



Ohio Legislative Service Commission

Bill Analysis

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Sub. H.B. 362*

130th General Assembly
(As Reported by S. Education)

Reps. Scherer and Derickson, Anielski, Blessing, Butler, Roegner, Young, Bishoff, Baker, Beck, Buchy, Burkley, Conditt, Green, Grossman, Hackett, Hall, Maag, Romanchuk, Stebelton, Terhar, Wachtmann, Batchelder

BILL SUMMARY

STEM SCHOOLS

- Creates a new designation of science, technology, engineering, and mathematics (STEM) school equivalent that may be granted to a community school or chartered nonpublic school that satisfies certain requirements.
- Specifies that a STEM school equivalent is not eligible for any of the operating funding that is provided to STEM schools.
- Specifies that the existing STEM Committee is a committee of the Department of Education.
- Permits the governing authority of a chartered nonpublic school to submit a proposal to receive a grant for a STEM program of excellence that serves students in any of grades kindergarten through eight in that school.
- Permits a community school, a chartered nonpublic school, or both to be part of a partnership of public and private entities that submits a proposal for the establishment of a new STEM school.
- With respect to the existing requirement that a proposal for the establishment of a new STEM school include evidence that the school will utilize an established

* 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.

capacity to capture and share knowledge for best practices and innovative professional development, requires this knowledge to be shared with the Ohio STEM Learning Network, or its successor.

- Requires the STEM Committee to (1) seek technical assistance from the Ohio STEM Learning Network or its successor when accepting, evaluating, and choosing to approve proposals for the establishment of new STEM schools and (2) consider the recommendations of the Ohio STEM Learning Network or its successor when approving proposals.

TEACHER EVALUATIONS

- Permits a school district or school to evaluate any teacher who received a rating of "accomplished" on the teacher's most recent evaluation once every three years, so long as the teacher's student academic growth measure is "average" or higher.
- Permits a school district or school to evaluate any teacher who received a rating of "skilled" on the teacher's most recent evaluation once every two years, so long as the teacher's student academic growth measure is "average" or higher.
- Provides that in any year a teacher is not formally evaluated, as a result of receiving a "skilled" or "accomplished" rating on that teacher's most recent evaluation, that teacher must still receive an observation and a conference.
- Beginning with the 2014-2015 school year, authorizes a district or school to choose not to evaluate a teacher who was on leave from the school district for 50% or more of the school year or has submitted a notice of retirement that was accepted not later than December 1 of the school year.
- Permits a district or school, beginning with the 2014-2015 school year, to use the alternative framework, as prescribed by the bill, for teacher evaluations.
- Requires a district or school that chooses to use the alternative framework for the 2014-2015 school year to calculate ratings based on (1) the teacher performance measure (42.5% of the evaluation), (2) the student academic growth measure (42.5% of the evaluation), and (3) one component selected by the district or school from among student surveys, teacher self-evaluations, peer review evaluations, or student portfolios (15% of the evaluation).
- Requires a district or school that chooses to use the alternative framework for the 2015-2016 school year, and for each school year thereafter, to calculate ratings based on (1) the teacher performance measure (42.5% to 50% of the evaluation), (2) the student academic growth measure (42.5% to 50% of the evaluation), and (3) one



component selected by the district or school from among student surveys, teacher self-evaluations, peer review evaluations, or student portfolios (the remaining percentage of the evaluation).

- Requires the Department of Education to compile a list of approved instruments for districts and schools to use when evaluating student surveys, teacher self-evaluations, peer review evaluations, and student portfolios.
- Requires each district or school to choose one approved instrument from the Department's list to evaluate the applicable component selected by that district or school.

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CONTENT AND OPERATION

STEM SCHOOLS

STEM school equivalent

The bill creates a new designation of science, technology, engineering, and mathematics (STEM) school equivalent.¹ This designation may be granted to a community school or chartered nonpublic school that submits a proposal for designation to the STEM Committee. A STEM school equivalent is not subject to any of the requirements that apply to STEM schools except for those regarding a STEM school's curriculum and working partnerships with outside public and private entities.² Additionally, a STEM school equivalent is not eligible for any of the state operating funding that is provided to STEM schools.³

(Under current law, a regular STEM school is a stand-alone public school that offers a rigorous curriculum for any of grades 6 through 12 that integrates STEM disciplines with arts and humanities. A STEM school receives state funds on a per-pupil basis through one of two distinct funding methods.)

Proposal for designation as a STEM school equivalent

The bill requires a community school or chartered nonpublic school seeking designation as a STEM school equivalent to submit a proposal to the STEM Committee that is established in current law (see "**STEM Committee**" below). The proposal must include all of the following:

(1) Assurances that the community school or chartered nonpublic school submitting the proposal has a working partnership with both public and private entities, including higher education entities and business organizations;

(2) Assurances that the school submitting the proposal will operate in compliance with the bill's provisions and the provisions of the proposal as accepted by the STEM Committee;

(3) Evidence that the school submitting the proposal will offer a rigorous, diverse, integrated, and project-based curriculum to students in any of grades 6 through

¹ R.C. 3326.032.

² R.C. 3326.032(C)(1) and 3326.09.

³ R.C. 3326.032(C)(3).



12, with the goal to prepare those students for college, the workforce, and citizenship, and that does all of the following:

(a) Emphasizes the role of science, technology, engineering, and mathematics in promoting innovation and economic progress;

(b) Incorporates scientific inquiry and technological design;

(c) Includes the arts and humanities;

(d) Emphasizes personalized learning and teamwork skills.

(4) Evidence that the school submitting the proposal will attract school leaders who support the curriculum principles outlined above;

(5) A description of how each school's curriculum will be developed and approved in accordance with the STEM school curriculum requirements, which apply to a STEM school equivalent under the bill's provisions;

(6) Evidence that the school submitting the proposal will utilize an established capacity to capture and share knowledge for best practices and innovative professional development;

(7) Assurance that the school submitting the proposal has received commitments of sustained and verified fiscal and in-kind support from regional education and business entities.⁴

These requirements are very similar to the requirements for a proposal for a STEM school, except that STEM school proposals must also provide that the school will be under the oversight of a governing body and specify how the school's assets will be distributed upon its closing. These additional requirements are unnecessary for STEM school equivalents because the bill specifies that a community school or chartered nonpublic school that is designated as a STEM school equivalent is still subject to the requirements that already apply to that type of school, including requirements pertaining to school governance and distribution of the school's assets upon its closing.⁵

Curriculum requirements

The bill specifies that the curriculum of a STEM school equivalent is subject to the requirements that apply to the curriculum of a STEM school under current law. The

⁴ R.C. 3326.032(B).

⁵ R.C. 3326.032(C)(1).



curriculum must be developed by a team that consists of at least the school's chief administrative officer, a teacher, a representative of the higher education institution that is a collaborating partner with the STEM school equivalent, and a member of the public with expertise in the application of science, technology, engineering, or mathematics, and it is subject to approval by the school's governing authority.⁶

Applications for grants and additional funds

The bill expressly permits a STEM school equivalent to apply for any of the grants and additional funds that a STEM school may apply for under current law, as long as the STEM school equivalent is eligible for those grants or additional funds.⁷ This apparently means a STEM school equivalent may use its designation to (1) apply to any state or federal agency for grants under federal or state law or any "appropriations act of the General Assembly" and (2) apply to any private entity or foundation for additional funds.⁸

Additional requirements

Contract between a community school and its sponsor

If the governing authority of a community school is planning to seek designation for the school as a STEM school equivalent, the bill requires that fact be stipulated in its contract with the school's sponsor.⁹

Notification upon closure or ceasing to be a STEM school equivalent

If the governing authority of a community school or chartered nonpublic school that has been designated as a STEM school equivalent intends to close the school or intends to no longer be designated as a STEM school equivalent, the bill requires the school to notify the STEM Committee of that fact.¹⁰

(Current law, not affected by the bill, requires the governing authority and sponsor of a community school that is permanently closing and ceasing operation to use procedures adopted by the Department of Education, including procedures for data reporting to the Department, handling of student records, distribution of assets, and

⁶ R.C. 3326.032(C)(1) and 3326.09.

⁷ R.C. 3326.032(C)(3).

⁸ R.C. 3326.38, not in the bill.

⁹ R.C. 3314.03(A)(26).

¹⁰ R.C. 3301.162 and 3326.032(D).

other matters.¹¹ With respect to chartered nonpublic schools that intend to close, current law requires a school's governing authority to notify the Department, the school's accrediting agency, and the school district that receives state Auxiliary Services Funds for the school's students of the intent to close.¹²)

STEM Committee

The bill specifies that the STEM Committee, which is established under current law, is a committee of the Department of Education.¹³ The STEM Committee currently consists of seven members: the Superintendent of Public Instruction, the Chancellor of the Board of Regents, the Director of Development, and four members of the public who have expertise in business or STEM fields (two appointed by the Governor, one appointed by the Speaker of the House of Representatives, and one appointed by the President of the Senate).

STEM programs of excellence

The bill permits the governing authority of a chartered nonpublic school to submit a proposal to the STEM Committee to receive a grant for a STEM program of excellence that serves students in any of grades kindergarten through eight in that school.¹⁴ Currently, city, exempted village, and local school districts and community schools may submit proposals for this purpose. Current law requires the STEM Committee to award grants to support the operation of STEM programs of excellence, but money has not been appropriated for this purpose for several years.

Proposals to create new STEM schools

Partnering entities for STEM proposals

The bill permits, but does not require, a community school, a chartered nonpublic school, or both to be part of a partnership of public and private entities that submits a proposal for the establishment of a new STEM school.¹⁵ Current law requires this partnership to consist of at least (1) a city, exempted village, local, or joint vocational school district or an educational service center, (2) higher education entities, and (3) business organizations.

¹¹ R.C. 3314.015(E), not in the bill.

¹² R.C. 3301.162.

¹³ R.C. 3326.02.

¹⁴ R.C. 3326.04.

¹⁵ R.C. 3326.03.



Content of proposals

Under current law, a proposal for the establishment of a new STEM school must include evidence that each STEM school that is part of the proposal will utilize an established capacity to capture and share knowledge for best practices and innovative professional development. The bill specifies that this knowledge for best practices and innovative professional development is to be shared with the Ohio STEM Learning Network, or its successor.¹⁶ The Ohio STEM Learning Network is a private entity that connects STEM schools, teachers, and administrators across the state and assists schools and communities that want to create new STEM schools and programs.¹⁷

Evaluation and approval of proposals

The bill requires the STEM Committee to seek technical assistance from the Ohio STEM Learning Network, or its successor, throughout the process of accepting and evaluating proposals for the establishment of a new STEM school and choosing which proposals to approve. The STEM Committee also must consider the recommendations of the Ohio STEM Learning Network, or its successor, in approving proposals for STEM schools.¹⁸

TEACHER EVALUATIONS

The bill makes several modifications to the state teacher evaluation system. First, it decreases the frequency of evaluations for high-performing teachers. Second, it exempts teachers from an evaluation who were on leave for a specified percentage of the school year or submitted a notice of retirement by a specified date. Finally, it permits districts and schools to use an alternative framework, prescribed by the bill, for the evaluation of teachers. A more detailed explanation of each of these modifications is provided below.

Frequency of evaluations

The bill modifies the current requirement that all teachers who spend at least 50% of the time employed providing student instruction must be evaluated at least once every school year by permitting certain high-performing teachers to be evaluated on a less frequent basis. Specifically, the bill permits a school district board of education or governing authority of a school to evaluate only once every three years any teacher who received a rating of "accomplished" on the teacher's most recent evaluation so long as

¹⁶ R.C. 3326.03(C)(9).

¹⁷ Ohio STEM Learning Network website (www.osln.org), click on "About."

¹⁸ R.C. 3326.03.



the teacher's student academic growth measure, for the most recent school year for which data is available, is "average" or higher, as determined by the Department of Education.¹⁹ Current law permits a board or governing authority, by adoption of a resolution, to evaluate once every two years any teacher who received a rating of "accomplished" on the most recent evaluation.

The bill also permits a board or governing authority to evaluate once every two years any teacher who received a rating of "skilled" on the teacher's most recent evaluation so long as the teacher's student academic growth measure, for the most recent school year for which data is available, is "average" or higher, as determined by the Department.²⁰

In any year that a teacher does not receive a formal evaluation, the bill requires that the teacher receive at least one observation from, and attend at least one conference with, an individual who holds a credential for being an evaluator issued by the Department.²¹

Exemptions from evaluation

Beginning with the 2014-2015 school year, the bill allows a district or school to choose not to evaluate either of the following:

(1) A teacher who was on leave from the school district for 50% or more of the school year.²²

(2) A teacher who has submitted notice of retirement and that notice has been accepted not later than December 1 of the school year in which the evaluation is otherwise scheduled to be conducted.²³

Framework for the evaluation of teachers

All school districts and educational service centers, and all community schools and STEM schools that receive federal Race to the Top grant funds, must adopt a standards-based teacher evaluation system that conforms to a framework developed by

¹⁹ R.C. 3319.111(C)(2)(a).

²⁰ R.C. 3319.111(C)(2)(b).

²¹ R.C. 3319.111(C)(3).

²² R.C. 3319.111(C)(2)(d)(i).

²³ R.C. 3319.111(C)(2)(d)(ii).

the State Board of Education.²⁴ The evaluation system must provide for multiple evaluation factors, one of which must be student academic growth and must account for 50% of each evaluation.²⁵ The current evaluation system also requires at least two formal observations of the teacher being evaluated, of at least 30 minutes each, and classroom walkthroughs; however, no percentage of a teacher's evaluation is expressly attributed to this factor.²⁶

Alternative framework

Beginning with the 2014-2015 school year, a district or school may use an alternative framework prescribed by the bill for the evaluation of teachers, rather than the current framework developed by the State Board (as described above).²⁷ If a district or school chooses to use the alternative framework, that district or school must calculate ratings assigned for teacher evaluations according to the framework for that specified school year, as prescribed below.

2014-2015 school year

If a district or school chooses to use the alternative framework for the 2014-2015 school year, ratings assigned for teacher evaluations must be calculated according to the following:

- (1) The teacher performance measure must account for 42.5% of each evaluation.
- (2) The student academic growth measure must account for 42.5% of each evaluation.
- (3) One of four specified components (student surveys, teacher self-evaluations, peer review evaluations, or student portfolios) must account for 15% of each evaluation. Schools may choose which of the four listed components to use.²⁸

2015-2016 school year and any subsequent school year

If a district or school chooses to use the alternative framework for the 2015-2016 school year, or for any school year thereafter, ratings assigned for teacher evaluations must be calculated according to the following:

²⁴ R.C. 3319.111, 3314.03(A)(11)(i), and 3326.111, latter two sections not in the bill.

²⁵ R.C. 3319.112(A)(1).

²⁶ R.C. 3319.112(A)(3).

²⁷ R.C. 3319.114(A). (See also R.C. 3319.112.)

²⁸ R.C. 3319.114(B).

(1) The teacher performance measure must account for 42.5% to 50% of each evaluation.

(2) The student academic growth measure must account for 42.5% to 50% of each evaluation.

(3) The teacher performance measure and the student academic growth measure must account for an equal percentage of each evaluation.

(4) One of four specified components (student surveys, teacher self-evaluations, peer review evaluations, or student portfolios) must account for the remainder of each evaluation. Schools may choose which of the four listed components to use.²⁹

Under this framework, it appears that the percentage assigned for each of the three components may vary across districts and schools, so long as each percentage meets the above parameters.

Components of the alternative framework

The bill specifies that the first two components of the alternative framework, the teacher performance measure and the student academic growth measure, are measures defined by the Department.³⁰ Meanwhile, the final component must be chosen by the district or school from among four prescribed components, which include student surveys, teacher self-evaluations, peer review evaluations, and student portfolios. Only one of the four components may be used by each district or school.³¹ Therefore, the components cannot be used in combination.

In order to provide a method for the evaluation of the final component, the bill requires the Department, for the 2014-2015 school year, to compile a list of approved instruments for districts and schools to use when evaluating student surveys, teacher self-evaluations, peer review evaluations, and student portfolios. Each district or school must then choose one of the approved instruments from this list in order to evaluate the applicable component selected by the district or school.³²

²⁹ R.C. 3319.114(C).

³⁰ R.C. 3319.114(B)(1) and (2) and (C)(1) and (2).

³¹ R.C. 3319.114(B)(3) and (C)(3).

³² R.C. 3319.114(D).

Background

Under continuing law, the State Board of Education must establish a teacher evaluation framework that:

- (1) Provides for multiple evaluation factors;
- (2) Is aligned with the Educator Standards Board's standards for teachers, as adopted by the State Board;
- (3) Requires observation of the teacher being evaluated, including at least two formal observations by the evaluator for a minimum of 30 minutes each time and classroom walkthroughs;
- (4) Requires each teacher to be given a written report of the evaluation results;
- (5) Implements a classroom-level, value-added data program developed by a nonprofit organization led by the Ohio business community;
- (6) Provides for professional development to accelerate and continue teacher growth and to support poorly performing teachers; and
- (7) Allocates financial resources to support the professional development.³³

The framework must also enable teachers to be rated as "accomplished," "skilled," "developing," or "ineffective." The State Board is tasked with developing standards and criteria that distinguish between the four levels of performance in consultation with experts, public school teachers and principals, and stakeholder groups.³⁴

HISTORY

ACTION	DATE
Introduced	11-26-13
Reported, H. Education	02-27-14
Passed House (86-5)	04-02-14
Reported, S. Education	---

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³³ R.C. 3319.112.

³⁴ R.C. 3319.112.

