



*Jim Kelly*

## *Bill Analysis*

*Legislative Service Commission*

### **H.B. 1**

123rd General Assembly  
(As Introduced)

**Reps. Brading, Gardner, Coughlin, Opfer, Hollister, Winkler, Callender, Metzger, Hartnett, Logan, Jerse, Carey, Taylor, O'Brien, Allen, Harris, Wilson, Bateman, Vesper, Myers, Evans, Stapleton, Krebs, Mead, Tiberi, Perz, Trakas, Olman, Kilbane, Thomas, Calvert, Schuler, Hoops, Corbin, Goodman, Householder, Womer Benjamin, Amstutz, Core, Cates, Mottley, Jolivette, Padgett, Damschroder, Buehrer, Haines, Schuring, Willamowski, Williams, Austria, Roman, Clancy, Buchy, Salerno, Hood, Young, Van Vyven, Jacobson, Netzley, Terwilleger, Krupinski, Barrett, Jones, Schuck, Bender, Grendell, Boyd, Ogg, Patton**

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#### **BILL SUMMARY**

- Creates a seven-member OhioReads Council, whose duties include establishing guidelines for two OhioReads grant programs, developing a model to monitor and evaluate the OhioReads initiative, and developing a strategic plan to recruit and train volunteers for the initiative.
- Abolishes the Council on July 1, 2004.
- Establishes the OhioReads Classroom Reading Grants Program and the OhioReads Community Reading Grants Program.
- Establishes the OhioReads Office within the Department of Education as fiscal agent for the classroom reading grants.
- Establishes the Ohio Best Practices Center at a state university selected through a competitive process to identify and communicate the best educational practices in Ohio primary and secondary schools.
- Requires the Best Practice Center to house the OhioReads Clearinghouse, a repository of information pertaining to the best educational practices for teaching and improving reading skills.

- Appropriates \$20 million from the General Revenue Fund in each of FY 2000 and FY 2001 for the Classroom Reading Grants Program, and \$5 million from the General Revenue Fund in each fiscal year for the Community Reading Grants Program.

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## CONTENT AND OPERATION

### OhioReads Council

#### Membership

(sec. 3301.90)

The bill establishes the OhioReads Council, consisting of the following seven members:

- Three persons appointed by the Governor, one of whom must be a reading teacher and one of whom must represent an Ohio college of education;
- One member of the House and one member of the Senate, appointed by the Speaker of the House and the Senate President, respectively;
- The Director of Budget and Management; and
- The state Superintendent of Public Instruction.

The three members appointed by the Governor serve at the pleasure of the Governor. The two legislative members serve at the pleasure of the Speaker of the House or the Senate President, whichever appointed the member, but a legislative member who ceases to be a member of the legislative house from which he or she was appointed ceases to be a member of the Council. The Governor fills any vacancies in positions appointed by the Governor, the Speaker fills any vacancies in the position for a member of the House, and the Senate President fills any vacancies in the position for a member of the Senate.

The Council must meet at least twice every month to conduct business, and its members may receive no compensation (including no reimbursement of expenses).

#### Duties

(secs. 3301.91 and 3301.92)

The bill specifies the Council's duties as including, but not limited to:

(1) Advising and consenting to the state Superintendent's appointments to the position of executive director of the OhioReads Office in the Department of Education;

(2) Developing a model to monitor and evaluate the effectiveness of the OhioReads initiative, described as including classroom reading grants, community reading grants, and the OhioReads Clearinghouse;

(3) Developing a strategic plan for recruiting, training, and placing volunteers for the OhioReads initiative; and

(4) Establishing the guidelines for awarding classroom reading grants and community reading grants, including eligibility criteria, grant amounts, and administrative, programmatic, and reporting requirements.

The Council, in performing its duties, must do the following, to the extent practicable:

(a) Maximize use of resources to improve reading outcomes, especially the fourth grade reading proficiency test passage rates;

(b) Identify and maximize relevant federal and state resources to leverage OhioReads resources and related programs;

(c) Focus on early reading intervention strategies, professional development, and parental involvement; and

(d) Give priority to programs, including programs primarily using volunteers, that have been reviewed by the Education Commission of the States and recognized as promising educational practices for accelerating student achievement.

The Governor's office must provide the Council with staff and other administrative support.

### **Sunset**

(Section 2)

The bill abolishes the Council on July 1, 2004. It overrides the current Sunset Review Law, which would have terminated the Council on December 31, 2002 (unless the General Assembly decided to continue its existence).<sup>1</sup> Not later

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<sup>1</sup> See Revised Code § 101.84, not in the bill.

than January 1, 2004, the Director of Budget and Management must submit to the Speaker of the House and the Senate President a written recommendation of a governmental entity to assume the Council's duties beginning July 1, 2004, if the General Assembly does not continue the Council's existence.

**Classroom reading grants and OhioReads Office**

(secs. 3301.85 and 3301.86; Section 5)

The bill establishes the OhioReads Classroom Reading Grants Program and the OhioReads Office to administer it as fiscal agent. Until July 1, 2004, when the bill abolishes the OhioReads Council, the grants are to be awarded in accordance with the guidelines established by the Council. (The bill does not abolish the grant program on that date.) The bill appropriates \$20 million from the General Revenue Fund in each of FY 2000 and FY 2001 for the program.

The Office is established within the Department of Education. It is to be under the supervision of an executive director appointed by the state Superintendent of Public Instruction. The executive director will serve at the pleasure of the Superintendent, but until July 1, 2004, the Superintendent's appointment is subject to the advice and consent of the OhioReads Council. Any additional staff for the Office are to be hired by the Superintendent.

**Community reading grants**

(sec. 121.401; Section 4)

The bill establishes the OhioReads Community Reading Grants Program and designates the Department of Aging as its fiscal agent. Until July 1, 2004, when the bill abolishes the OhioReads Council, the grants are to be awarded in accordance with guidelines established by the Council. (It does not abolish the grant program on that date.) The bill appropriates \$5 million from the General Revenue Fund in each of FY 2000 and FY 2001 for the program.

**Best Practices Center**

(secs. 3333.72 and 3333.74)

The bill establishes the Ohio Best Practices Center, to be located at a state university selected on a competitive basis. Employees of the Center must identify the best educational practices in primary and secondary schools and establish methods for communicating them to other schools and school districts. They also must provide technical assistance to school districts desiring to replicate best practices.

The Center must include an OhioReads Clearinghouse that (1) serves as a repository of documents and information concerning the best education practices for teaching and improving reading skills in Ohio's primary and secondary schools and (2) provides technical assistance to school districts to replicate them.

**Selection of state university**

(sec. 3333.71)

Prior to December 31, 1999, the Governor, the state Superintendent of Public Instruction, and the Chancellor of the Ohio Board of Regents must conduct a search of Ohio's 13 state universities for the best location to establish the Ohio Best Practices Center. The Center must be located on the campus of one of those state universities. The university must be selected on a competitive basis from among those that apply and demonstrate the ability and desire to maintain it in the manner necessary to accomplish the goals specified for the Center in the bill.

**Board of directors and executive director**

(sec. 3333.73)

The Center will be operated by a board of directors consisting of five members: three appointed by the Governor and two appointed by the board of trustees of the state university housing the Center. The Governor must ensure that (1) at least one member is a classroom teacher employed by a school district and (2) at least one member is the principal of a school in a school district. All appointees serve at the pleasure of their appointing authority, and they may receive no compensation (or reimbursement for expenses).

The board of directors must hire and fix the compensation of an executive director, who will serve at the pleasure of the board.

**Immediate effective date**

(Section 7)

In 1994, the Ohio Supreme Court ruled, in *State, ex rel. Ohio AFL-CIO, v. Voinovich*, that although appropriations for current expenses go into immediate effect and are not subject to the voter referendum, other sections of law contained in the same bill may be subject to the referendum and, therefore, have a 90-day delayed effective date. (This is the referendum provided by Article II, Section 1c of the Ohio Constitution entitling the state's voters to reject any law passed by the General Assembly, except laws appropriating money, levying taxes, or declaring

an emergency.)<sup>2</sup> The General Assembly responded to this decision by enacting R.C. § 1.471, which states among other things that the General Assembly will decide the effective dates of provisions of bills containing appropriations.

In accordance with that section, the bill states that none of its provisions are subject to the referendum and, therefore, all of its sections are entitled to go into immediate effect when the bill becomes law.

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## HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	01-20-99	p. 84

H0001-I.123/rss

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<sup>2</sup> 69 *Ohio St.3d* 225.