

## Sponsor Testimony for HB 477 – Representative Kyle Koehler

Chairman Brenner, Vice Chair Slaby, Ranking Member Fedor and members of the House Education and Career Readiness Committee. Thank you for allowing me the opportunity to provide sponsor testimony on House Bill 477.

The genesis of this bill came from our caucus staff who graciously spent time sifting through Chapter 33 of the Ohio Revised Code to find outdated and expired law relating to education. As a result, we were able to find 14 sections that could comfortably be repealed and 6 sections that would need to be amended because of those repeals.

Here are some examples of the laws being repealed and their explanation under H.B. 477:

1. 3301.21 (State action for education leadership fund)  
**Reason: This is expired law that was originally enacted in 2005. The federal funds for this program no longer exist. The section created the State Action for Education Leadership Fund through the State Treasury that was awarded money from the Wallace Foundation.**
2. 3301.25 (Secondary school libraries to receive material regarding veterans)  
**Reason: This is expired law that was originally enacted in 2000. The section required ODE to distribute VHS copies of the Ohio Veterans Dedication Plaza ceremony and distribute the book “Letters Home: The Letters of the Ohio Veterans Plaza” and other veteran-related materials. A section such as this would now be written in a bill as an uncodified section.**
3. 3313.206 (McGruff House Symbol)  
**Reason: This is expired law that no longer has any federal funds associated with the program. As you know, this relates to the McGruff the Crime Dog initiative. This program was ended in February 2012 due to the decline in McGruff Houses and tightened budgets at the state and federal level. We did inform the Ohio Department of Public Safety about this provision and they agreed this was expired law.**

We have worked with the appropriate agencies and stakeholders affected by this bill to make sure these sections can be repealed without issue. I have also attached the list of remaining sections under the bill

As policymakers, we should always continue to strive to not only make commonsense laws, but also research and see what laws are currently on the books and whether they still have merit being there.

The late Rep. Terry Blair said on many occasions, “We could spend an entire GA cleaning up the Revised Code because it is so...darn...big.”

Again, thank you for your time today. I would be happy to answer any questions.

Snapshot of Education ORC Repeal Draft  
(LSC\_132\_1063-3)

*Sections being repealed*

3301.073 (Furnishing technical-financial assistance to district)

**Reason:** This has not been done by the State Board of Education in recent years. The section requires the State Board of Education, upon request of a local board of education, to furnish technical assistance to the district (i.e. budget prep, financial statements and reports prep, revenue estimating). This was originally enacted into law in September of 1983.

3301.0722 (Review of new and modified forms)

**Reason:** This standalone section was chosen to be repealed and amended into ORC 3301.133, which already refers to this section of statute. The section defines the word “form” as interpreted by the State Board of Education and ODE. This was originally enacted in April of 1993.

3301.111 (Board report to the Governor)

**Reason:** This cleans up another report that is required by law. The section requires the State Board of Education to prepare a report, upon request, to the Governor and legislature (Education Committees) on detailed information on the board’s efforts in focusing on major policy issues and delegate administrative responsibilities to the State Superintendent. The legislature is unaware of when this report was last requested by a sitting Governor. This was originally enacted into law in September of 1995.

3301.21 (State action for education leadership fund)

**Reason:** This is expired law that was originally enacted in 2005. The federal funds for this program no longer exist. The section created the State Action for Education Leadership Fund through the State Treasury that was awarded money from the Wallace Foundation.

3301.25 (Secondary school libraries to receive material regarding veterans)

**Reason:** This is expired law that was originally enacted in 2000. The section required ODE to distribute VHS copies of the Ohio Veterans Dedication Plaza ceremony and distribute the book “Letters Home: The Letters of the Ohio Veterans Plaza” and other veteran-related materials. A section such as this would now be written in a bill as an uncodified section.

3301.86 (OhioReads classroom reading grants program)

**Reason:** This is expired law that was originally enacted under previous Administrations in 1995 and amended in 2005. This grant program no longer has any money associated with it. The purpose of the grant was to award reading intervention grants to public schools and classrooms that funded the engagement of volunteers to assist struggling students in reading.

3301.88 (Criminal Records Check)

**Reason:** This is expired law that was written in conjunction with the OhioReads program. This would not repeal all criminal records checks, just the one written specifically for this program. A person who participated may have been asked to undergo a criminal records check if he/she wanted to participate in the program.

3301.95 (Use of funding under American Recovery and Reinvestment Act)

**Reason:** This is expired law that was originally enacted in 2009. The federal funds for this program no longer exist. The federal funds under this program were used as funding for services for students enrolled at nonpublic schools located in each school district. As we remember, this Act was established in response to the Great Recession in 2009.

3301.96 (Compliance with provisions applicable to grants awarded under Race to the Top program)

**Reason:** This is expired law that was originally enacted in 2011. The federal funds for Race to the Top no longer exist, which was included in the American Recovery and Reinvestment Act. The purpose of these grants were to help close the achievement gap and increase graduation rates at each school district.

3302.037 (Study regarding "similar students measure")

**Reason:** This is expired law that was originally placed in H.B. 2 (131<sup>st</sup> GA). The study was completed and made publically available last December. The study required ODE to evaluate the validity and usefulness of this measure that was created in California and have ODE report back by December 1, 2016.

3302.30 (Multiple-track high school curriculum for students with differing career plans; pilot project)

**Reason:** The section required ODE to establish a pilot project in Columbiana County to offer a multiple-track high school curriculum for students differing career plans and report annually on the pilot program. I have been made aware that there are no districts currently participating in this pilot project in Columbiana County. This section was originally enacted in September 2011.

3311.061 (Intent of Senate Bill 298 amendment)

**Reason:** There is a lot of uncertainty as to why this section exists in law. Today, this would likely be considered an uncodified section of a bill, specifically to Substitute Senate Bill 298 of the 116<sup>th</sup> General Assembly. This section has been vetted by various education stakeholders and is believed to not affect any policies directly as this is just a “statement of intent”.

3313.206 (McGruff House Symbol)

**Reason:** This is expired law that no longer has any federal funds associated with the program. As you know, this relates to the McGruff the Crime Dog initiative. This program was ended in February 2012 due to the decline in McGruff Houses and tightened budgets at the state and federal level. I did inform the Ohio Department of Public Safety about this provision and they agreed this was expired law.

3313.711 (Applicable to which schools) – combining into ORC 3313.71

**Reason:** We are simply combining one statute into another. This relates to the statute describing examinations and diagnoses by a school physician. I do not know why they had two sections originally written, hence, this is merely combining the two and repealing the statute number.

**Total: 14**

*Sections being amended*

109.57 (Duties of superintendent)

- **Technical change:**

- **Removing language from the OhioReads classroom reading grants program**

2917.46 (Unauthorized use of block parent symbol)

- **Technical change:**

- **Clarifying no use of the McGruff House Symbol to be used**

3301.133 (Identifiable organizational unit of department to deal with management of education data)

- **Moving definition of “form” to this section from the repealed ORC 3301.0722**

- **Specifies “form” to mean “any report, document, paper, computer software program, or other instrument used in the management system created by section 3301.0714”... “or used to gather required or requested education data...”**

3302.26 (Performance management section on department's public web site)

- **Requires ODE to place this section on a prominent location on their website**

- **This section requires ODE to create a performance management section on their website. The website should include:**

**(1) A graph that illustrates the relationship between a district's academic performance, as measured by the performance index score, and its expenditure per equivalent pupils as compared to similar districts;**

**(2) Each district's total operating expenditures per pupil;**

**(3) Statistics of academic and financial performance measures for each district to allow for a comparison and benchmarking between districts.**

- **I have heard from education stakeholders that ODE has not shown this data in a public format.**

3313.71 (Examinations and diagnoses by school physician)

- **Combines ORC 3313.711 statute into this section**

3313.753 (Prohibition against students carrying electronic communications devices)

- **Removes “pocket pagers” from the statute**

**Total: 6**