



Senate Education Committee  
Senate Bill 319 Proponent Testimony  
Buckeye Association of School Administrators  
Ohio School Boards Association  
Ohio Association of School Business Officials  
June 9, 2020

Good afternoon, Chair Lehner, Vice Chair Brenner, Ranking Member Fedor, and members of the Senate Education Committee. Thank you for the opportunity to speak to you today regarding Senate Bill 319. My name is Kevin Miller, and I am the Director of Governmental Relations for the Buckeye Association of School Administrators (BASA). Joining me today for this testimony are Will Schwartz, Deputy Director of Legislative Services for the Ohio School Boards Association (OSBA), and Barbara Shaner, Advocacy Specialist for the Ohio Association of School Business Officials (OASBO).

We begin by expressing appreciation to and thanking Senator Matt Huffman for sponsoring this legislation. There are many uncertainties regarding what it will look like when students return to school this fall. But one thing is sure: when they do return, schools will be facing complex issues that will require them to find solutions to a myriad of problems, many which will not be identified until they are encountered. Anything that can be done to help address the problems and challenges that are known to us today will serve to provide the support that school districts desperately need as they plan for the 2020-21 school year. Senate Bill 319 does just that, and will be a huge step forward in preparing for the return of Ohio's students. We hope to work with Senator Huffman and this committee on some additional items that we hope you'll consider, making the bill even more beneficial to school districts and the students they serve.

SB 319 reflects the feedback and requests for change that we have received from our members, such as allowing students to use final course grades to meet graduation requirements in lieu of end-of-course exams they were not able to take this past year; prohibiting the use of value-added data or student growth measures in teacher and principal evaluations for the 2020-21 school year; and providing temporary furlough authority for school districts.

We are also thankful that SB 319 incorporates SB 313 and House Bill (HB) 651. These provisions would provide additional state payments to certain school districts that experienced a specified decrease in the taxable value of the district's utility tangible personal property, or had funds deducted from its state aid during a specified period. We have offered minor modifications developed by Dr. Howard Fleeter to the provisions in SB 313 on which we have testified in the Senate Finance Committee. Click [here](#) to view our SB 313 testimony.

There are additional items that we request be added to the bill to address concerns of districts and further help them prepare for the 2020-21 school year. We provide the following recommendations:

- Extend HB 197's hold harmless provisions related to report cards and results, such as eligibility for vouchers and academic distress commissions, through school years 2020-21 and 2021-22. The impact of the school closure will be much more far reaching than just the 2019-20 year. In fact, while it will vary from district to district, many are likely to see negative effects for the next two to three school years, depending on when districts can return as normal. Those districts with high concentrations of poverty will be particularly impacted;

- Give school districts the flexibility to decide locally whether or not to grant the use of their buildings to outside groups. This temporary flexibility would allow districts to make local decisions to ensure health and safety, reduce additional costs to the district for sanitization and monitoring efforts, and eliminate potentially unsafe gatherings;

- In addition to the aspects of the third-grade reading guarantee already included in SB 319, extend HB 197's flexibility to make local decisions regarding student promotion through school years 2020-21 and 2021-22; and,

- Provide flexibility for transportation issues. Every educational leader will tell you that making plans for the 2020-21 school year begins with being able to formulate a transportation plan.

- Exempt school districts and educational service centers from prohibitions against reductions in student transportation services at any point in the school year<sup>1</sup>;

- Permit districts to use buses for any purpose necessary for the district's operations, including delivery of meals, technology, and curriculum materials;

- Provide relief and flexibility to school districts in transporting students to chartered nonpublic, community, and STEM schools.

Finally, there are two additional issues, which, not directly caused by the pandemic, would best be addressed through the passage of emergency legislation, making them fitting amendments to SB 319.

- First, HB 166 included a moratorium on the state's building code requirement for the installation of storm shelters in public or private school buildings, delaying it from September 15, 2019 to September 15, 2020. Our organizations have advocated for an extension of the moratorium, particularly in light of the current financial crisis. SB 248 extends that moratorium to November 30, 2022. We thank the members of this body for your unanimous support in passing SB 248 last month, and we request that the SB 248 language be included in emergency passage of SB 319.

- Second, more and more school districts are the subject of territory transfer petitions as a result of a recent budget provision.<sup>2</sup> Certain township residents can now easily transfer their property to

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<sup>1</sup> Ohio Revised Code (ORC) 3327.015.

<sup>2</sup> ORC 3311.242.

a neighboring school district, without the approval of either district. Not even affected homeowners whose property may be transferred can opt out. This provision sidesteps Ohio's existing laws about transferring property that have proven guiderails in place. We recommend repealing this statute immediately and declaring void all pending transfers.

Chair Lehner and members of the Senate Education Committee, we are extremely thankful for the provisions set forth in SB 319. We are happy to address your questions.