



Week of October 16, 2023

New lawsuit challenges Science of Reading provisions as separate TRO expires Friday

The Reading Recovery Council of North America filed a lawsuit last week challenging the Science of Reading provisions contained in the state operating budget bill. A decision on whether to grant a temporary restraining order (TRO) halting the literacy provisions is expected soon. [The suit](#) is before Franklin County Common Pleas Court Judge **Karen Phipps**, who also issued the separate TRO halting the formal creation of the Department of Education and Workforce (DEW), the transfer of duties to it from the State Board of Education, and the appointment of a DEW director.

Phipps' extended TRO expires Friday, Oct. 20 as a Franklin county magistrate's decision looms on whether to issue a preliminary injunction further halting the DEW transition.

Senate members named to joint property tax committee

Five members of the Ohio Senate were recently named to the Joint Committee on Property Tax Review and Reform, created by the state operating budget bill. They consist of Sens. Bill Blessing (R), George Lang (R), Sandra O'Brien (R), Hearcel Craig (D), and William DeMora (D). A full slate of House members has yet to be announced. The committee must issue recommendations by Dec. 31, 2024, on reforms to property tax law.

Meanwhile, deliberations on the property tax proposals in the legislature went on an unusual hiatus this week as neither chamber's Ways and Means committee convened. The delay further imperils the likelihood that auditors will be able to implement House Bill 187 in time for January tax bills to be issued on time. It also calls into question the Senate's appetite for that bill and for the County Auditors' Association of Ohio's proposal to cap property tax revenue growth for districts on the 20-mill floor. An announcement indicating whether those committees will meet next week and on what bills will be released sometime on Friday.

Chancellor Gardner announces resignation, Duffey nominated

Randy Gardner, chancellor of the Ohio Department of Higher Education (ODHE), recently announced his intention to retire on Dec. 31, 2023. After spending more than three decades in the legislature, Gardner joined ODHE in 2019 as a cabinet appointee of Gov. **Mike DeWine**. Shortly after the announcement of Gardner's retirement, DeWine announced his intention to nominate ODHE Senior Vice Chancellor **Mike Duffey** as the new chancellor. Duffey, who served eight years in the House before joining ODHE in 2019, must be confirmed by the Senate.

Committee action

- [HB 183](#), which requires single-sex restroom and locker room facilities, received a third hearing for proponent testimony in the House Higher Education Committee.
- [HB 139](#), which increases assault penalties against sports officials, was passed by the House Criminal Justice Committee.
- [HB 206](#), which creates enhanced student expulsion policies, received a second hearing for proponent

testimony in the House Primary and Secondary Education Committee.

- [HB 214](#), which requires a staff policy prohibiting certain beliefs and affiliations concerning political movements, received a third hearing for all testimony in the House Primary and Secondary Education Committee.
- [HB 147](#), which addresses educator misconduct, received a second hearing for proponent testimony in the House Primary and Secondary Education Committee.

On Tap – Active Bills Next Week

- [SB 168](#) (second hearing) Education deregulation and flexibility – Proponent testimony in the Senate Education Committee
- [SB 162](#) (second hearing) Academic intervention services – Proponent testimony in the Senate Education Committee
- [HB 140](#) (second hearing) School bus safety – Proponent testimony in the House Transportation Committee
- [HB 147](#) (third hearing) Educator misconduct – All testimony in the House Primary and Secondary Education Committee
- [SB 17](#) (third hearing) Capitalism and financial literacy standards/curriculum – All testimony in the House Primary and Secondary Education Committee
- [HB 206](#) (fourth hearing) Expulsion policies – All testimony in the House Primary and Secondary Education Committee

Heard around the Statehouse

"Now we have a lawsuit being filed by people who just want to make money. They're upset that they're not going to be able to make money anymore. They don't care about kids. And I think Ohioans ought to be pretty angry about that type of a lawsuit from someone who cares only about themselves." - Gov. **Mike DeWine** speaking to reporters on a new lawsuit filed on the Science of Reading budget provisions.