

Education Update

To: LWVO

From: Joan Platz

Education Update for April 19, 2010

1) 128th General Assembly and State News: The Ohio House and Senate will not hold sessions this week, but some House committees are meeting.*Governor Strickland appointed on April 14, 2010 Judge Eric Brown of the Franklin County Probate Court to the Ohio Supreme Court. Judge Brown replaces the late Chief Justice of the Ohio Supreme Court, Tom Moyer, who died unexpectedly on April 2, 2010. Judge Brown is also a candidate for the Chief Justice position in the General Election in November 2010. Judge Brown will assume the position on May 3, 2010. Currently Justice Paul Pfeifer is serving as acting Chief Justice.

*Update of the University System's Strategic Plan: Ohio Board of Regents Chancellor, Eric Fingerhut, released on April 16, 2010 the first of five updates for Ohio's Strategic Plan for Higher Education, first issued on March 31, 2008.

The report includes information about the goals and metrics being used to track how well the University System of Ohio improves education attainment, including graduating more students; keeping graduates in Ohio, and attracting more talent to Ohio.

Future reports will detail the status of the strategic plan related to

- University System of Ohio: Structure
- Relationship with K-12 System and Technology Infrastructure
- Relationship with Business Community
- System Finances - Managing Resources Efficiently

For information about the Strategic Plan updates, please visit

<http://www.uso.edu/strategicplan/updates/overview.php>.

2) Update from the U.S. DOE

*U.S. Secretary of Education, Arne Duncan, presented on April 14, 2010 testimony to the Senate Appropriations Subcommittee on Labor, Health, and Human Services, chaired by Senator Tom Harkin, on the proposed federal budget for FY2011, and also included information about the proposed re-authorization of the Elementary and Secondary Education Act (ESEA). Also testifying on April 14th were Ramon C. Cortines, Superintendent of the Los Angeles Unified School District; Chris Bern, President of the Iowa State Education Association; Dr. Joseph B. Morton, State Superintendent of Education, Alabama State Department of Education, Montgomery, Alabama; and Mr. Marc Herzog, Chancellor, Connecticut Community College, Hartford, Connecticut.

Secretary Duncan's testimony included a request that Congress consider emergency support for America's schools to prevent the loss of between "100,000 and 300,000 education jobs". The support would be similar to the aid provided through the American Recovery and Reinvestment Act during the 2008-09 and 2009-2010 school years.

According to the testimony, the Obama administration's blueprint for the re-authorization of ESEA focuses on three strategies: -create a fair system of accountability that rewards, rather than stigmatizes, schools and educators-give states and districts more flexibility to improve-focus resources and support on students most at risk in low-performing schools and schools with large on-going achievement gaps.

According to the testimony, the administration's budget request, "...supports continuing formula funding for low-income and special education students, and teachers and principals, as well as students learning English, and other diverse populations from rural to migrant to homeless.

But we also know that kids at risk are not well-served by the status quo which is why we want to continue driving reform with competitive programs.

So with our budget request we hope to continue Race to the Top, the Investing in Innovation fund, and programs to get great teachers and principals in schools and classrooms where they are needed most."

The administration also requests that the budget include the Early Learning Challenge Fund, which was not included in the Student Lending bill; address shortfalls in the Pell grant program; and address increased administrative costs associated with the shift to 100 percent direct funding of student loans.

To read the testimony please visit <http://www2.ed.gov/news/speeches/2010/04/04142010.html>.

*U.S. Senator Tom Harkin introduced on April 14, 2010 the "Keep Our Educators Working Act". Senator Harkin is chair of the Health, Education, Labor and Pensions Committee and the Senate Appropriations Committee on Labor, Health, and Human Services.

The proposed bill will create a \$23 billion Education Jobs Fund to help keep teachers, principals, librarians, and other school personnel on the job, and is modeled after the State Fiscal Stabilization Fund (SFSF) that was established in the American Recovery and Reinvestment Act.

According to the press release, "The SFSF is currently supporting more than 300,000 education jobs, such as teachers, principals, librarians, and counselors, and is widely credited with mitigating the impact of the recent recession. However, even with the SFSF, schools across the country have laid off workers, and the job outlook is worse for the 2010-2011 school year. Additional resources are needed to help states and districts avoid a "funding cliff" that would result in even more layoffs."

For more information please visit <http://help.senate.gov/newsroom/press/release/?id=f5ed0e1b-698d-44a6-a762-f1374a133c7c&groups=Chair>.

*The U.S. Departments of Education (ED) and Health and Human Services (HHS) will hold a series of Listening and Learning About Early Learning meetings in April and May. The meetings will be held from 10:00 AM to 3:30 PM on the following dates:

-Understanding Preschool - Grade 3 Structures: Friday, April 23, 2010, at the LBJ Auditorium in the Lyndon Baines Johnson Building, 400 Maryland Ave. S.W., Washington, D.C.

-Workforce and Professional Development: Monday, April 26, 2010, in the auditorium at the Center for Early Education, 3245 E. Exposition Avenue, Denver, CO

-Family Engagement: Tuesday, May 4, 2010, at the Orange County Public Schools Educational Leadership Center, 445 W. Amelia Street, Orlando, FL

-Standards and Assessments: Tuesday, May 11, 2010, at the Polk Bros. Lecture Hall at the Erikson Institute, 451 N. LaSalle Street, Chicago, IL

Registration: To attend or speak at a meeting, you must register at <http://www.fsaregistration.ed.gov/profile/web/index.cfm?PKWebId=091942aeb2&varPage=agenda>.

For more information please visit

<http://www.ed.gov/blog/2010/04/listening-and-learning-about-early-learning-tour-announced-for-dc-denver-orlando-and-chicago/>

3) This Week at the Statehouse

The House Ways and Means Committee, chaired by Representative Letson, will meet on April 20, 2010 at 9:30 AM in Hearing Room 114 to hear testimony on HB464 (Winburn) Wind/Solar Energy. The bill would exempt qualifying wind and solar energy facilities from property taxation for up to 20 years, and require payments in lieu of taxes on the basis of each megawatt of production capacity of such facilities.

4) State Board of Education Meets: The State Board of Education, Debbie Cain president, met on April 12 & 13, 2010 at the Ohio School for the Deaf, 500 Morse Road, Columbus, Ohio.

MEETING ON APRIL 12, 2010

The Executive Committee, chaired by President Cain, discussed the tentative schedule and work session for the 2010 State Board of Education Retreat, which will be held on June 12-13, 2010 at the Central Ohio Educational Service Center in Columbus. Board members discussed the need for the State Board of Education to create a policy map (that identifies gaps), and develop an accountability system (with rational measures) to assess the progress of the State Board of Education.

The committee also discussed the November 8-9, 2010 meeting, which will be held in conjunction with the OSBA Capital Conference. The committee discussed inviting up to five school districts to present what they are doing to promote 21st Century Skills during the SBE meeting, and participating in the OSBA Student Achievement Fair.

ACHIEVEMENT COMMITTEE

The Achievement Committee, chaired by Mike Collins, discussed operating standards, information security rules, and revised academic content standards for schools. The presentation that was scheduled regarding accountability was postponed until May.

*Operating Standards: The Achievement Committee discussed and approved a resolution of intent to adopt amended Rule 3301-35-04 of Operating Standards, to correct language to require (not permit) chartered nonpublic schools to offer credit flexibility. In March the SBE adopted an "intent" resolution to amend Operating Standards, Rules 3301-35-01-06, which includes this provision. The SBE is scheduled to adopt the revised Operating Standards in July 2010.

*HB648, Information Security Rules: Francis Pompey, Chief Operating Officer, presented to the committee information about proposed rules regarding security information, established in ORC 1347.15 (HB648). The rules will specify who at the ODE will have access to confidential information; why they should have access; and which supervisors shall have access. The SBE is scheduled to approve an "intent" to adopt these rules in May 2010, with final approval in September 2010.

*Update on the revision of academic content standards: In response to a question from the committee regarding legislation that has been introduced to postpone the adoption of academic content standards in science and social studies, Stan Heffner, Associate Superintendent, Center for Curriculum and Assessment, informed the committee that the ODE was ready to meet the June deadline to adopt revised academic content standards in all areas, including English language arts, math, science, and social studies. The SBE will then have two to three years to implement the model curricula and develop aligned assessments. During the next two to three years school districts will have time to participate in professional development activities to adjust to the new standards. Also during this time technical changes to the standards can be made when the need arises. Adopting the standards now will support Ohio's Race to the Top application, and ensure that Ohio has access to federal resources.

Chairman Collins expressed support for the three phase process used to revise Ohio's Comprehensive Education System, and noted that if changes in the standards are needed they can be made.

In response to questions about the public support for the science and social studies standards, Denny Thompson, Director of Curriculum and Instruction, explained that the model curricula, now under development, addresses many issues raised by educators through the online surveys and regional meetings. Additional stakeholder meetings are being scheduled to gather information from the field to include in the model curricula, which will be interactive and web-based.

Kim Mullen, ODE Associate Director for Science and Technology, further explained how some of the concerns expressed by educators and scientists about the standards are being addressed through the model curricula. For example, there were many comments from educators and scientists about the science standards focusing too much on students memorizing lists of facts. She shared a template from the draft model curriculum for science that shows how Learning Expectations in the model curriculum would include Designing Technological/Engineering Solutions using Science Concepts; Demonstrating Science Knowledge; Communicating and Analyzing Science Concepts; and Recalling Science Concepts and Procedures. The document also identifies in the model technological literacy, environmental literacy, and 21st Century skills.

Virginia Moore, ODE consultant for social studies, reviewed some of the changes that have been made in the social studies standards as a result of educator feedback. The ODE is proposing a new course in world geography, and has made global connections more explicit. Adjustments have been made to the scope and sequence in grades 5-8, and social studies skills will be explicitly stated within each strand, rather than embedded. The "Eye of Integration" for social studies includes Interdisciplinary Connections including those for the arts and technology.

Brad Findell, ODE Mathematics Initiatives Administrator, and Sasheen Phillips, Associate Director of the Office for Curriculum and Instruction, reviewed the math and English Language Arts Common Core standards. Stakeholders were able to provide feedback on the Common Core online through April 2, 2010, and much information has been gathered from focus groups and regional meetings on the standards held in March. The final version of the Common Core standards is expected to be available in May 2010. Although states may add 15 percent additional content to the Common Core, Ohio is not planning to do so.

Board members asked questions about the following:

- how will educators be motivated to integrate the standards?
- are primary sources included in the standards and at what grade levels?
- will the model curricula be in a printable format?
- do the standards include world geography?
- is recent literature included in the Common Core English standards?

-how operational are the standards....how will teachers be prepared....will students be prepared?

Chairman Collins recommended that the committee consider extending its meeting in May to afford the public time to come and discuss the standards with the Board before the standards are voted on in June 2010. The Board will consider a resolution of intent to adopt the standards in May 2010.

CAPACITY COMMITTEE

The Capacity Committee, chaired by Rob Hovis and co-chaired by Kristen McKinney discussed the following four items:

-Anti-Harassment, Anti-Intimidation or Anti-bullying Model Policy: The committee received an update on the policy and changes that are being proposed for the Anti-Harassment, Anti-Intimidation or Anti-bullying Model Policy required by passage of 128-Sub. HB 19. Violence within a dating relationship will be added to the policy, but action on this item is pending as the ODE reviews the definition of "violence" within a dating relationship and the inclusion of dating violence as an allegation of criminal misconduct.

-Senior Professional and Lead Professional Educator License Rules (3301-24-16 and 3301-24-17) and Professional or Associate License Renewal (3301-24-08): The committee approved a motion to move to the full board the proposed new Senior Professional and Lead Professional Educator License Rules and proposed amendments to the Professional or Associate License Renewal Rule.

Cyndi Yoder, Executive Director Center for the Teaching Profession, presented information about proposed new rules 3301-24-16 and 17, which include the criteria for educators to obtain a Senior Professional Education License and Lead Professional Educator License in Ohio.

Current Rule 3301-24-08 is also being amended to align the current professional teacher license within the framework of Ohio's new teacher licensure system.

The changes are the result of 128-HB1, which restructured Ohio's teacher licensure system, and established a new career ladder for educators.

The timeline calls for the State Board to approve an intent to adopt these rules in May 2010, and adopt the rules in September, 2010.

-Transition to and development of Resident Educator Program: Lou Staffilino, Associate Superintendent for the Center for the Teaching Profession, presented information about the new resident educator license program, also included in 128-HB1. This license replaces, by January 2011, the two year provisional license. The SBE approved in September 2009 a transition program for 2009-2011 as the Resident Educator Program is developed and the provisional license ends.

-School/district operational waivers: Francis Pompey Chief Operating Officer, and Kim Murnieks, Executive Director for the Center for the School Options and Finance, presented to the committee information about standards for operational waivers included in 128-HB1 (ORC §3306.40). The SBE is required to adopt standards for approval or disapproval of requests from schools/school districts for waivers from rules regarding the expenditure of funds (ORC §3306) and operating standards (ORC §3301.07 (D)(3)). School districts must apply for a waiver through the Superintendent, who will make the decision. The waivers will be approved on a school-year basis (July 1 - June 30); can be effective for period not to exceed five school years; and can be renewed. The committee requested that the Board provide information about the number and types of waivers that have been granted in the past.

21st CENTURY LEARNING SUBCOMMITTEE The 21st Century Learning Subcommittee, chaired by Steve Millett, reviewed and approved the subcommittee's recommendations related to 21st century learning in Ohio. The SBE received a presentation about the recommendations on April 13, 2010. (See summary below.)

ADVOCACY AND OUTREACH SUBCOMMITTEE The Advocacy and Outreach Subcommittee, chaired by John Bender, discussed a proposed State Legislative Platform for 2011-2012, and briefly discussed legislation before the Ohio General Assembly.

*Jeannette Oxender and Gregg Dennis reviewed with the Board a draft State Legislative Platform, which will guide the advocacy efforts of the SBE, Superintendent of Public Instruction, and the Ohio Department of Education. The timeline provides that the Board approve the State Legislative Platform in July 2010.

The draft state platform is modeled after the federal platform, which the Board has adopted in the past. The draft platform is aligned to the SBE's vision document and includes recommendations for each of the following goals:

- Teaching 21st Century Knowledge and Skills for Real-World Success
- Supportive Learning Environments
- Personalized Learning for All Students
- Data Systems and Technology to Improve Student Learning
- Quality School Options
- School District Flexibility
- Innovative Technical Assistance

According to the presentation, several of the draft recommendations have been included in the SBE's policy and legislative recommendations in the past, but some of the recommendations are new. For example, under Supportive Learning Environments, the platform includes a recommendation to include "adopting national health education standards."

Under Personalized Learning the draft includes a recommendation to "...reduce the number of categories of giftedness that LEAs are required to identify, require that LEAs provide services to children identified as having superior cognitive ability, and require that gifted children be periodically re-evaluated."

Under Quality School Options the draft includes a recommendation to "limit community school expansion of grade levels to only community schools that are in continuous improvement status."

Subcommittee members asked questions to clarify the recommendations; recommended that some recommendations be moved to other goal statements; and suggested that other areas, such as special education, be included in the recommendations. The subcommittee will also need to evaluate the recommendations to ensure that they are "big idea" policy recommendations, rather than implementation issues, concerns, or technical changes.

With time running out, the subcommittee postponed discussion about several bills pending in the Ohio General Assembly until the May subcommittee meeting.

BOARD RECOGNITION

The Board recognized Kyle Elementary School, Troy City School District, and Wells Academy, Steubenville City School District, as National Title 1 Schools.

BUDGET DISCUSSION: STANDARDS AND ASSESSMENTS

Following lunch the Board received a budget presentation about funding for Ohio's academic content standards and assessment system led by Kelly Weir, Director, Office of Budget and Planning, and Stan Heffner, Associate Superintendent, Center for Curriculum and Assessment.

According to the presentation, the Superintendent's proposed FY12-13 budget recommendations will be presented to the Budget Subcommittee, chaired by Dennis Reardon, on June 13, 2010, and will be presented to the full Board in July 2010.

Stan Heffner provided the Board with information about the budgets of two of three offices included in the Center for Curriculum and Assessment: Curriculum and Instruction, and Assessment. The third office is Career and Technical Education.

The presentation included an overview of the revision of academic content standards in math, English language arts, social studies, and science, and the process used to develop the revised standards. These standards will be adopted by the State Board of Education in June 2010, and the model curricula in these content areas will be adopted in March 2011. There will be a three year transition period before these standards take effect.

After the first set of standards is complete, standards in the fine arts, foreign languages, computer literacy (technology), financial literacy, and business education will be revised. These standards are set to be adopted, tentatively by the Board, in June 2012, and the model curricula adopted tentatively by the Board in June 2013.

The ODE budget for the content standards is \$5.3 million in FY10 and \$5.3 million in FY11.

The Office of Curriculum and Instruction includes consultants in the following areas (Budget = \$5.3 million):

- nine consultants for English language arts
- seven consultants for math
- eight consultants for science, technology, and library media
- five consultants for social studies
- one consultant in the fine arts
- two consultants for foreign languages
- one consultant for physical education
- two management and seven support staff

The Office of Curriculum and Instruction also supports the following federally supported programs in its budget:

- English Language Acquisition to support 42,000 LEP students in 287 school districts in Ohio. (Budget = \$8.1 million in FY10 and \$8.1 million in FY11.)
- Mathematics and Science Partnership. There are three projects managed through this program. (Budget = \$5.6 million in FY10 and \$5.5 million in FY11.)
- Educational Technology: Two programs are included in this program, Education Technology and Title II Technology -- Federal Stimulus. School districts and community schools can compete for these federal grants. In FY10 103 school districts and 8 community schools are participating.
- Reading First. This federal program helps low performing high poverty school districts implement research-based literacy interventions in kindergarten through grade three. The program is being phased-out at the federal level. In FY10 the program provided \$27 million, and in FY11 the program will provide \$24 million.

The Office of Assessment is supported by a budget of \$69.6 million in FY10 and \$69.5 million in FY11. The Office develops and facilitates the testing of students, including test development, production, distribution, collection, scoring, and reporting for the following assessments:

- Ohio Achievement Assessments
- Ohio Graduation Test
- Alternative Assessments
- Diagnostic Assessments
- and Ohio Test of English Language Acquisition (OTELA)

The Office of Assessment is required to implement several provisions of 128-HB1 over the next few years. This includes aligning the Ohio Achievement Assessments with the revised academic content standards; replacing the Ohio Graduation Tests with a nationally standardized test in English language arts, math, and science; developing a series of end-of-course exams aligned to the revised academic content standards; and developing rules for the implementation of a senior project.

The Office of Assessment also supports the GED program (\$1.8 million in FY10 and \$1.8 million in FY11) and programs administered by the National Center for Education Statistics (\$300,000 in FY10 and \$300,000 in FY11). According to the presentation, 27,223 GED tests were administered to 24,368 students during FY 2009 through 99 testing centers around the state. Fee waivers for students taking the GED were eliminated for FY10-11.

Board members asked questions about the following:

- How were members of the higher education community involved in the development of the standards?
- How much testing will there be?
- Can teachers administer the social studies assessment even though the state does not have to administer it in FY10-11?
- How are special education students assessed?
- What is the cost of the end of course exams?
- Are there funds for communication about the revised standards and activities?

STAKEHOLDER PRESENTATIONS

Representatives from the Ohio Alliance for Arts Education presented their legislative and policy recommendations for FY12-13 to the Board. Participating in the presentation were Susan Witten, Director of Teaching and Learning for the Hamilton Local School District, Joan Platz, Information Coordinator for the OAAE, and Janelle Hallet, assistant to the executive director of the OAAE. Roger Hall, executive director of the Ohio Music Education Association was also introduced.

The OAAE requested that the State Board of Education support the following legislative and policy recommendations as it develops its legislative recommendations and budget recommendations for FY12-13:-Develop guidelines for implementing quality arts education programs in Ohio's schools. The OAAE requests that the State Board of Education develop and implement with stakeholders guidelines for quality arts education programs in Ohio's schools as it revises the academic content standards and model curricula in the fine arts. These guidelines would complement the academic content standards and provide a "road map" for school districts and schools to use to assess and improve the quality of their arts education programs.

-Integrate arts education into the fabric of ODE work to improve student achievement. The Elementary and Secondary Education Act 2001 (ESEA) defines the arts as a "CORE" academic subject for all students to learn. (Title IX, Part A, Section 9101 Definitions). This means that arts education programs and teachers are eligible for federal funds for teacher training, technology, school reform, Title 1 school wide programs, and extended learning opportunities.

The Obama administration's recommendations for re-authorizing ESEA also recommend that students have access to a well-rounded education that includes the arts, and recently the Board of Directors of the Council of Chief State School Officers approved a recommendation to include in the re-authorization of ESEA the collection of key data in all CORE subjects and in statewide longitudinal data systems (SLDS).

As the State Board of Education and Ohio's educators consider policy issues such as college and career- readiness goals and improving low-performing schools, the OAAE recommends integrating the arts into the work of the ODE and including arts education in the Ohio CORE; annually collecting and disseminating data on the number of students taking arts courses and student achievement in the arts; and encouraging school districts to engage the arts in whole-school reform.

-Include the arts in Ohio's assessment system for schools. A complete learning system includes standards, curriculum, instruction, assessment, and teacher development. Ohio's Operating Standards for Ohio's Schools requires that school districts "provide for an assessment system that aligns with their courses of study" and includes "regular assessment of student performance." Since there are no state level assessments in the arts, school districts are responsible for the design and implementation of the assessment system aligned to their adopted courses of study in the arts.

The OAAE requests that the ODE develop, or identify existing, rigorous assessments in the arts for school districts to use at the local level, and encourage school districts to assess students in the arts. Assessments in the arts should be incorporated into the revision of the academic content standards and the development of the model curricula in the arts. The Ohio Music Education Association is currently developing a 4th grade music assessment, which could become a template for developing other Ohio-based assessments in the arts.

The results of these assessments can then be used to provide data about student achievement in the arts; evaluate the quality of arts education programs in Ohio's schools; improve professional development; and improve teacher preparation programs in the arts. School districts could also use the results of these assessments to meet Ohio's new graduation requirement in the arts; grant credit for credit flexibility programs; and determine college and career readiness.

-Get the evidence-based model (EBM) right for arts education. The OAAE appreciates that there is a mechanism through the School Funding Advisory Council to review and make recommendations regarding the provisions for arts education included in Am. Sub. HB1.

The School Funding Advisory Council's School Learning Environments Subcommittee is reviewing the "adequacy" of the EBM related to arts education and teacher compensation, and the State Board will be adopting spending rules for the EBM in the near future. The OAAE recommends the following regarding these provisions:

a) Number of Specialist Teachers: The formula used to determine the number of specialist teachers (arts and physical education teachers) in Ohio's EBM is based on the work of school funding experts Allan Odden and Lawrence Picus.

According to their research, the formula for specialist teachers allows classroom teachers to have "one period a day for collaborative planning and professional development", which works-out to be 20 percent of classroom teachers in grades K-8 and 33 percent in grades 9-12. (Allan Odden and Lawrence Picus, School Finance, A Policy Perspective, McGraw Hill, 2007)

The number of specialist teachers determined through Ohio's EBM is 20 percent of classroom

teachers in grades K-8, and 25 percent of classroom teachers in grades 9-12. The OAAE recommends that the number of specialist teachers allocated through the EBM represent what is needed for students to achieve the academic content standards in the fine arts; be aligned to Operating Standards for Ohio's Schools (which includes courses of study, sufficient time for instruction, credentialed teachers, assessments); and reflect the components of a quality arts education program outlined in national Opportunity to Learn Standards in the Arts. (National Consortium of Arts Education Associations, Opportunity to Learn Standards in the Arts, 1995)

b) Spending Rules -- Flexibility:

The OAAE understands that Ohio's school districts need some flexibility in spending rules for the EBM in order to meet the diverse educational needs of students and the special circumstances of school districts. But, we also believe that the EBM spending rules should consider more than student achievement on state assessments when granting waivers from the rules, especially for content areas without a student assessment.

The OAAE recommends that the ODE and the State Board of Education consider other factors when granting waivers for the spending rules, such as the following:

- Is the school district meeting Operating Standards for Ohio's Schools? Is the school district providing regular and sequential instruction in the arts based on their courses of study in the arts?
- Is the number of specialist teachers the school district employs higher or lower than the number funded through the evidence-based model?
- How much is the school district spending on professional development for specialist teachers?

c) Teacher Compensation:

Teacher compensation must be based on clear goals and "incentives" that are fair for all teachers, including those in content areas without an assessment of student achievement, such as the arts.

The OAAE recommends that arts educators be fairly integrated into teacher compensation plans, which should be based on defined goals for effective instruction and student learning across the curriculum; include multiple measures of student achievement and teacher effectiveness; encourage professional growth; and anticipate and address unintended consequences. (Center for Educator Compensation Reform, "The Other 69 Percent", August 2009.)

5) Restore the music/theatre consultant position at the ODE so that there are two arts consultants. There are more than ten thousand arts educators teaching in Ohio's traditional public schools. Currently the ODE has one full-time arts consultant, but before 2006, and going back as far as the 1970s, the ODE had two full-time arts consultants for music/theatre and visual art/dance to provide support for art educators and arts education programs.

The arts include four distinct content areas: dance, drama, music, and visual arts. These disciplines have unique content, pedagogy, research, and histories. Arts consultants support arts educators in the field through leadership and service. They respond to inquiries about standards, curriculum, and licensure from educators, administrators, and the public; attend and participate in the professional development conferences and meetings of the professional arts organizations; provide professional development to the field; inform arts educators about initiatives at the ODE and how they can become involved; create tools for arts educators; represent the arts at the ODE so that the latest research in arts education is integrated into the work of the ODE; apply and participate in grant writing, such as Race to the Top; and generally represent the arts at state events, competitions, exhibitions, and more.

In the future the academic content standards in the fine arts are scheduled for revision once standards and the model curriculum in the other content areas are complete. A music consultant at the ODE will provide the knowledge and experience necessary to guide the standards revision

process, and assist music/theatre teachers in the next stage of implementing the standards and developing the model curricula.

Following the presentation Board members asked questions about the following:

- Are there guidelines already available to support the development of quality arts programs in schools?
- How would a state assessment in the arts be used? What would be its purpose?
- How would spending more at the district level on the arts affect student achievement?
- Should the arts be an elective or part of the Core curriculum?
- How are the arts involved in the creation of jobs in Ohio?
- Can dance be used for physical education?
- Will you be willing to participate in the development of the new content standards?
- Do you feel like Ohio is losing teachers in the arts because of the loss of funding for professional development or other reasons?

CHAPTER 119 HEARING

A Chapter 119 Hearing was held regarding rule 3301-3-01 to 07, Information Technology Centers. No one testified.

COMMUNITY SCHOOLS APPEAL SUBCOMMITTEE

The Community Schools Appeal Subcommittee, chaired by Ann Womer-Benjamin, continued its meeting from March 2010, and proceeded with a hearing regarding the Goal Digital Academy's request to be categorized as a drop-out prevention and recovery school so that a waiver could be obtained regarding the closure provision that would otherwise apply.

MEETING ON APRIL 13, 2010

STAKEHOLDER PRESENTATIONS

The Board received a presentation from the Ohio Coalition for the Education of Children with Disabilities and the Ohio Association for Gifted Children.

OHIO COALITION FOR THE EDUCATION OF CHILDREN WITH DISABILITIES

Margaret Burley, executive director for the Ohio Coalition for the Education of Children with Disabilities, presented information to the Board about the Coalition and how special education programs in school districts are funded in Ohio. According to the presentation,

- approximately 15 percent of students in Ohio have been identified as students with disabilities
- June 2009 data show that 70 percent of young people who are in the Department of Youth Services' facilities have IEPs, and have been identified as students with disabilities.
- Ohio has one of the lowest numbers of "due process hearings" in the nation, with less than 50 hearings a year, due in part to the work of Parent Mentors. Many states have 1100-1200 hearings a year.

The presentation identified the following issues regarding support for students with disabilities in Ohio:

- The new school funding formula (HB1) for students with disabilities is a decade behind in the level of support needed to provide services for students with special needs. The new funding formula still provides 90 percent of FY2001 costs.

The former school funding system was based on the cost of services and school district wealth, and seemed to be a "working system", although it was funded at 90 percent.

"We are expecting schools to bring those children to high academic standards but without the resources to really get the job done."

-The new school funding formula makes it difficult to follow how school districts are spending funds for special education, since the funds go into the General Revenue Fund.

-The State Board of Education is still a party to a federal lawsuit, Doe v. State of Ohio, which was one of the first state school funding lawsuits filed back in the early 1990s. This case focuses on the school funding formula for students with special needs. It puts the State Board of Education and Ohio in an untenable position, because the formula discriminates against students with disabilities, which are a protected class under federal law.

"Nowhere in the evidence-based model does it ever talk about increasing funding to 100 percent to what the formula is developed to provide."

-The classroom ratios of twenty to one included in the EBM are not research-based or included in any State Board of Education rules for student with disabilities, and so no one understands where the 20 to 1 rule in the evidence-based model came from.

-The Coalition believes that a per pupil formula, where the dollars follow the child, would lead to the least restrictive environment placement.

-There are a number of costs that were not factored in the evidence-based model, such as assistive technologies.

-Catastrophic funding was reduced in the last budget from \$19 million to \$10 million. These funds are used to rescue school districts with very high costs for special education.

-One of the most puzzling aspects of the new school funding formula is the lack of support for special education preschool. Currently there are over 1000 special education preschool units (one third of the number of preschool special education units) that have no state support.

-The current level for determining special education preschool unit funding is the state minimum teacher salary for 1989, which, at that time, was \$17,500.

-Funding special education adequately should be the number one funding priority for the State Board of Education as it develops its next biennial budget.

-There is also a long-standing teacher shortage for special education teachers. Special education teachers are moving out of urban areas and have high mobility. The State Board of Education should develop a plan to recruit and retain special education teachers.

-The ODE made a positive move when it received approval to hire 14 new employees for the Office of Exceptional Children in the Ohio Department of Education.

-Project MORE, an effective, research-based reading program for students with disabilities, should be funded in the future ODE budget recommendations. The program was funded in previous budgets and cost \$650,000 each year.

-The Parent Mentor project, which is supported by a budget of \$1.3 million per year, should continue to receive support and be expanded.

-The ODE should continue to support funding for school psychologist interns, which cost \$2.7 million.

Board members asked the following questions:

- How is the teacher-student ratio funded in the EBM?
- What special education services are working well for students?
- What should be the formula for special education students? How is accountability for special education funding determined?
- What are the special education priorities for the ODE's FY12-13 budget?
- How are special education preschool units funded?
- Why are so many students with disabilities entering the prison system?
- How can we avoid the over-identification of children with disabilities, especially African-American males?

OHIO ASSOCIATION FOR GIFTED CHILDREN (OAGC)

The Board received a presentation from Ann Sheldon, Executive Director of the Ohio Association for Gifted Children (OAGC) and Sally Roberts, OAGC President and a Gifted Coordinator in the Huber Heights School District. The OAGC was founded in 1952 and is the oldest association for gifted children in the country. The OAGC has more than 1200 members and over thirty local affiliate organizations in Ohio.

The presentation identified the following issues related to gifted education in Ohio:

-Approximately 280,000 students or 16 percent of students in Ohio are identified as gifted across four areas: superior cognitive, specific academic, creative thinking, and visual and performing arts.

-The number of gifted students served has decreased from 70,667 in 2007/2008 school year to 60,733 in the 2008-2009 school year.

-State funding supported services for approximately 20 percent of students identified as gifted and another 7 percent were served through local funds last year, compared to 48 percent served in 1998.

-There are huge service inequities for gifted students in Ohio, because in the past not all school districts applied for gifted unit funding. 100 school districts do not provide any gifted services.

-The accountability system exacerbates the inequity of the system, because there is no state mandate to provide services to gifted students and there is no report card measure. The new gifted performance indicator required by HB1 should provide information about gifted services provided by school districts and student achievement.

-Funding for gifted education was changed by HB 1 so that all districts now receive gifted funding for both identification and service; all gifted funding has a state share applied; funding is no longer tied to units; the gifted maintenance of effort provision is in place for the current biennium; and a performance indicator for gifted education on the local report card is required.

-There are significant issues for gifted education during this transition period, 2009-2011. Because HB1 did not require maintenance of services or staff levels (just state spending levels for gifted), school districts are reducing staff and services for students.

The following are policy and legislative recommendations for gifted education proposed by the OAGC:

-Include phased-in mandate language in the Ohio Administrative Code or Revised Code to ensure that gifted services are not reduced even as more state funding is provided.

-Base the formula for gifted coordinators on organizational units rather than ADM in order to maintain consistency in the funding model.

-Evaluate the salary levels for gifted coordinators and gifted intervention specialists to make sure that they are sufficient.

-Relate the maintenance of effort for school districts and Educational Service Center to the 2009 level of gifted services/staff rather than state spending levels.

-Evaluate the spending formula for the identification of gifted students,

-Clarify language for enrichment activities to ensure that gifted students have access to AP and PSEO courses.

-Revamp Ohio's accountability system to ensure that an excellent rating on the report card means that excellent school districts are providing all students of various needs with excellent educational opportunities across a continuum of services. For example, 85 school districts rated excellent had ACT scores below the state average; 106 excellent school districts had college remediation rates above the state average; 51 excellent school districts offer no AP courses; 135 excellent school districts report less than 50 percent of graduates enter college; and 206 excellent districts report less than 50 percent of their graduates took the Ohio Core curriculum.

-Evaluate cut scores for accelerated and advanced scores, because there is no accelerated or advanced material on any of the grade level Ohio Achievement or Ohio Graduation tests.

-Reward school districts for promoting acceleration opportunities.

-Allow students to take state assessments when they are ready to show mastery rather than based on age and grade level.

-Require the SBE (rather than each school district) to set cut scores for exiting national exams, such as AP, ACT end of course exams, to facilitate students participating in credit flexibility.

Board members asked the following questions:

-Is the reduction of services for gifted a trend?

-Is there accountability for funds for gifted education?

-Is there a problem with EMIS and data on gifted education?

-Should students in teacher education programs in colleges take courses in gifted education?

-What percentage of students in special education courses are also gifted?

-Could you keep us informed about the state of gifted education as the SBE moves forward?

-What do you think of the proposal in the Advocacy and Outreach Subcommittee to reduce the number of categories for gifted education; require LEAs to provide services for students with superior cognitive abilities; and require gifted students to be re-evaluated?

-Is there anything in operating standards that triggers a reassessment of a student when the student's grade slips or something else happens?

-Is the EBM, or the former school funding system, better for gifted education?

-The excellent district analysis in the presentation begs a response, and perhaps there should be a change in the way that we identify excellent school districts.

21st CENTURY LEARNING SUBCOMMITTEE

The Board received a presentation from the 21st Century Learning Subcommittee, chaired by Steve Millett. Deputy Superintendent Marilyn Troyer and Erin Joyce made the presentation which included a summary of the work of the subcommittee, including its charge, and the an analysis of the question: What does a 21st century learning environment look like in Ohio?

According to the presentation, to answer that question the subcommittee needed to answer several other questions, such as what is the definition of 21st century knowledge and skills? What are the various roles that are needed in a 21st century learning environment? How can the subcommittee reach out to local school board members? What future trends do we need to focus on? And how is the subcommittee's work connected to the Partnership for 21st Century Skills?

Using a process that included research on 21st century learning environments, future trends, and an analysis of common themes and priorities, the subcommittee developed the following recommendations:

-Next generation of standards, curriculum, and assessments:

Revise, align, and integrate Ohio's standards, curricula, instruction and assessment to effectively embed the teaching and learning of 21st Century knowledge, skills, and behaviors (as identified by the EDGE Subcommittee) into the core curriculum, creating a world-class education system that is benchmarked to international standards. Develop methods and metrics to evaluate Ohio's education system and measure its effectiveness in preparing students for success within the 21st Century global economy.

-Strategic Focus on Student Learning and Achievement:

Provide an infrastructure to support a student-centered personalized learning system that does the following: challenges the student, is based in an international context, is tied to outcomes, is evidence-based, is relevant to the student, and is directed a closing gaps in achievement among student groups.

-Stakeholder engagement, cooperation, and mutual respect:

Engage in meaningful collaboration to ensure the sustainability of Ohio's vision for 21st century learning.

-Integrating technology with learning environments:

Integrate technology with effective traditional learning methods; expand learning environments to include virtual and remote learning; expand access to high quality e-learning and online content; encourage virtual cooperation among schools, museums, universities, foundations, and other educational partners; develop methods and tools for 21st century learning; and support learning environments with adequate data systems preK through higher education to inform decisions and improve education.

The recommendations were included in a resolution for the Board to consider at its business meeting. Next steps include implementing an outreach program for local boards of education and stakeholders in May; address the recommendations during the June retreat; and continue to develop specific strategies within each recommendation area.

BUSINESS MEETING

The Board convened its business meeting following lunch, and held an executive session.

Following the executive session the Board received the report of the Superintendent of Public Instruction, Deborah Delisle, who presented information about the following topics:

-Clark Montessori Junior/Senior High School in Cincinnati, OH was selected as one of six finalists for the first annual Race to the Top High School Commencement Challenge. The Commencement Challenge was launched in February by the U.S. Department of Education, which invited the nation's public high schools to submit applications. President Obama will attend the commencement ceremony of the winner of the competition and give the commencement address.

-Ohio has been selected to participate in the first Partnership Generation Labs for the Partnership for the Next Generation of Learning by the Council of Chief State School Officers.

-Cleveland, Ohio has been selected by the Great City Schools, the National Governor's Association, and the American Federation of Teachers to roll out the Common Core in Ohio. Ohio is one of six states selected.

-The School Funding Advisory Council will next meet on April 27, 2010.

-The compliance monitoring report from the U.S. Department of Education, Office of Special Education Programs concerning Ohio's Office of Exceptional Children identified eleven, out of 800 federal regulations for special education, that the ODE is required to improve, including monitoring procedures and data collection.

-The Ohio is addressing several issues regarding maintenance of effort requirements for K-12 and higher education and the use of funds for the State Fiscal Stabilization Fund under the American Recovery and Reinvestment Act.

-Ohio's Phase II plan will include an incentive to participate for school districts that would have received very little funding through the Title I funding formula prescribed in the RttT guidance. In accordance with the federal guidelines for disbursement, the ODE will establish a "funding floor" for eligible school districts and community schools. Funds to support the funding floor will come from the state's share of RttT funds.

The Board then voted on the report and recommendations of the Superintendent (please see resolutions below); considered old business and new business; received reports from Board members and committees, and adjourned.

Following the Board meeting there was an optional budget information session on school improvement services and initiatives to support educators, presented by Cynthia Lemmerman, Associate Superintendent, Center for School Improvement Services; Lou Staffilino, Associate Superintendent, Center for the Teaching Profession; and Kelly Weir, Director, Office of Budget and Planning.

RESOLUTIONS

Resolutions considered by the State Board of Education at their business meeting on April 13, 2010:

Approved five personnel resolutions and the following:

#2 Approved a Resolution of Intent to amend Rule 3301-24-11 of the OAC entitled Alternative Principal License.

- #3 Approved a Resolution to Revise proposed amended Rule 3301-35-04 of the OAC entitled Student and Stakeholder Focus.
- #4 Approved a Resolution of Intent to consider confirmation of the Carrollton Exempted Village School District's determination of impractical the transportation of certain students attending the St. James School, a chartered non-public school, Stark County.
- #5 Approved a Resolution of Intent to consider confirmation of the Lake Local School District's determination of impractical the transportation of certain students attending the St. Joseph's School, a chartered non-public school, Portage County.
- #6 Approved a Resolution of Intent to consider the proposed transfer of school district territory from the Mariemont City School District, Hamilton County, to the Indian Hill Exempted Village School District, Hamilton County, pursuant to Section 3311.24 of the ORC.
- #7 Approved a Resolution of Intent to consider the proposed transfer of school district territory from the Miami Trace Local School District, Fayette County, to the Washington Court House City School District, Fayette County, pursuant to Section 3311.24 of the ORC.
- #8 Approved a Resolution to accept the recommendation of the hearing officer and deny the transfer of school district territory from the North Fork City School District, Licking County, to the Newark City School District, Licking County pursuant to ORC Section 3311.06.
- #9 Approved a Resolution to approve the agreement of the Board of Education of the Norton City School District, Summit County, and the Barberton City School District, Summit County, to transfer school district territory pursuant to section 3311.06 of the ORC.
- #14 Approved a Resolution to amend Rule 3301-51-05 of the OAC entitled Procedural Safeguards.
- #15 Approved a Resolution to adopt the removal of the inclusion of report-only indicators (also called measures of a rigorous curriculum) on the local report card.
- #16 Approved a Resolution to oppose HB 353 (Huffman), which authorizes school districts to sell commercial advertising space on school buses.
- #17 Adopted the Recommendations of the 21st Century Learning Subcommittee.
- #18 Approved a Resolution in support of Goal Digital Academy's application for a dropout prevention and recovery waiver pursuant to Section 3314.36 of the Ohio Revised Code.
- #19 Adopted a Resolution not to appeal Judge Hogan's order for a permanent injunction prohibiting the ODE from releasing certain personal information about department licensees in the case OEA v. Ohio ODE.

5) Updates from the ODE:

*The School Health Services Advisory Council, created by House Bill 1, submitted recommendations to Governor Ted Strickland on March 31, 2010. The Council was created to address three topics outlined in Section 3319.71 (A) of the Ohio Revised Code regarding the following:

- The content of the course of instruction required to obtain a school nurse license;
- The content of the course of instruction required to obtain a school nurse wellness coordinator license; and,
- Best practices for the use of school nurses and school nurse wellness coordinators in providing health and wellness programs for students and employees of school districts, community schools and STEM schools.

The report is available at

<http://education.ohio.gov/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=513&ContentID=82084&Content=84031>

IDES OF ODE: The April 15, 2010 issue of the Ohio Department of Education's IDES of ODE includes information on a number of topics including Phases I, II, and III of the standards revision process for English language arts, math, science, and social studies; information about the administration of Ohio Achievement Tests and Ohio Graduation Tests; plus information about

education meetings and initiatives around the state. The following are highlights from the latest IDES of ODE, which is available at <http://education.ohio.gov/GD/Templates/Pages/ODE/ODEPrimary.aspx?page=2&TopicID=1368&TopicRelationID=1368>

*Ohio's Comprehensive Educational System is being revised in three phases. Phase I will be complete in June 2010 when the State Board of Education (SBE) adopts revised academic content standards in English language arts, math, science and social studies.

Recent drafts of content standards in science and social studies are available for comment on the ODE website until April 19, 2010. <http://education.ohio.gov/GD/Templates/Pages/ODE/ODEDetail.aspx?Page=3&TopicRelationID=1696&Content=84176>

Versions of revised standards for English language arts and math (referred to as the Common Core State Standards) are available at <http://www.corestandards.org/>

Phase II includes the development of the model curriculum, and is currently in progress. The curriculum will include Content Elaborations, Learning Expectations, Instructional Strategies and Resources, etc. and be posted for public comment in the fall. Teachers will have opportunities over the next months to participate in regional discussion groups about the model, and submit instructional strategies and other recommendations to support the model. The model curriculum is scheduled to be adopted by the SBE in March 2011.

Phase III includes the development of assessments based on the new standards.

Following Phase III the ODE will commence the revision of standards for the fine arts, computers (technology), foreign languages, financial literacy, and business.

*The 2010 Ohio Arts Education Survey was launched during the week of March 15, 2010. Principals received individual e-mail messages with instructions and unique Web addresses to use in completing the survey, which is due April 30, 2010. Completing the survey will provide valuable information that will be used to chart the future of arts education in Ohio's schools. For more information, please contact Nancy Pistone, ODE, at (614) 466-7908, or Donna Collins, Ohio Alliance for Arts Education, at (614) 224-1060.

6) Bills Introduced

*HB494 (Stebelon) Academic Standards: Allows more time for the adoption of standards and model curricula for science, social studies, and financial literacy and entrepreneurship.

*SB248 (Gibbs) Community Reinvestment Area: Lengthens the period for which certain structures in a Community Reinvestment Area may be exempted from property taxation.

*HB487 (Foley) Real Property Transfer Tax: Authorizes an increase in the real property transfer tax up to \$4 per \$1000 of value, and to require that any revenue from the tax in excess of \$3 per \$1000 of value be used by the county for providing housing.

*HB492 (Coley) Delinquent Real Property Tax Collections: Removes the minimum population criterion governing which counties may employ delinquent real property tax collectors thereby allowing counties with populations below 200,000 to employ collectors.

7) Arts Day is April 21, 2010: Celebrate Arts Day in Ohio on April 21, 2010 with advocates for the arts and arts education. This day long event, demonstrating public value and support for the arts, is sponsored by Ohio Citizens for the Arts Foundation, and includes an arts advocacy briefing, legislative visits by high school students, Statehouse tours, student exhibitions and performances, and the 2010 Governor's Awards ceremony and luncheon. The awards ceremony and luncheon are presented in partnership with the National Endowment for the Arts and Ohio Government Telecommunications. Media sponsors include The Columbus Dispatch, Dayton Daily News, Ohio Cable Telecommunications Association, Ohio Magazine and Time Warner Cable. Additional support is received from Allied Sources.

The 2010 Governor's Awards for the Arts were selected from 79 nominations submitted by individuals and organizations throughout Ohio. Winners will receive an original work of art by Cleveland photographer Larry Kasperek. The following are the categories and recipients for 2010:

- Arts Administration, Kevin Moore and Marsha Hanna, Human RaceTheatre, (Dayton)
- Arts Education, Sylvia Easley (Cleveland Heights)
- Arts Patron, Jim and Enid Goubeaux (Greenville)
- Business support of the arts, American Electric Power (statewide)
- Community Development and Participation, Donna Sue Groves (Manchester)
- Individual Artist, Andrew Hudgins, poet (Columbus)

Arts Day was created to foster a greater awareness of the value of the arts in Ohio. Citizens are encouraged to participate in Arts Day by visiting with state legislators and communicating the need for public support of the arts and arts education.

For more information about Arts Day please visit
<http://www.oac.state.oh.us/News/NewsArticle.asp?intArticleId=536>

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