

**2021**

# **OFFICIAL BUSINESS**





Ohio School Boards  
Association

# 2021 OFFICIAL BUSINESS

TO: OSBA Board of Education Members

FROM: Robert M. Heard Sr., President

DATE: Sept. 1, 2021

RE: **2021 DELEGATE ASSEMBLY MATERIALS AND INFORMATION**

This memo provides important information regarding the OSBA Delegate Assembly that will take place Nov. 8 at the Capital Conference.

Capital Conference 2021 is just around the corner. An expanded program, an outstanding line-up of speakers for our general sessions, over one hundred of informative breakout sessions, a Student Achievement Fair, and a bigger and better exhibition of school products and service providers await your attendance. All this and the opportunity to network with thousands of Ohio's educational leaders — your peers. Don't miss this opportunity to bring a team from your district. If you're not registered, **do so today!** You don't want to miss the OSBA Capital Conference!

One of the most important parts of our Capital Conference is the gathering of OSBA membership to publicly articulate our association's policy positions on critical issues facing education. This important work will be performed by the delegates on **Monday, Nov. 8**. The 66th Ohio School Boards Association Delegate Assembly will convene in the Union Station Ballroom of the Greater Columbus Convention Center at **2:30 p.m.** The critical work will center on refining the *OSBA Legislative Platform*. The delegates' work is not to pass laws, but to consider proposed amendments to our legislative platform. The platform guides our advocacy efforts and communicates OSBA's positions on important education issues to legislators and the citizens of Ohio. It sets forth our united agenda for public education.

Under the leadership of President-elect Susie Lawson, the OSBA Legislative Platform Committee met on Saturday, July 31, to review and deliberate on the proposed amendments to the platform. The product of the committee's work, deliberations, and recommendations are provided for your review. The Legislative Platform Committee's recommendations for amending the *OSBA Legislative Platform* have been added to the platform in the proper plank. Deletions to the platform appear as ~~strikethroughs~~, additions appear in **BOLD CAPS**.

You will also find a resolution from the Cambridge City School District included in this packet as well. This resolution will be introduced for consideration during

*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.*

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the New Business portion of the Delegate Assembly. The Cambridge City resolution proposes changes to the OSBA Constitution that relate to the composition of the OSBA Board of Trustees.

Please review and discuss the proposed changes to the OSBA Legislative Platform and the OSBA Constitution in your school district prior to the Delegate Assembly.

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

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

The following attachments are provided for your information and review:

- OSBA Legislative Platform* with recommended amendments by the Legislative Platform Committee.
- Resolution from the Cambridge City School District recommending amendment to the OSBA Constitution.
- Proposed rules for the 2021 Annual Business Meeting.
- Report on the OSBA Legislative Platform Committee meeting, July 31, 2021.

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

We look forward to seeing you in November!

## **NOTICE**

A briefing on the proposed amendments to the *OSBA Legislative Platform* will be conducted by President-elect Susie Lawson on Monday, Nov. 8, at 8 a.m. in the Union Station Ballroom.

## 2022 Proposed 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/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 **AND ENVIRONMENTAL SYSTEMS**, business **ADMINISTRATION** ~~technology, industrial technology~~ **ENGINEERING AND SCIENCE TECHNOLOGIES**, **CAREER BASED INTERVENTION PROGRAMS, EDUCATION AND TRAINING**, and family and consumer sciences is vital. **PRESCHOOL AND** 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.
- Prohibits the 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.

### **Drug addiction prevention**

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

*OSBA supports legislation that*

- Provides new and additional dedicated funds to assist schools in the battle against drug addiction, heroin and other opioid abuse.
- Provides sufficient funding to implement trauma-informed training and school program development.

### **Racism/Equity**

There is no place for racism or hatred in our schools. We acknowledge the historical, generational and compounding reality of the systems, structures and practices that have created and continue to afford advantages to some groups while perpetuating inequities for others. Racial, ~~and~~ socioeconomic, **SEXUAL ORIENTATION AND GENDER IDENTITY** inequalities produce unequal opportunities for student success. Strong public schools are the great equalizer, and education provides the foundation to change perceptions and attitudes. It is imperative that Ohio implement meaningful solutions that eliminate racism, social injustice, **INCLUDING INJUSTICES BASED ON SEXUAL ORIENTATION AND GENDER IDENTITY**, disparate discipline and bias, as well as foster equity to provide a catalyst for sustained improvement for students of color and impoverished communities.

Inequitable systems of school finance at the federal, state and local levels, including special grants, caps and guarantees, fail to provide schools with adequate or sufficient funding to achieve a world-class education necessary to prepare students for the future. OSBA is committed to ensuring school boards have the resources they need to provide students of all backgrounds and abilities with a high-quality education. It is essential that we create an inclusive environment that ensures that our students have a future that allows all students to be successful, no matter their race, ethnicity, **SEXUAL ORIENTATION, GENDER IDENTITY**, or socioeconomic background.

*OSBA supports legislation that*

- Creates an inclusive environment that ensures that our students have a future that allows all students to be successful, no matter their race, ethnicity, **SEXUAL ORIENTATION, GENDER IDENTITY**, or socioeconomic background.
- Provides districts with the resources and tools they need to provide students of all backgrounds and abilities a high-quality education.
- Removes and actively repairs racial and social inequities to ensure positive educational outcomes for our students in alignment with our mission and vision.
- Funds racial and social justice programs in Ohio's public schools.
- Addresses racial disparities in discipline through restorative justice.
- Funds equitable education throughout the state of Ohio.

*OSBA opposes legislation that*

- Limits resources and/or opportunities for students of color and those who are traditionally underserved based on their ethnicity, **SEXUAL ORIENTATION, GENDER IDENTITY** or socioeconomic background.

**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.
- Ensures the graduation rate as computed by the Ohio Department of Education does not penalize districts for allowing students with disabilities additional time to complete graduation requirements 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**

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.

**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. **AFFORDABLE BROADBAND**

**AND** 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.
- Provides 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 district 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, the districts and CEO's 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 commission work.
- Places an emphasis on identifying and seeking the input of community services agencies.
- Repeals Amended Substitute House Bill 70 (131 GA).

*OSBA opposes legislation that*

- Allows for the exclusion of the locally elected board members from the discussion and work of the commission.
- Establishes academic distress commissions, as defined and implemented under Amended Substitute House Bill 70 (131 GA) or any similar creation that interferes with the governance of public school districts by elected boards of education.

#### **Board member training**

Effective school board members are aware of and knowledgeable about key issues affecting the operations 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 for board members to be effective. 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 on-line 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.
- Prohibits a charter/community school from any and all advertising if, and while, that school is being formally investigated by any governmental agency for possible misuse of taxpayer funds.

*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

321 decision to undertake such efforts should be made by mutual agreement of the involved school  
322 districts and their boards of education, taking local factors and circumstances into account.

323  
324 *OSBA supports legislation that*

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

327  
328 *OSBA opposes legislation that*

329 ● Requires mandatory consolidation of school districts and or services.  
330 ● Requires districts to join other joint vocational entities.

### 331 332 **Deregulation**

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

336  
337 *OSBA supports legislation that*

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

### 343 344 **Educational services**

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

349  
350 *OSBA supports legislation that*

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

### 355 356 **Legislative process**

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

361  
362 *OSBA opposes legislation that*

363 ● Once having been introduced, is later attached to a different and/or larger piece of legislation  
364 before it has been thoroughly and properly vetted and heard by both chambers of the General  
365 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.
- Amends Ohio Revised Code and increases the rate of maximum compensation for school board members, and provides for inflationary growth, in order to better ensure that board members are compensated more commensurately with the responsibilities of their position.

*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.
- Repeals the right of first refusal to purchase property by private, charter/community, **COLLEGE-PREPARATORY BOARDING SCHOOLS, STEM SCHOOLS** and on-line schools.
- Allows local school boards the flexibility to make facility sales and purchasing decisions based on the needs of the district.

*OSBA opposes legislation that*

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

413  
414 **Service funds**

415 Financial resources are necessary to support the professional development of school board  
416 members to attend appropriate workshops, seminars, conferences and local board development  
417 activities to enable board members to be effective public officials and policymakers.  
418

419 *OSBA supports legislation that*

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

422  
423 **State Board of Education**

424 The State Board of Education has a constitutional and statutory obligation to set forth the needs  
425 of public education in its budget and policy recommendations to the governor and members of  
426 the General Assembly. OSBA supports a State Board of Education composed entirely of elected  
427 members.  
428

429 *OSBA supports legislation that*

- 430 ● Provides for an elected State Board of Education.
- 431 ● Provides for a reduction in the number of appointed board members.
- 432 ● Provides for the regulation of education standards by an elected State Board of Education.
- 433 ● Provides no appointed board members.

434  
435 *OSBA opposes legislation that*

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

439  
440 **Vouchers**

441 Although OSBA supports educational options within the public school system as determined by  
442 locally elected boards of education, granting state-funded vouchers to students to attend  
443 nonpublic schools reduces the level of funding available to support and improve the public  
444 school system.  
445

446 *OSBA supports legislation that*

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

451  
452 *OSBA opposes legislation that*

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

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 unique 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 unique 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 unique educational needs, such as students who are economically disadvantaged, students with disabilities and students ~~who require~~ **PARTICIPATING IN** career-technical education or gifted educational services.
- Indexes the cost of providing educational services to students with unique 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 unique educational needs.

*OSBA opposes legislation that*

- Equalizes the funding weights for unique needs categories, in addition to the cost of a basic education to provide educational services to ~~special education~~, career-technical education

**STUDENTS, ECONOMICALLY DISADVANTAGED STUDENTS, ENGLISH LEARNERS, and gifted students, AND STUDENTS WITH DISABILITIES.**

### **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 and casino 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 is also 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 (charge off) 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.

780  
781 **Prekindergarten funding**

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

785  
786 *OSBA supports legislation that*

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

789  
790 **Property tax relief**

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

793  
794 *OSBA supports legislation that*

- 795 ● Increases property tax relief, while ensuring that all taxpayers pay a fair share of the cost of  
796 public education.  
797 ● Eliminates the overreliance on local property taxes.  
798 ● Enhances the Homestead Exemption Program to provide additional financial assistance for  
799 senior citizens.

800  
801 *OSBA opposes legislation that*

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

804  
805 **Public/nonpublic school funding**

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

809  
810 *OSBA supports legislation that*

- 811 ● Grants Ohio's public schools at least the same per-pupil amount as the chartered nonpublic  
812 schools in Ohio receive.  
813 ● Directs any and all funds, returned to the state by charter/community schools, to traditional  
814 public schools of residence.  
815 ● Requires all private non-public schools receiving public tax money to be held to the same  
816 accountability standards governing Ohio's public schools including licensure requirements.  
817 ● Requires all private non-public schools receiving public tax money to be subject to the same  
818 financial reporting, audit requirements and sunshine laws as Ohio's public schools.

819  
820 *OSBA opposes legislation that*

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

822  
823 **Pupil transportation**

824 Pupil transportation presents a significant challenge for many districts. In many areas of the state,  
825 students would face great challenges in getting to school were it not for the option to ride a

826 school bus. Rural districts often encompass a large geographic area but have low-density  
827 populations. Funding for transportation services should incentivize efficiencies and account for  
828 specific circumstances among districts.

829  
830 *OSBA supports legislation that*

- 831 ● Provides sufficient funding for every child who rides a school bus.
- 832 ● Rewards schools for efficiency.
- 833 ● Incentivizes school districts to transport students residing within one to two miles of their  
834 school.
- 835 ● Incentivizes school districts to provide transportation for high school students.
- 836 ● Fully compensates districts for the transportation of students to schools which are not part of  
837 the district.
- 838 ● Provides for better support of rural districts with low density and low wealth.
- 839 ● Operates separately from the education funding formula to ensure districts actually receive the  
840 state transportation levels to which they are entitled.
- 841 ● Limits the requirement for public school districts to provide transportation to only those days  
842 that are synchronous with the public school district adopted calendar.
- 843 ● Fully funds districts for the cost of transportation of special education students, foster children,  
844 and homeless students who receive transportation accommodations.

#### 845 846 **Robin Hood**

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

848  
849 *OSBA supports legislation that*

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

#### 854 855 **School bus purchase and transportation reimbursement**

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

859  
860 *OSBA supports legislation that*

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

#### 866 867 **School district income tax**

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

871

872 *OSBA supports legislation that*  
873 ● Provides for increasing the senior citizen school district income tax credit.  
874 ● Establishes and enforces strict rules for reporting school district state income tax identification  
875 numbers.

876  
877 **School district levy reduction/repeal**  
878 School district levy requests are based on five-year or longer projections of costs and revenues.  
879 The ability to repeal levies within the first five years could increase the need for more frequent  
880 levy requests.

881  
882 *OSBA opposes legislation that*  
883 ● Allows a reduction or repeal by citizen petition and vote of any levy that has been approved by  
884 the voters unless such referendum has been initiated by the school district.

885  
886 **School district liability**  
887 Excessive court judgments against school districts can seriously impair the district's ability to  
888 provide an adequate education to its students.

889  
890 *OSBA supports legislation that*  
891 ● Allows school districts to recover legal costs for any appeal of a court judgment when no  
892 monetary damages were issued by the court.

893  
894 *OSBA opposes legislation that*  
895 ● Increases a school district's potential liability or increases the damages potentially assessed.

896  
897 **School-funding factors**  
898 OSBA believes school-funding distribution formulas must be equitable and adequate across  
899 Ohio's diverse public school districts.

900  
901 *OSBA supports legislation that*  
902 ● Makes adjustments in school funding based on operational costs, needs of students and  
903 geographical challenges and funding capacity that exist among school districts.

904  
905 **Self-insured workers' compensation program**  
906 School districts that are self-insured for purposes of workers' compensation realize benefits such  
907 as self-administration and claim-related cost savings.

908  
909 *OSBA supports legislation that*  
910 ● Allows all public school districts in Ohio to self-insure for the purposes of workers'  
911 compensation programs.

912  
913 **State fuel tax exemption**  
914 All local governments, including school districts, should be exempt from all state taxes in order  
915 to avoid the imposition of a double tax on local taxpayers.

916  
917 *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.
- Prohibits a township, municipality, or county from imposing a unilateral tax exemption upon a school district.

### **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 Chapter 3319, 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 agreement from impeding a district's 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, trauma-informed training, crisis management and behavior management, including training in appropriate behavioral intervention techniques.

## **Retirement systems**

1100 Ohio school employee retirement systems offer benefits to their members and may help attract  
1101 and retain employees. OSBA supports the school employee retirement systems and has not  
1102 opposed benefit enhancements in the past. However, when determining pension benefits and  
1103 eligibility, the State Teachers Retirement System (STRS) and State Employees Retirement  
1104 System (SERS) should consider current demographic realities such as life expectancy and the  
1105 number of years employees remain in the workforce.

1106

1107 *OSBA supports legislation that*

1108 ● Includes representation of locally elected boards of education on the STRS and SERS boards.

1109

1110 *OSBA opposes legislation that*

1111 ● Provides future benefit enhancements proposed by STRS and SERS unless the enhancement is  
1112 accompanied with a reduction in the 14% employer's share and repeal of the SERS surcharge.

1113 ● Increases the employer's share to cover increases in costs.

**A RESOLUTION RECOMMENDING AMENDMENT  
TO THE OHIO SCHOOL BOARDS ASSOCIATION CONSTITUTION  
“EQUAL REPRESENTATION”**

**WHEREAS**, the Cambridge City School District is a member of the Ohio School Boards Association (OSBA), and

**WHEREAS**, the OSBA Mission is to serve Ohio’s public school board members and the diverse districts they represent, and

**WHEREAS**, OSBA was originally established in 1955 as a federation of regional school boards associations, after five regional associations banded together to coordinate activities, and

**WHEREAS**, OSBA gradually changed to that of a strong state association with a supporting regional structure, as it remains to this day, thus acknowledging the importance of the regional identities, and

**WHEREAS**, the OSBA Constitution Preamble states, “... we believe an Ohio School Boards Association should be organized as a state association with a supporting regional structure,” and

**WHEREAS**, the OSBA Constitution was amended in years past to allow for additional trustees to be added in a manner irrespective of the regional process for electing trustees, and

**WHEREAS**, the impact of those amendments has resulted in gross disparities in the overall number of trustees from each region, and

**WHEREAS**, this disparity has led to a consistently diminished presence on the Board of Trustees for at least one of the five regions, and

**WHEREAS**, it is the desire of the Cambridge City School District’s Board of Education that the structure of the OSBA Board of Trustees consist of equal representation from each of its five regions, and

**WHEREAS**, it is the desire of the Cambridge City School District’s Board of Education that this amendment, if adopted at the 2021 annual meeting of the OSBA, shall become effective January 1, 2022.

**NOW THEREFORE, BE IT RESOLVED**, on August 10, 2021, the Cambridge City School District’s Board of Education recommends that the OSBA Constitution be amended as follows:

## Article V

### Officers, Board of Trustees, Executive Officer and Regional Secretaries

**Section 1.** The officers of the Ohio School Boards Association shall consist of a president, a president-elect, an immediate past president, whose terms of office shall be for one (1) year beginning on January 1 and ending on December 31, and a secretary-treasurer. The secretary-treasurer shall be the person serving as the executive officer of the association.

**Section 2.** There shall be an Executive Committee of the Board of Trustees, this committee to consist of the president, president-elect, and immediate past president of the association and five (5) other members, one appointed by and from each regional executive committee for a term of one (1) year beginning January 1 and ending December 31. If a vacancy occurs within the Executive Committee and the succession to such position is not otherwise provided herein, the Board of Trustees shall appoint a successor to fill the unexpired term. The successor shall be from a member board of education within the same region as the person whose unexpired term is being filled. No person except an officer shall serve more than five (5) successive one-year terms on the Executive Committee.

**Section 3.** The president, president-elect and immediate past president of the association, the president, the president-elect and immediate past president of each of the five (5) regional associations, ~~one representative each from the six (6) districts in the state of Ohio with the largest pupil enrollment,\* together with no less than six (6) nor more than eight (8) other persons~~ and one (1) at large appointment from each of the five (5) regional associations shall constitute the Board of Trustees.

**Section 4.** With exception of the immediate past president and secretary-treasurer, only members of boards of education holding membership in the association shall be eligible to hold offices or membership on any board, commission or committee of the association or the regional associations. No person defeated at an election for members to a board of education shall be eligible to serve as president, president-elect or a member of the Executive Committee of the association during the year immediately following the defeat of said person.

**Section 5.** The executive officer of the Ohio School Boards Association and the secretary of each regional association shall be ex-officio members of the Board of Trustees without power to vote.

**\*NOTE:** The phrase "largest pupil enrollment" shall mean all pupils regularly enrolled in the district, plus all students enrolled in community schools sponsored by the district board of education. Data for this determination shall be taken from the Ohio Department of Education Average Daily Membership Report for the school year that ends six months prior to the beginning of an OSBA membership year. (Approved by the Board of Trustees, May 2004)

## Article VIII

### Election of Officers and Other Members of the Board of Trustees

**Section 1.** The president-elect of the Ohio School Boards Association shall be elected for a term of one year at the annual meeting by a majority vote of the qualified delegates present at the meeting and shall hold office until succeeding to the office of president as provided in Article VII, Section 2. Neither the president, president-elect nor immediate past president shall serve successive terms in the same office, except as provided in Article VII, Section 3, when filling a vacancy in the office of immediate past president. Provided, however, if the president-elect is elevated to fill an unexpired presidential term of less than nine months, this provision shall not preclude the successor president from serving a full term beyond the unexpired term.

**Section 2.** In addition to any qualification for office imposed by this constitution, the president-elect shall have not less than one year of service on the Executive Committee of the association. This provision may be waived only by a two-thirds (2/3) majority of the full Board of Trustees.

~~**Section 3.** Each region is entitled to a minimum of four (4) seats on the OSBA Board of Trustees, inclusive of the region officers and one at large appointment and exclusive of the six (6) districts with the largest pupil enrollment appointments pursuant to Section 6 of this article. In addition, the Executive Committee, before the first of September of each year, shall determine the number of trustees each regional association is entitled to elect or appoint in proportion to the number of boards in that region holding membership in the Ohio School Boards Association, excepting the six (6) largest districts from this determination, for a two-year term commencing January 1 of the succeeding year. This determination shall be based on membership rolls of the next preceding June 1.~~

**Section 34.** The president, president-elect and immediate past president of a regional association shall continue as a member of the Board of Trustees only so long as that office is held. Region officers are entitled to successive one-year terms on the OSBA Board of Trustees while a region officer.

**Section 45.** At large members to the Board of Trustees, unless otherwise provided, shall be elected or appointed for a term of two (2) years by the five (5) regional associations. In selecting its members to the Board of Trustees, each regional association shall, to the extent possible, secure representation from districts of varying size and from urban, suburban and rural communities.

~~**Section 6.** The representative of the Board of Trustees from each of the six (6) districts with the largest pupil enrollment shall be appointed by the board of education of each such district for a term of one (1) year.~~

**Section 57.** In the event of a vacancy on the Board of Trustees, replacement shall be made for the unexpired term by the regional association ~~or board of education~~ which first elected or appointed the member now vacating.

Upon roll call on the adoption of this Resolution, motion by Kissinger, second by Carpenetti, the vote is as follows:

  
Dan Carpenetti

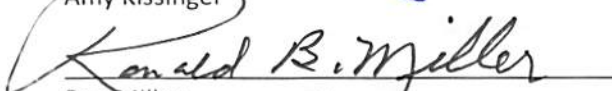
Y 8.10.21

  
Chad Kerns

Y 8.10.21

  
Amy Kissinger

Y 8.10.21

  
Ron Miller

Y 8.10.21

  
David Peoples

Y 8.10.21

# Proposed Rules for the 2021 Annual Business Meeting

1. **CREDENTIALS** — All delegates present at the annual meeting shall have their credentials filed with the Chief Executive Officer 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. **QUORUM** — According to Article VI of the OSBA Constitution, delegates from twenty-five percent (25%) of the member boards shall constitute a quorum for the transaction of business.
5. **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.

6. **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.
7. **MOTIONS TO TABLE OR POSTPONE** — A motion to table or postpone 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 issue(s) to be decided.
8. **BUSINESS OF THE DELEGATE ASSEMBLY** — Article 6 of the OSBA Bylaws requires all matters to be voted upon at the annual meeting to be communicated to each member of affiliated school boards at least thirty (30) days prior to the date of the annual meeting.

Any matter not so referred to members of affiliated boards thirty (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 and requires a two-thirds (2/3) vote of all registered delegates present and voting in order to be placed on the agenda.

New Business may also be originated by the Legislative Platform Committee, the Board of Trustees or the OSBA staff.

9. **DELEGATE ASSEMBLY VOTING REQUIREMENTS** — According to Article XII of the OSBA Constitution, amendments to the OSBA Constitution require a two-thirds (2/3) vote of the voting delegates of the association present at the annual meeting of the association, provided that a copy of the amendment shall have been submitted in writing to all member boards at least thirty (30) days prior to the annual meeting.

According to Article 5 of the OSBA Bylaws, the OSBA Bylaws may be amended by a two-thirds (2/3) vote of the voting delegates of the association present at the annual meeting of the association.

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

Voting at the Delegate Assembly is conducted by a poll of the delegates.

10. **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.
11. **APPROVAL OF MINUTES** — The Board of Trustees shall act as a minute’s committee to approve the minutes of the Annual Meeting of the Delegate Assembly.
12. **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).

## 1. Welcome, Introductions & Roll Call

Chairwoman Susie Lawson called the meeting to order at 9:30 a.m. on Saturday, July 31 and explained the days agenda and procedures to be followed on the Zoom call. She welcomed the committee and introduced President Robert M. Heard Sr. President Heard also welcomed the committee members and thanked them for attending via Zoom. Roll call was taken.

**OSBA staff in attendance** - Rick Lewis, Kathy McFarland, Mark Bobo, Jennifer Hogue, Will Schwartz, Nicole Piscitani and Renee Gibson

**Executive Committee Members present** – Robert M. Heard Sr., Susie Lawson, Lee Schreiner, Renda Cline, Albert Haberstroh, Thomas C. Patterson, Amy Kissinger and Fred Hunt.

**Members present** – Charlie Wilson, A. Lise Ricketts, Dr. Marguerite Bennett, Sally S. Green, Curtis Good, Jaimie L. Beamer, Dr. Paul Lockwood, Penny Kill, Stephanie Lang, Carol A. Porter, Jamie S. Murphy and Dr. Mary Roberts.

**Members not present** – Mary M. Pierce, Leslie Schneider, Brenda Kimble, Kevin Landin, Sidney Brackenridge, Debra L. Grooms, Michael Enriquez, Carolyn Jones, Darrell Thomas and Corine Doll.

## 2. Discussion on Proposed Amendments to the OSBA Legislative Platform

**Resolution 2021-1** — Submitted by **Staff**. Adds and removes language in the Students and learning section, Curriculum plank.

### 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 **AND ENVIRONMENTAL SYSTEMS**, business **ADMINISTRATION** technology, industrial technology **ENGINEERING AND SCIENCE TECHNOLOGIES, CAREER BASED INTERVENTION PROGRAMS, EDUCATION AND TRAINING**, and family and consumer sciences is vital. **PRESCHOOL AND** 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.

Penny Kill moved; Dr. Marguerite Bennett seconded the motion to consider the resolution. Discussion followed. Dr. Paul R. Lockwood moved; Jamie S. Murphy seconded the motion to refer the resolution to the Delegate Assembly. Chairwoman Lawson called for further discussion. Discussion followed. Chairwoman Lawson called for a vote on Resolution 2021-1. **Motion passed.**

**Resolution 2021-2** — Submitted by **Staff**. Adds and removes language in the Students and learning section, Drug addiction prevention plank.

### **Drug addiction prevention**

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

*OSBA supports legislation that*

- Provides new and additional dedicated funds to assist schools in the battle against drug addiction, heroin and other opioid abuse.
- Provides sufficient funding to implement trauma-informed training and school program development.

Jamie S. Murphy moved; Sally S. Green seconded the motion to refer the resolution to the Delegate Assembly. Chairwoman Lawson called for discussion. Hearing none, Chairwoman Lawson called for a vote on Resolution 2021-2. **Motion passed.**

**Resolution 2021-3**— Submitted by **North Olmsted City**. Adds language in the Students and learning section, Racism/ equity plank.

### **Racism/Equity**

There is no place for racism or hatred in our schools. We acknowledge the historical, generational and compounding reality of the systems, structures and practices that have created and continue to afford advantages to some groups while perpetuating inequities for others. Racial, ~~and~~ socioeconomic, **SEXUAL ORIENTATION AND GENDER IDENTITY** inequalities produce unequal opportunities for student success. Strong public schools are the great equalizer, and education provides the foundation to change perceptions and attitudes. It is imperative that Ohio implement meaningful solutions that eliminate racism, social injustice, **INCLUDING INJUSTICES BASED ON SEXUAL ORIENTATION AND GENDER IDENTITY**, disparate discipline and bias, as well as foster equity to provide a catalyst for sustained improvement for students of color and impoverished communities.

Inequitable systems of school finance at the federal, state and local levels, including special grants, caps and guarantees, fail to provide schools with adequate or sufficient funding to achieve a world-class education necessary to prepare students for the future. OSBA is committed to ensuring school boards have the resources they need to provide students of all backgrounds and abilities with a high-quality education. It is essential that we create an

inclusive environment that ensures that our students have a future that allows all students to be successful, no matter their race, ethnicity, **SEXUAL ORIENTATION, GENDER IDENTITY**, or socioeconomic background.

*OSBA supports legislation that*

- Creates an inclusive environment that ensures students are provided opportunities for achievement and success no matter their race, ethnicity, **SEXUAL ORIENTATION, GENDER IDENTITY** or socioeconomic background.
- Provides districts with the resources and tools they need to provide students of all backgrounds and abilities a high-quality education.
- Removes and actively repairs racial and social inequities to ensure positive educational outcomes for our students in alignment with our mission and vision.
- Funds racial and social justice programs in Ohio's public schools.
- Addresses racial disparities in discipline through restorative justice.
- Funds equitable education throughout the state of Ohio.

*OSBA opposes legislation that*

- Limits resources and/or opportunities for students of color and those who are traditionally underserved based on their ethnicity, **SEXUAL ORIENTATION, GENDER IDENTITY** or socioeconomic background.

Thomas C. Patterson moved, Dr. Mary Roberts seconded the motion to refer the resolution to the Delegate Assembly. Discussion followed. Stephanie Lang moved to strike "sexual orientation and gender identity" from the proposed resolution; Amy Kissinger seconded the motion. Discussion followed. Chairwoman Lawson called for a vote on the proposed amendment to remove the language. A roll call vote was requested by Amy Kissinger which resulted in a 5-15 result. **Motion failed.** Amy Kissinger moved to amend the resolution to add "religion" in addition to sexual orientation and gender identity, and for "religion" to be included where sexual orientation and gender identity are added throughout the resolution. Stephanie Lang seconded the motion. Discussion followed. Chairwoman Lawson called for a vote on this amendment which resulted in a roll call vote of 4-16, which was requested by Amy Kissinger. **Motion failed.**

Renda M. Cline moved; Jaimie L. Beamer seconded the motion to refer the resolution as proposed to the Delegate Assembly. Chairwoman Lawson called for further discussion. Hearing none, she called for a vote on Resolution 2021-3. A roll call vote was requested by Amy Kissinger which resulted in a 15-5 vote. **Motion passed.**

**Resolution 2021-4**— Submitted by **Staff**. Adds language in the Students and learning section, Technology plank.

### **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. **AFFORDABLE BROADBAND AND** 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.

Lee Schreiner moved; Albert Haberstroh seconded the motion to refer the resolution to the Delegate Assembly. Chairwoman Lawson called for further discussion. Discussion followed and Chairwoman Lawson called for a vote. **Motion passed.**

**Resolution 2021-5** — Submitted by **Staff**. Adds language in the School governance section, Sale/ lease of real property plank.

### **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.
- Repeals the right of first refusal to purchase property by private, charter/community, **COLLEGE-PREPARATORY BOARDING SCHOOLS, STEM SCHOOLS** and on-line schools.
- Allows local school boards the flexibility to make facility sales and purchasing decisions based on the needs of the district.

#### *OSBA opposes legislation that*

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

Al Haberstroh moved; Jamie S. Murphy seconded the motion to refer the resolution to the Delegate Assembly. Chairwoman Lawson called for a vote on Resolution 2021-5. **Motion passed.**

**Resolution 2021-6** — Submitted by **Tuscarawas Valley Local (Tuscarawas)**. Adds language in the School governance section, Vouchers plank.

### **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.
- **REQUIRES ALL VOUCHERS TO BE FUNDED IN A WAY THAT DOES NOT DEDUCT FROM OR DIMINISH FUNDING TO PUBLIC SCHOOL DISTRICTS.**
- **PLACES A CAP ON THE AMOUNT OF MONEY A DISTRICT CAN LOSE TO VOUCHERS.**

#### *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.

Sally S. Green moved; Renda M. Cline seconded the motion to refer the resolution to the Delegate Assembly. Discussion followed. Chairwoman Lawson called for a vote. Dr. Paul A. Lockwood requested a roll call vote which resulted in an 8-12 vote. **Motion failed.**

**Resolution 2021-7** — Submitted by **Staff**. Adds and removes language in the Finance section, Categorical parity plank.

### **Categorical parity**

Children with unique 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 unique 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 unique educational needs, such as students who are economically disadvantaged, students with disabilities and students ~~who require~~ **PARTICIPATING IN** career-technical education or gifted educational services.
- Indexes the cost of providing educational services to students with unique 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 unique educational needs.

*OSBA opposes legislation that*

- Equalizes the funding weights for unique needs categories, in addition to the cost of a basic education to provide educational services to ~~special education~~, career-technical education **STUDENTS, ECONOMICALLY DISADVANTAGED STUDENTS, ENGLISH LEARNERS,** and gifted students, **AND STUDENTS WITH DISABILITIES.**

Albert Haberstroh moved; Dr. Paul R. Lockwood seconded the motion to refer the resolution to the Delegate Assembly. Chairwoman Lawson called for further discussion. Hearing none, she called for a vote. **Motion passed.**

### **3. Discussion on the NSBA Resolutions and Beliefs and Policies**

Rick Lewis stated that NSBA typically votes on these resolutions at their annual conference in the spring, but they had to delay due to the pandemic and it won't occur until after this meeting. 2021 work has not yet been approved so there is nothing to do at this point. As of today, there is no timely need for action. We can share that information after the August 13 meeting.

Charlie Wilson, NSBA President, explained that NSBA attempted to have an extended virtual delegate assembly a year ago August as the entire conference was canceled in April 2020, but decided not to have a virtual delegate assembly due to the number of attendees exceeding 200. The hope is to move forward next April in San Diego with a full delegate assembly. Rick Lewis

stated that once we see the resolutions that are approved this year, we can distribute to members and if there is an interest, we can convene again if necessary.

#### **4. Legislative Update**

Nicole Piscitani shared a power point presentation that provided a detailed overview of current legislation.

#### **5. Kids PAC**

Will Schwartz explained the nuances of Kids PAC and the importance of supporting the PAC. He spoke about the significance of giving to Kids PAC and how the PAC supports Ohio legislators who are supportive of public education.

#### **6. Closing Comments**

Chairwoman Lawson thanked the committee for their participation and expressed her appreciation for their strong commitment to students. The meeting adjourned at 11:49 a.m.