



S.J.R. 9*

123rd General Assembly
(As Reported by S. Education)

Sen. Watts

BILL SUMMARY

- Approves proposed rule 3301-35-10 of the Administrative Code regarding site-based management of schools, approved by the State Board of Education on July 14, 1998.

CONTENT AND OPERATION

Background

Section 3314.20 of the Revised Code requires the State Board of Education to recommend rules to the General Assembly requiring each school district that has a total student count of over 5,000 and that has not been designated as an effective school district to designate at least one school building to be operated by a site-based management council (SBMC).¹ The recommended rules regarding the site-based management council become effective upon approval by the General Assembly through the passage of a joint resolution. S.J.R. 9, if adopted, gives the General Assembly's approval of proposed rule 3301-35-10 of the Administrative Code.

Proposed rule 3301-35-10--the site-based management council rule

Proposed rule 3301-35-10 of the Administrative Code, the site-based Management Council Rule, establishes the following requirements for site-based management of schools.

* *This analysis was prepared before the report of the Senate Education Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.*

¹ *"Effective" means that the district has met at least 94% (17 of 18) of the state performance standards. (Sec. 3302.03.)*

Establishment of a SBMC

Immediately following performance designations (after July 1, 1999) district boards required to have site-based management councils shall identify at least one school to be operated by a SBMC. The composition of the SBMC must at least include the building principal, teachers assigned to the school, nonteaching staff, parents who have at least one child enrolled in the school (the number of parents must equal the number of teachers serving on the SBMC), at least three community representatives, and at the board's discretion, a member of the student body who may be given voting rights. The board must assure that parity is maintained in the membership among teacher, nonteaching staff, and parent members of the SBMC.

Selection of council members

The board must adopt provisions for selecting council members that provide that teachers, nonteaching staff, parent groups, and students select their own representatives, each of whom is responsible for reporting back to the group they represent and for soliciting that group's views and assistance. The teacher, nonteaching staff, and parent representative groups elected to the SBMC shall also each appoint one community representative to serve on the SBMC.

Removing council members

The board must adopt provisions for removing council members, although the rule states that these provisions must recognize "that the SBMC will establish its own procedures for the removal of members." Specifically, the rule requires that the removal of a teacher or nonteaching staff member may only result from an action by the district superintendent, with the concurrence of the constituency represented, and be in accordance with district board of education policies and procedures. Removal of a parent member of the SBMC may only result from an action by the SBMC, with the concurrence of the parent group that is represented and in accordance with that group's policies and procedures. The removal of a community member of the SBMC may only result from an action by the SBMC with the concurrence of 75% of the SBMC representatives and in accordance with the SBMC's policies and procedures.

Powers, duties, functions, and responsibilities of SBMC

The board must delineate the following as the powers, duties, functions, and responsibilities of the SBMC:

(1) Provide input for the implementation of guidelines, process, and procedures established by the district board of education for selecting the principal;

(2) Recommend to the superintendent the removal from the school (for cause as established by the district board of education) of any of the following: the principal, teachers, nonteaching staff, and other professional and para-professional staff;

(3) Recognize the building principal as chair and facilitator of the initial organizational meeting of the SBMC, during which a temporary chair will be selected to serve until provisions are made to select a permanent chair;

(4) Facilitate the development of a continuous improvement plan for the school;

(5) Monitor and evaluate the school's progress with continuous improvement;

(6) Prepare annually, for submission to the district superintendent and board of education, a budget for the operation of the school;

(7) Monitor the budget;

(8) Prepare and communicate financial progress reports at least annually to the district board of education and the community.

Dispute resolution provisions

The board must meet and agree with the SBMC on procedures for resolving any disagreements, with those procedures to include provisions for an independent, local mediator to be used to help resolve disagreement, and if necessary, provide binding resolution. No person who is a current member of the State Board of Education or an employee of the Ohio Department of Education may serve as a mediator.

Alternative proposal

A board of education may, instead of following the specifications as outlined above, file with the Department of Education, an alternative structure for a site-based management program in at least one school in the district. The alternative proposal must comply substantively with the requirements otherwise delineated in this analysis. The proposal must specify that the SBMC will include an equal number of parents and teachers in addition to the principal, must set forth

the method of selection and removal of members, and provide clear delineation of powers, duties, functions, and responsibilities of the district board of education and the SBMC.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	04-21-99	p. 332
Reported, S. Education	---	---

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