaluations

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

### *OSBA supports legislation that*

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

### *OSBA opposes legislation that*

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

## Health care

Health care pooling may offer significant savings for districts.

### *OSBA supports legislation that*

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



## Professional development

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

### *OSBA supports legislation that*

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

## Retirement systems

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

### *OSBA supports legislation that*

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

### *OSBA opposes legislation that*

- Provides future benefit enhancements proposed by STRS and SERS unless the enhancement is accompanied with a reduction in the 14% employer's share and repeal of the SERS surcharge.
- Increases the employer's share to cover increases in costs.



Published annually as  
a member service of the  
Ohio School Boards Association  
8050 North High Street, Suite 100  
Columbus, Ohio 43235-6481  
(614) 540-4000 • fax (614) 540-4100  
[www.ohioschoolboards.org](http://www.ohioschoolboards.org)