



Meeting Minutes for January 19, 2010

1-4 p.m.

Battelle for Kids

1160 Dublin Rd., Suite 500

Columbus, OH 43215

Members in Attendance

Deborah S. Delisle, Chair

Dayvenia Chesney

Michael Dawson

Nathan DeRolph

Rep. Stephen Dyer

Lynn Elfner

Robyn Essman

Dr. Neil Gupta

Dave Huelsman

Alan Hutchinson

William Leibensperger

Dr. Kathryn Lorenz

Richard Lukich

James McClure

Dr. Renee Middleton

Dr. Richard Murray

Dr. Adrienne O'Neill

Richard Petrick

Jack Pierson

Sen. Tom Sawyer

John Scheu

Dr. John Stanford

Sue Taylor

Dr. George Wood

Members Not in Attendance

Rep. Randy Gardner

Dr. Bill Hiller

JoAnn Johnntony

Jan Kennedy

Opening, Chair Delisle

Chair Deborah S. Delisle called the meeting to order at 1:03 p.m. and welcomed everyone.

Approved minutes of the January 7th meeting

Dr. Murray offered a motion to accept the minutes from the Jan. 7th meeting, which was seconded by Dr. Gupta. Council members adopted the minutes without objection.

Council member email addresses

Council members were informed by Chair Delisle that they will be provided with email addresses through the Ohio Department of Education (ODE), which will provide an easy public point of contact for the members, and will facilitate the response to various requests. Members who wish to change their email addresses from their full name to any type of nickname or abbreviation were asked to contact Council Coordinator Carey McDonald.

Introduction of members who were not present at January 7th meeting

Chair Delisle gave each Council member the opportunity to introduce themselves and whom they represent. Members who were not present at the Jan. 7th shared questions they hope to answer during this process.

The presentation from the Ohio Ethics Commission on Ohio ethics laws, which had been proposed at the Jan. 7 meeting to be a part of the Jan. 19 meeting agenda, was removed because it was no longer needed. In December, the Ethics Commission voted not to require members of the School Funding Advisory Council to file financial disclosure statements. Generally, members of the Council are not subject to most ethics provisions since they have an exclusively advisory authority.

Meeting Procedures

Chair Delisle called on ODE Interim Legal Counsel Kim Hall to explain the Parliamentary Procedure summary set forth by *Robert's Rules of Order*, outlined in Attachment 1.

Review proposed guidelines

Council members received the Proposed Council Meeting Guidelines for review prior to the meeting. Dr. Murray moved to consider the guidelines, and the motion was seconded by Mr. Elfner.

Dr. O'Neill moved to amend the guidelines to include discussions of subcommittee minutes in full Council meetings, creating a new subsection 2.b. (beneath 2. Approval of minutes for last meeting, under IV. Order of business). The motion was seconded by Dr. Gupta, and passed without objection.

Additional discussion of the guidelines clarified the process for substantive issues (VII. Voting, Substantive Votes) was intended to afford broader participation than strict majority votes. A motion was made by Ms. Taylor to accept the guidelines, seconded by Mr. Petrick, which passed unanimously (Attachment 2 – Guidelines As Adopted).

Organization and Subcommittee Discussion

Council members received the Organization and Subcommittee Proposal, prepared by Chair Delisle, prior to the meeting and were asked to submit their first and second preferences for subcommittee participation to Coordinator McDonald. Chair Delisle presented her recommendations based on these preferences, which Coordinator McDonald noted represented almost every member's first choice. Council members reviewed the proposal.

Mr. Hutchinson moved to adopt the proposal, and the motion was seconded by Mr. Leibensperger. Mr. Dawson moved to amend the proposal by striking the first and second paragraphs of Part D, in order to remove the ability of subcommittees to appoint additional members. The motion was seconded by Mr. Lukich. After further discussion of the amendment, Mr. Dawson withdrew his motion. To clarify that subcommittees may recommend the appointment of additional members but may also recommend that no additional members be appointed, Mr. Dawson moved to amend the last sentence of the first paragraph of Part D by changing "will" to "may" and "Feb. 4" to "Feb. 16," and the motion was seconded by Ms. Chesney. The amendment passed unanimously.

Sen. Sawyer proposed an additional subcommittee titled the "Education Reform Tracking Subcommittee," and the motion was seconded by Dr. Middleton. Sen. Sawyer explained his proposal as a way of coordinating the various efforts of subcommittees to ensure a consistent set of recommendations at the end of the process. The ensuing discussion illustrated that some members hoped the subcommittee would be a good venue for fully engaging with important broader questions, but the debate also included concerns that the subcommittee may exclude members of the Council who wish to contribute to the discussion on those important questions, or that those questions are beyond the scope of the Council's charge. Mr. Dawson requested a general clarification that any member of the Council who chooses can serve on the Education Reform Tracking Committee. The clarification was unopposed. Sen. Sawyer's motion passed with two no votes. The charge of the Education Reform Tracking Committee is as follows:

- Review and analyze state responsibility for public education in view of the constitutional provisions of Article VI and all Supreme Court decisions regarding school funding.
- Identify what an evidence-based model would cause a constitutional state system to look like in school buildings, in districts, in regional service centers and in the state as a whole, and determine the role of each level of operation in order to guarantee high quality educational opportunities to all students.
- Examine the nexus between state responsibility for public education and locally administered schools, and make recommendations for improved efficiency and effectiveness in the state's effort to build proficiency for all students.
- Assist in the coordination of the products of other subcommittees.

Mr. Lukich moved to amend the proposal by adding a new section (Part E) stating the following: "Recommendations of subcommittees should be based on a consensus of the subcommittee's members, built during the subcommittee's deliberations," citing concerns that minority opinions on the subcommittees would be excluded from the subcommittee's recommendations. The motion was seconded by Mr. Huelsman. The following discussion debated the meaning of "consensus," and the merits or dangers of a possible "minority report." The motion failed, with one aye vote.

The Organization and Subcommittee Proposal was passed as amended (Attachment 3), with one no vote.

Discussion on Communication and Outreach Strategies & Break

As the meeting was running behind schedule, Chair Delisle received general assent to postpone the discussion on Communication and Outreach as well as the Break.

Education Finance Overview presentation, Kelly Weir, ODE Director of Budget and Planning

Chair Delisle called on Kelly Weir, ODE Director of Budget and Planning, to present an overview of education finance (Attachment 4). Ms. Weir's presentation included a description of state-level funding statistics and how Ohio compares to other states, an explanation of how the mechanics of a foundation funding program work, and how local districts' contributions to this type of funding system are established by assuming a certain percentage of each district's property valuation. The presentation also defined the four different methodologies used across states to determine the cost of education (or adequacy amount). Council members asked questions about which states use which methodology and what results those methodologies had generated, especially in states using the evidence-based approach. It was also clarified that the costing-out methodologies could operate independently from spending requirements and other accountability provisions. Members had further discussion on the transparency that could be afforded by the EBM, how districts are allocating their funds, the costs of complying with the full model, and the state's budgetary picture in the coming years. The presentation was halted before the section on the History of School Funding due to time constraints. It will continue at the Feb. 4 meeting.

Closing, Chair Delisle

February 4th proposed meeting agenda

- Subcommittees convene
- Continue Education Finance Overview presentation
- More detailed presentation of individual EBM Components, ODE Staff (time permitting)

- Public Records presentation, Ohio Attorney General's office staff

Additional questions/comments

- Discuss Chapter 3306 of the Ohio Revised Code in its entirety
- Question as to how the Council may pay for outside expertise/consulting

Chair Delisle adjourned the meeting at 3:45 p.m.

Attachment 1 - Parliamentary Procedure Summary

- Meetings will be conducted according to the standard rules of parliamentary procedure as set forth in the most recent edition of *Robert's Rules of Order*. This will allow members to be heard and decisions to be made without confusion.
- A member can make a motion when they desire to propose that the entire membership take action on an issue.
- The process for presenting and discussing a motion is as follows:
 1. The member requests recognition from the Chair and states the nature of the motion.
 2. The motion must be seconded.
 3. If there is no second, the motion fails.
 4. If there is a second, the Chair will state, "it has been moved and seconded that we..."
 5. The Chair then places the motion before the membership and gives the moving member an opportunity to speak about the motion.
 6. After the mover has spoken on their motion, the Chair may call for further discussion.
 7. The membership may either discuss the motion or proceed directly to a vote.
 8. Individuals that wish to speak must first be recognized by the Chair.
- No member may speak more than once on a motion until all members wishing to speak on the motion have done so.
- Unless a member specifically calls for a roll call vote, a motion will be voted upon by a simple voice vote, whereby the Chair asks those in favor to say "aye," and those opposed to say "no."
- Final points on the standard rules of debate:
 1. All remarks must be directed to the Chair.
 2. Remarks should be confined to the merits of the pending question.
 3. Refrain from questioning the motives of a Board member.
 4. Refrain from criticizing prior acts which are not pending.

Attachment 2 - Meeting Guidelines

As Adopted – January 19, 2010

I. Meeting Agendas

The meeting agenda will be arranged by the Chair in consultation with the Council membership and the Council coordinator. A Council member wishing to place an item on the meeting agenda should consult with the Chair or with the Council coordinator a minimum of one week prior to the meeting in which the member desires to discuss the item to allow maximum time for notifying other Council members. An item can also be brought to the Council under new business, and addressed in full at a subsequent meeting.

II. Quorum

A quorum of the Council will consist of a simple majority of the Council's voting membership. Only members who are physically present may count towards a quorum. A quorum will be required for all votes, including procedural and substantive matters. When a quorum is not present at a regularly scheduled meeting, discussions may proceed but no votes may be taken.

Council members who cannot physically attend the meeting may request in advance the ability to listen in via telephone call to the meeting's proceedings. However, such a scenario does not permit the Council member to count for the purposes of a quorum, or to contribute or participate in the discussion of the Council.

III. Regular and Special Meetings

Regular meetings of the Council will take place in accordance with a schedule developed by the Chair, in consultation with the Council membership and the Council coordinator. The schedule will be published in a manner consistent with Ohio's open meetings laws. Special meetings of the Council will be on an as-needed basis, in compliance with Ohio's open meetings laws.

IV. Order of Business

The order of business at all regular and special meetings of the Council shall conform to the following, inasmuch as the purpose of the meeting and meeting agenda allow:

- | | |
|--|------------------------------|
| 1. Call to Order | 3. Old business |
| 2.a. Approval of minutes of last meeting | 4. New business |
| 2.b. Review of minutes from
subcommittee meetings | 5. Review of upcoming agenda |
| | 6. Adjournment |

V. Minutes

All minutes of meetings of the Council are public records. Meeting minutes will be issued to Council members in advance of the meeting at which they must be approved.

VI. Discussions

It is expected that all Council members will actively engage in discussion and deliberations of the Council. Given this expectation, the Chair may limit the number of times an individual contributes to the conversation until all participants have had an opportunity to be heard. It is

the intent of the Chair to encourage full participation and not have a single or only a few members to dominate the proceedings.

VI. Parliamentary Procedure

Except as otherwise noted, all matters of procedure will be subject to the rules of parliamentary procedure set forth in the most recent edition of *Robert's Rules of Order*.

VII. Voting

Procedural votes. Routine items of a procedural nature will be addressed by the Council by general assent. In the event a Council member wishes to vote on a particular procedural matter, he or she may make that desire known to the Chair, who will then take a roll call vote. A simple majority will be sufficient to pass a vote of this type.

Minutes. Approval of the minutes and amendments to the minutes will be made by general assent. In the event a Council member wishes to amend the minutes, he or she may make that desire known to the Chair.

Substantive votes. Votes on the Council's ultimate recommendations, including (but not limited to) accepting or amending the recommendations of any subcommittees established by the Council, will take place in the manner determined by assent of the Council.

Roll call votes. Unless otherwise noted, members of the Council may call for a roll call vote on any motion. Such votes will be required in the following instances:

- When required by Ohio law (e.g., a motion to go into executive session pursuant to Ohio's Sunshine Law, ORC Sec. 121.22);
- When Ohio law or Council policy requires a specific majority vote;
- When the Chair decides to conduct a roll call vote on a given matter;
- When the Chair determines that a general assent process led to an uncertain result; and
- When a member of the Council requests such a vote.

Record keeping. The Council coordinator, or the Council coordinator's designee, shall record the "ayes" and "nos" during each roll call vote and enter them into the official minutes of the meeting. A member may change a vote at any time before the Chair announces the outcome of the vote. A Council member abstaining from a vote will not be entitled to move for reconsideration of the matter once the vote has been announced.

VIII. Referral to Subcommittee

Consideration of a new item of business may be immediately referred to a subcommittee at the discretion of the Chair, or by a motion and majority approval by the Council.

IX. Definitions

Chair – the chair of the Council is the Superintendent of Public Instruction or the Superintendent's designee [ORC Sec. 3306.29(B)].

Council – shall refer to the Ohio School Funding Advisory Council [ORC Sec. 3306.29]

Council coordinator – shall refer to the staff person at the Ohio Department of Education designated by the Superintendent of Public Instruction as responsible for coordinating the Department’s staffing assistance of the Council as required under ORC Sec. 3306.29 (B).

Council member – shall refer to any member of the Council appointed under ORC Sec. 3306 (A). The members of the Council shall collectively be known as the Council membership.

Attachment 3 - Organization and Subcommittee Proposal

As Adopted - January 19, 2010

Part A – Subcommittee Structure

The Council hereby creates four subcommittees in addition to the subcommittee established under ORC Sec. 3302.291, per authority granted under Sec. 3302.292. The titles and charges of each subcommittee are indicated below.

Special Needs Subcommittee

- In preparing its recommendations due December 1, 2010, the council's analyses shall include, but shall not be limited to, the adequacy of the model's financing for special education, gifted education services... [and] services for limited English proficient students... This analysis shall consider, for each area, current educational need, current educational practices, and best practices. [Sec. 3306.29 (C)(2)]

Education Linkages Subcommittee

- In preparing its recommendations due December 1, 2010, the council's analyses shall include, but shall not be limited to, the adequacy of the model's financing for ...career-technical education... and early college high schools. This analysis shall consider, for each area, current educational need, current educational practices, and best practices. [Sec. 3306.29 (C)(2)]
- A study of the extent to which current funding for joint vocational school districts and compact and comprehensive career-technical schools is responsive to state, regional, and local business and industry needs, and recommendations for revisions to career-technical education programming and funding; [Sec. 3306.29 (C)(2)(b)]

Regional Variation Subcommittee

- A study of the extent to which the current educational service center system supports school districts in academic achievement, teacher quality, shared educational services, and the purchasing of educational services and commodities, and recommendations for a new regional service delivery system, the educational service system governance structure, and accountability metrics for educational service centers; [Sec. 3306.29 (C)(2)(c)]
- An analysis of the effects of open enrollment on students and school districts, and recommendations for ensuring that open enrollment policy and financing is equitable for students and school districts. [Sec. 3306.29 (C)(2)(f)]

Learning Environments Subcommittee

- In preparing its recommendations due December 1, 2010, the council's analyses shall include, but shall not be limited to, the adequacy of the model's financing for ...arts education... This analysis shall consider, for each area, current educational need, current educational practices, and best practices. [Sec. 3306.29 (C)(2)]
- An examination of the existing structures and systems that support compensation and retirement benefits for teachers, and recommendations for changes to the systems of teacher compensation and retirement benefits to improve the connections between teacher

compensation, teaching excellence, and higher levels of student learning; [Sec. 3306.29 (C)(2)(d)]

Part B – Issues for the Full Council

Issues which are required to be included in the Council’s analysis but are not assigned to a subcommittee will be retained for discussion of the full Council. These issues are detailed below.

Issues for the Full Council

- Not later than December 1, 2010, and the first day of July of each even-numbered year thereafter, the council shall present to the state board of education, the general assembly, in accordance with section 101.68 of the Revised Code, and the public recommendations for revisions to the educational adequacy components of the school funding model established under this chapter.
 1. The recommendations shall be based on current, high quality research, information provided by school districts, and best practices in operational efficiencies. [Sec. 3306.29 (C)]
- Recommendations for a student-centered evidence-based model for schools that uses a per pupil level of funding to follow a student to the school that best meets the student's individual learning needs; [Sec. 3306.29 (C)(2)(a)]
- A consideration of whether community schools and STEM schools should be subject to the expenditure and reporting standards adopted under section 3306.25 of the Revised Code and the accountability requirements of sections 3306.30 to 3306.40 of the Revised Code; [Sec. 3306.29 (C)(2)(e)]

Nothing in this proposal should be construed as limiting the ability of the Council to assign further areas of investigation to subcommittees, to create more subcommittees, to adjust the membership of subcommittees, or to otherwise make changes to the subcommittee structure in the future.

Part C – Council Member Appointments to Subcommittees

Per Sec. 3302.292, subcommittees must be comprised of members of the Council, though up to one half of the subcommittee members may be additional individuals who are not members of the Council. As specified below, the following existing members of the Council are hereby appointed to the subcommittees.

Special Needs

Robyn Essman
David Huelsman
James McClure
Jan Kennedy
Dayvenia Chesney
Rep. Randy Gardner

Education Linkages

Lynn Elfner
William Hiller
Kathryn Lorenz
Adrienne O’Neill
Jack Pierson

Regional Variation

JoAnn Johnntony
Richard Murray
George Wood
Sen. Tom Sawyer
Alan Hutchinson
John Stanford

Learning Environments

Michael Dawson
Neil Gupta
William Leibensperger
Rep. Stephen Dyer
Sue Taylor
Richard Petrick

Part D – Additional Member Appointments to Subcommittees

Under Sec. 3302.292, members of subcommittees may be appointed who are not members of the Council: “Up to one-half of the members of each additional subcommittee may be individuals who are not members of the council.” Chair Delisle will assist subcommittees in reviewing possible additional subcommittee members (who are not members of the Council) for appointment by providing a list of nominees for consideration. Subcommittees may recommend additional members for appointment to the full Council at the Feb. 16, 2010 meeting.

The recommendations from subcommittees on the appointment of additional members will focus on members who 1) represent groups who are engaged in the issues of each subcommittee’s jurisdiction and 2) bring expertise or technical knowledge to bear on the subcommittee’s policy areas.

Subcommittee members may seek recommendations for appointments or may nominate individuals for consideration.

Subcommittees shall also reach out to experts, practitioners and stakeholders during the course of their inquiry to inform their analysis and recommendations.

Part E – Education Reform Tracking Subcommittee

The Council hereby creates the Education Reform Tracking Subcommittee, in addition to those subcommittees created under Part A of this proposal. Any member of the School Funding Advisory Council who chooses may serve as a member of this subcommittee.

Charge

- Review and analyze state responsibility for public education in view of the constitutional provisions of Article VI and all Supreme Court decisions regarding school funding.
- Identify what an evidence-based model would cause a constitutional state system to look like in school buildings, in districts, in regional service centers and in the state as a whole, and determine the role of each level of operation in order to guarantee high quality educational opportunities to all students.
- Examine the nexus between state responsibility for public education and locally administered schools, and make recommendations for improved efficiency and effectiveness in the state’s effort to build proficiency for all students.
- Assist in the coordination of the products of other subcommittees.