

Education Update

To: LWVO

From: Joan Platz

Education Update for May 31, 2010

1) 128th Ohio General Assembly: The Ohio House and Senate have scheduled sessions and committee hearings this week to complete a number of bills before the summer recess.

*House leaders selected Sub. SB181 (Stewart) Mine Reclamation, to serve as a "clean-up bill" last week, adding a number of amendments before the Ohio House approved the measure on May 27, 2010 by a vote of 79 to 17. The bill now goes back to the Senate for consideration of the amendments.

SB181, as introduced, provides legal immunity to landowners for the cleanup of abandoned mines. Amendments were added by the House Finance and Appropriations Committee that address the following: the Enterprise Zone Program; the Clean Ohio Revitalization Program; the Jobs Ready Sites Program; Commercial Activity Tax minimum payment; state portfolio investments; Agricultural Commodity Testing; eligibility for state sporting event grants; tax exemption for eligible convention centers; tax exemptions for properties leased to the board under certain circumstances; and more. Amendments were also added that address the following education issues:

-Lowers the accountability rating for school districts that fail to meet adequate yearly progress after three consecutive years by one level, and by a second level after four consecutive years. (ORC Section 3302.03).

-Transfers \$35 million from the Lottery Profits Education Reserve Fund to the Lottery Profits Education Fund.

-Requires the ODE to take measures to ensure that Ohio is compliant with federal maintenance of effort and use of funds provisions for education spending, required by the federal American Recovery and Reinvestment Act (State Fiscal Stabilization Funding). The Director of the Office of Budget and Management shall make transfers to the ARRA Compliance Fund from encumbrances no longer needed, based on ODE calculations. The transfers will provide additional subsidy to school districts, on a per pupil basis.

-Requires the transfer of \$7 million to auxiliary services and \$3 million to administrative cost reimbursements funds in unencumbered funds for nonpublic charter schools.

*The Ohio House also approved by a vote of 69 to 28 on May 27, 2010 HJR15 (Letson), a constitutional amendment that revises the way that legislative districts are drawn based on specific criteria. If approved by the Ohio Senate before August 4, 2010, voters would have a chance to decide the issue in November 2010.

*The Ohio Senate approved SB240 (Husted) by a vote of 32 to 0. SB240 permits domestic corporations and labor organizations to make independent expenditures and electioneering communications in support of, or opposition to, candidates for nomination or election, and requires a domestic corporation or labor organization that makes such expenditures to file related campaign statements.

*Both the Ohio House and Senate approved different bills to implement the casino constitutional amendment, HB519 (Yuko) and SB263 (Faber) respectively. Lawmakers are now working on compromise legislation.

*School Funding Advisory Council to Meet: The School Funding Advisory Council, chaired by Superintendent of Public Instruction Deb Delisle, will meet on Friday, June 4, 2010 at the Ohio School Boards Association, 8050 North High Street, Columbus, OH.

The Traditional Public/Community School Collaboration Subcommittee will meet at 10:30-12:30 PM; the Special Needs, Education Linkages, Learning Environments, and Regional Variation Subcommittees will meet starting at 12:30 PM; and the Education Reform Tracking Subcommittee will meet at 3:00 PM. For more information please visit the Council's web site at <http://education.ohio.gov/GD/Templates/Pages/SFAC/ODESFAC.aspx?page=673>.

2) National Update on Education

-The U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics announced on May 21, 2010 that twenty states, including Ohio, will receive grants to design and implement statewide longitudinal data systems. The grants were awarded through a competitive process, and are funded through the American Recovery and Reinvestment Act (ARRA) of 2009. The grants will be used to develop statewide data systems that link data bases, such as data on student achievement in early childhood education through higher education and match teachers with students, while protecting student privacy and confidentiality.

The grants range from \$5.1 million to \$19.7 million. Ohio has been awarded a grant of \$5.1 million to interconnect data systems that collect information about pre-kindergarten, K-12, postsecondary educational systems, and Ohio's workforce. Ohio received a similar grant of

\$13.7 million under the program in 2005.

For more information please visit http://nces.ed.gov/programs/slds/fy09arra_announcement.asp

-The U.S. Supreme Court announced on May 24, 2010 that it will hear arguments regarding two Arizona cases, which will be combined, during its October 2010 term: Arizona Christian School Tuition Organization v. Winn and Garriott, Director, Arizona Department of Revenue v. Winn. The cases address the constitutionality of a thirteen-year old Arizona program that provides tax credits for donations made to organizations that provide scholarships for private schools.

The lawsuits were filed by tax payers, who allege that the tax credit/tuition program is unconstitutional because religious organizations award most of the scholarships, and require students receiving the scholarships to enroll in certain religious schools.

The Arizona Supreme Court upheld the constitutionality of the program in 1997, but the case was appealed to the 9th U.S. Circuit Court , which found that the program could be unconstitutional, because parents did not have the freedom to use the scholarships for a school of their choice.

For more information please visit <http://www.ca9.uscourts.gov/datastore/opinions/2009/10/20/05-15754o.pdf>.

3) This Week at the Statehouse

*The House Ways and Means Committee, chaired by Representative Letson, will meet on June 1, 2010 at 2:00 PM in hearing room 116, and, if necessary, on June 2 and 3, 2010. The committee will hear testimony on HB464 (Winburn) Wind/Solar Energy and SB232 (Widener) Renewable Energy. Both bills exempt certain alternative energy facilities from certain taxes, and require payments in lieu of taxes on the basis of megawatt production.

*The House Elections and Ethics Committee, chaired by Representative Stewart, will meet on June 1, 2010 at 3:00 PM in hearing room 122. The committee will hear testimony on HB504 (Foley) Candidate Financial Disclosure. This bill would require a candidate for statewide non-judicial office to file a sworn statement identifying the candidate's net worth assets and liabilities, real and intangible personal property.

*The House Health Committee, chaired by Representative Boyd, will meet on June 2, 2010 at 8:30 AM in hearing room 121 to receive testimony on SB 210 (Coughlin) Nutritional Standards for Schools.

*The Senate Government Oversight Committee, chaired by Senator Husted, will meet on June 2, 2010 at 9:00 AM in the South Hearing Room to hear testimony on HB377 (Garrison) Election/Initiative Petitions.

*The House Primary and Secondary Education Subcommittee, chaired by Representative Dyer, will meet on June 2 and 3, 2010 at 3:00 PM in hearing room 114. The committee will hold a hearing regarding a lawsuit involving charter schools.

4) Court Decision on Charter Schools Released: Kimball Perry of the Cincinnati Enquirer reported on May 28, 2010 in an article, "Judge Sets Precedent with Charter School Ruling" the decision of Judge Robert Ruehlman of the Hamilton County Court of Common Pleas in the case, Cincinnati Board of Education v. Roger Conners (case number A1001252).

The decision found that the deed restrictions added by the Cincinnati Board of Education when the Theodore Roosevelt School was sold to Roger Conners, prohibiting Conners from using the property for a charter school, violated "public policy". The Cincinnati Public School District is likely to appeal this decision, according to the article.

<http://news.cincinnati.com/article/20100528/NEWS010702/5290341/0/ENT12/Judge-sets-charter-school-precedent>

5) News from the ODE

-The Ohio Department of Education (ODE) announced on May 24, 2010 that 533 schools and school districts have agreed to participate in Phase 2 of the federal Race to the Top (RttT) grant competition due June 1, 2010. The ODE also announced the amount of funds that will be allocated to school districts and community schools for participating in the RttT, if Ohio's application is selected.

Ohio is seeking \$400 million in RttT funds. Half of the funds will be distributed directly to participating schools and school districts based on federal Title 1 formulas for schools. ODE also established a funding floor for 149 districts that indicated during Phase 1 of the competition that the amount of RttT funds that they would have received, based on their Title I formula, would not be sufficient to implement RttT's mandates.

According to the ODE, the additional funds needed to support a floor for 149 school districts will be distributed from the state's share of the grant. Total allocations for schools and school districts will be \$206 million. To read more about the RttT application and allocations for school districts, please visit, <http://www.education.ohio.gov/GD/Templates/Pages/ODE/ODEDetail.aspx?page=694>

-The Character Education Partnership (CEP), Joe Mazzola director, announced on May 18, 2010 that Sentinel Career Center in Tiffin, OH had been selected to receive one of 15 National Schools of Character awards. Sentinel is the first career center to receive this award since the program began in 1998. Awards are presented to applicants that have established a character education program that is based on the Eleven Principles of Effective Character Education developed by the Partnership.

National Winners will receive their awards and present a breakout session at CEP's 17th National Forum on Character Education, October 27-30, 2010, at the Hyatt Regency Embarcadero Hotel in San Francisco, CA. This year's theme is Service and Leadership: Profiles in Character. CEP will give each winner a \$3,000 grant to support its outreach efforts.

For more information about character education in Ohio, please contact lucy.frontera@charactereducationohio.org.

To learn more about the Character Education Partnership, please visit http://www.character.org/uploads/PDFs/Press_Releases/NSOC/NSOCWinners_2010.pdf.

-Ohio Governor Ted Strickland and State Superintendent of Public Instruction Deborah Delisle announced on May 27, 2010 that the KnowledgeWorks Foundation, Chad Wick CEO, will lead a comprehensive review of the state's K-12 education system and report its findings by December 2010. The purpose of the review is to identify efficiencies, new learning technologies, and new kinds of collaborations that will help schools and school districts become more cost-effective during these difficult economic times.

According to Governor Strickland, "Every dollar we can save through greater efficiency is a dollar we can reinvest to improve high-quality opportunities for students in the classroom."

KnowledgeWorks will work with the Ohio Department of Education, legislators from both parties, education stakeholders, community and business leaders, and foundations to ensure that a variety of opinions and recommendations are considered. The project will be funded by KnowledgeWorks and potentially other private funders.

6) National Condition of Education Report Released: The U.S. Department of Education, National Center for Education Statistics, released on May 27, 2010 "The Condition of Education 2010" by Susan Aud, William Hussar, Michael Planty, Thomas Snyder, Kevin Bianco, Mary Ann Fox, Lauren Frohlich, Jana Kemp, and Lauren Drake.

The report summarizes developments and trends in education using the latest available data, organized through forty-nine indicators that "represent a consensus of professional judgment on the most significant national measures of the condition and progress of education for which accurate data are available." The indicators are grouped into five general sections:

- Participation in Education presents enrollment and demographic trends preK through postsecondary education.
- Learner Outcomes includes student achievement data from national and international assessments, including achievement in the arts, and social and economic outcomes.
- Student Effort and Educational Progress presents information on student persistence and attainment through secondary and postsecondary education.
- Contexts of elementary and Secondary Education and Contexts of Postsecondary Education describe the costs, staffing, and the social climate at the elementary/secondary and postsecondary levels.

This year's Condition report also includes a special section on high poverty schools.

The following are some of the findings included in the report and summarized in the briefing document:

Participation

- Total public school enrollment has increased since the late 1980s. Total enrollment is projected to be about 49 million students this year and to continue to grow to over 52 million students in 2019.
- Enrollment in grades K-8 will increase through 2019; enrollment in grades 9-12 will decrease slightly through 2011, and then increase.
- Enrollment in charter schools, has more than tripled since 1999 from 340,000 students to nearly 1.3 million in 2007. As of 2007, charter schools enrolled 3 percent of public school students and accounted for 5 percent of all public schools.
- Private school enrollment increased from 5.9 to 6.3 million students between 1995 and 2001, but by 2007 enrollment had declined to the 1995 level. About 11 percent of all elementary and secondary school students were in private schools in 2007. Catholic schools continued to have the largest percentage of total enrollment at 39 percent, although this percentage is down from 45 percent in 1995.
- From 1970 to 2008, undergraduate enrollment in college increased from 7.4 million students to 16.4 million. By 2019, when total undergraduate enrollment is projected to be 19 million students, it is expected that 59 percent of these students will be female.

Student Outcomes

- Between 1992 and 2009, the average NAEP reading scores increased 4 points for both 4th-graders and 8th-graders. At grade 4, the average reading score was 221 in both 2007 and 2009, and at grade 8, the

average reading score increased by 1 point between these years, from 263 to 264.

-Since 1990, scores for 4th-graders in mathematics have increased by 27 points. For 8th-graders, the average score has increased by 20 points. Compared with the 2007 average mathematics score at grade 4, the score in 2009 was unchanged, although it was higher than the scores on all previous assessments since 1990. The 2009 score for 8th-graders was the highest of all assessment years.

-72 percent of all young adults with at least a bachelor's degree were working full time throughout the full year in 2008, while only 48 percent of those with less than a high school diploma were working full time. In 2008, young adults with a bachelor's degree earned 53 percent more than high school completers and 96 percent more than those without a high school diploma.

Attainment

-Using the averaged freshman graduation rate (percentage of incoming high school freshmen who graduate four years later), about 75 percent of 2003 incoming freshman graduated from public school on time in 2007. Vermont had the highest graduation rate at 89 percent, and Nevada the lowest rate at 52 percent.

-The dropout rate for Whites, Blacks, and Hispanics decreased between 1980 and 2008. Although the dropout rates for Blacks and Hispanics is higher than Whites, the gaps are narrowing.

-The enrollment rate in 2-year and 4-year colleges was approximately 50 percent between 1972-1980, and increased to sixty-nine percent in 2008. The enrollment rate for students from low -income families is less than the rate for students from high income families, but the gap has narrowed from 41 percent in 1972 to 25 percent.

-57 percent of first-time, full-year students completed a bachelor's degree within 6 years. Asian/Pacific Islander students had the highest 6-year graduation rate, followed by White, Hispanic, Black, and American Indian/Alaska Native students. This rate also varied by type of institution. The 6-year rate for private not-for-profit institutions was 64 percent, compared with 55 percent for public institutions and 25 percent for private for-profit institutions.

High Poverty Schools

According to the report that focuses on high-poverty schools, the percentage of public schools in the U.S. where more than three quarters of students are eligible for free or reduced-price lunch has increased in the past decade from 12 to 17 percent between the 1999-2000 and 2007-2008 school years.

High poverty schools educate twenty percent of elementary school students and six percent of students in high schools. Approximately 42 percent of Hispanic elementary students and 40 percent of Black elementary school students attended high poverty schools in 2008, compared to five percent of White elementary school students. At the secondary level, about 15 percent of Black, Hispanic, and American Indian/Alaska Native students attended high poverty schools compared with one percent of White students. The states with the highest percentages of high poverty elementary schools in 2008 were

Mississippi (53 percent); Louisiana (52 percent), and New Mexico (46 percent). The same states had the highest percentage of secondary schools in 2008 considered high poverty.

The full report is available at <http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2010028>.

7) New Website for Civic Education Launched: A new web site called iCivics has recently been launched to teach middle school students about the responsibilities of citizenship, U.S. government, history, and how to be active participants in our democracy. The site provides free games, lesson plans, and interactive modules to educate students to become knowledgeable civic participants and leaders.

iCivics is the vision of former Supreme Court Justice Sandra Day O'Connor and is supported by the The Annenberg Classroom; the Campaign for Civic Mission of Schools; the Center for Civic Education; the National Council for Social Studies; the Federal Judicial Center, and other national organizations. It is a nonprofit organization based at Georgetown Law School.

iCivics games help teach students about the separation of powers; the Constitution and the Bill of Rights; the Executive, Judicial, and Legislative Branches of Government; and more. The contact in Ohio is Nancy A. Lawson (513) 977-8318 at nancy.lawson@dinslaw.com.

To learn more about iCivics please visit <http://www.icivics.org/>

8) Think Tank Reviews Fordham Report: The Think Tank Review Project released on May 26, 2010 a review of a report entitled "Charter School Autonomy: A Half-Broken Promise" by Dana Brinson and Jacob Rosch, and published by The Thomas B. Fordham Institute, with Public Impact in April 2010. Charisse Gulosino at the University of Massachusetts-Boston conducted the review for Education and the Public Interest Center (EPIC) at the University of Colorado at Boulder and the Education Policy Research Unit (EPRU) at Arizona State University.

According to the review, "Think Tank Review Project finds that a recent report contending that constraints on charter school autonomy undermine the schools' effectiveness merely assumes the benefits of such autonomy. It fails to provide supporting empirical evidence."

The original report published by the Thomas B. Fordham Institute is based on an examination of state charter school laws in the 26 states that contain the largest percentage of charter schools and the contracts of 100 charter schools, and includes information from interviews with stakeholders. The report then rates states based on the amount of autonomy their enabling laws grant charter schools, awarding states with high autonomy the highest grade, "A". The report describes the level of autonomy as it affects charter schools in fourteen areas, such as authorization, enrollment, staffing, instructional

programming, governance, culture, etc. The report concludes that autonomy, freedom from bureaucratic control, is a prerequisite for innovative and effective charter schools.

The review conducted by Gulosino identifies flaws in the report, such as the arbitrary system used to rate the autonomy of state laws regarding charter schools; the lack of evidence showing how autonomy, or the lack of autonomy, affects school performance, and how the lack of autonomy adversely impacts areas of school autonomy; and the report's reliance on rhetorical rather than empirical evidence.

The reviewer writes, "The report does not further our understanding of this issue and is of little or no help in guiding policy for charter school authorizers, state legislators, school district leaders, donors, school leaders, teachers, parents, or even charter school supporters."

The report, "Charter School Autonomy: A Half-Broken Promise", by Dana Brinson and Jacob Rosch and published by The Thomas B. Fordham Institute, is available at http://www.edexcellence.net/index.cfm/news_charter-school-autonomy-a-half-broken-promise

The Think Tank Review is available at <http://epicpolicy.org/files/TTR-CharterHalf-promise-Gulosino.pdf>.

9) Bills Introduced

-SB272 (Miller) College/University TRIO Programs: Makes an appropriation for the provision of state matching funds for federal TRIO programs at Ohio institutions of higher education for the FY 2010-FY 2011 biennium.

-HB530 (Driehaus) Public College-Preparatory Boarding Schools: Permits the establishment of public college-preparatory boarding schools for at-risk students to be operated by private nonprofit entities.

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