



To: Members of the House Education Committee

From: Damon Asbury, Ohio School Boards Association, 614-540-4000  
Thomas Ash, Buckeye Association of School Administrators, 614-846-4080  
Barbara Shaner, Ohio Association of School Business Officials, 614-325-9562

Date: May 23, 2012

Re: **SB 316 Omnibus Amendment**

On behalf of the members of the Ohio School Boards Association, the Ohio Association of School Business Officials, and the Buckeye Association of School Administrators, we are writing to register our concerns about the SB 316 House Omnibus Amendment accepted by the House Education Committee on Tuesday May 22, 2012. A number of major education public policy provisions were added to a bill that was already laden with complex changes and mandates for schools.

While we appreciate the task the Committee was faced with in addressing this far-reaching bill, we believe the omnibus amendment has exacerbated our concerns over the rush to make substantial changes to education within so little time. A number of issues contained in yesterday's amendment demand further attention, and we respectfully urge you to remove these provisions from the bill.

Our concerns are primarily related to four provisions relating to gifted education. While we support appropriate educational programming for all students, including those who are gifted, these amendments deserve full committee and public vetting. With no opportunity to consider the implications and costs for changes of this magnitude, they are likely to result in unintended consequences.

The following are major issues of concern:

HC-0692: Gifted Education Coordinators

House Bill 153 authorized school districts to utilize principals or other qualified persons to serve as a gifted coordinator for the school district. While this arrangement may not be the ideal solution when sufficient resources are available, recent budget cuts have made it necessary for school districts to make the most effective use of limited staff resources. Removing the HB 153 provision represents an **unfunded mandate** that will force school districts to spend additional dollars they do not have.

We already have in current law, maintenance of effort requirements that mean school districts can spend no less on gifted programs than their state dollars for gifted education from fiscal year 2009. With no increase in state funding since that time, any additional requirements will cause an increased expenditure of local tax dollars, or cuts to other programs affecting more students. We do not believe this is the intent of the committee.

HC-0693: Regional Community Schools for Identified Gifted Students

This provision requires the creation of 16 regional community schools across the state expressly for gifted students. The requirement represents a huge undertaking with many unexplored implications, both financial and academic. It stretches the imagination to consider how such a massive shift in education programs could be introduced and adopted in an omnibus amendment, without announcement or the opportunity for discussion and debate. While this idea may worthy of consideration and debate, it is unreasonable to adopt the measure so swiftly.

HC-0696: STEM Schools and STEM Grants for Gifted Students

The proposal to create separate STEM Schools only for gifted students also deserves further discussion and debate.

HC-0774: Third Grade Reading Guarantee

The requirement to provide retained third-graders who are otherwise identified as gifted in fields other than reading with instruction that is commensurate with the student's achievement level will present special challenges for districts. The primary focus for all retained third graders – including gifted learners – should be to develop reading proficiency first, with other instructional aspects addressed as appropriate.

***We urge you to remove all four of these proposed changes from the bill to allow further, open debate.***

Finally, during committee deliberations on May 22, 2012, the chair was asked about the intent of HC-0774 that states the Department of Education, rather than the student's principal, is to determine an acceptable level of performance on an alternative standardized reading assessment for purposes of the Third Grade Reading Guarantee. **The intent of this provision is unclear and needs to be rewritten.**

The policy advisor to the House Speaker responded that the Department of Education would be required to identify a list of appropriate alternative assessments for use in making student retention determinations. If that is the intent of this provision, it should be stated more clearly in the bill. We are not opposed to the stated intent, but do not believe the language is clear.

Again, we recognize that SB 316 addresses many complex issues and we appreciate the efforts of the committee in responding to the challenge in such a short time frame. However, we urge you to avoid the adoption of hastily crafted public policy without adequate debate. Such a process does not serve students well.

If you have questions about our position on the issues, please contact us.

C: Governor John Kasich  
Ohio House of Representatives  
Ohio Senate