

New Ohio law requires individualized seizure action plans and staff training

Effective Oct. 3, 2023, [Ohio law](#) requires each school district, community school and chartered nonpublic school to create an individualized seizure action plan for each student enrolled who has an active seizure disorder diagnosis. The individualized seizure action plan should have the following components:

- A written request, signed by the student’s parent or guardian, to have seizure disorder prescriptions administered to the student; and
- A written statement from the student’s treating practitioner providing information on each drug prescribed to the student for a seizure disorder.

School districts, community schools and chartered nonpublic schools must designate at least one employee at each school building, aside from a school nurse, to receive training on the implementation of seizure action plans every two years. In addition, each person employed as an administrator, guidance counselor, teacher or bus driver must complete a minimum of one hour of training on seizure disorders by Oct. 3, 2025.

The Department’s [Supporting Students with Seizure Disorder](#) webpage provides more information.

Contact wholechild@education.ohio.gov with questions.

DeWine begins Ohio’s K-12 education overhaul despite judge extending temporary restraining order

Ohio Gov. Mike DeWine is moving forward with an overhaul of Ohio’s education department and state board of education despite a Franklin County judge extending a temporary restraining order to prevent that from happening.

After an all-day preliminary injunction hearing on Monday, Franklin County Magistrate Jennifer Hunt ruled that the temporary [restraining order blocking](#) lawmakers’ attempts to overhaul Ohio’s K-12 education system remains in effect until the court makes a decision on the case, which must happen by Wednesday at noon.

“There is certainly a potential for chaos,” DeWine said during what he called a “very unusual press conference” Monday night. “Questions such as who will send out the checks that go to our public schools across the state of Ohio, who will make the determination about eligibility for school choice. I can not let this situation fester.”

Even though the temporary restraining order is still in effect, the education department changes are still going forward because Tuesday marks 90 days since DeWine signed the state’s operating budget into law which included these changes, DeWine said.

As of Tuesday, he said, the Ohio Department of Education ceases to exist and is now the Ohio Department of Education and Workforce, as set forth in the budget DeWine signed into law in July. Interim Superintendent Chris Woolard is in charge of the department.

But it’s more than just a name change. This creates a cabinet-level director position, puts the department under the governor’s office, and limits the State Board of Education’s power to teacher disciplinary and licensure cases and territory disputes.

“We believe, based upon what our lawyers tell us, that the new department can in fact function,” DeWine said.

He said they will follow the court order and not name the new cabinet-level director, even though “we were actively in the process of finding” candidates before the temporary restraining order was put in place.

“We will not take an active part in any way as governor in the creation of the Department of Education and Workforce,” DeWine said. “The new department has money going into that department by reason of the budget that was passed by the General Assembly.”

Lawsuit

Seven members of the Ohio State Board of Education [filed a lawsuit against](#) DeWine on Sept. 19 in an effort to block the education department changes in the state budget bill. The lawsuit was filed in the Franklin County Court of Common Pleas.

The original plaintiffs were Christina Collins, Teresa Fedor, Kathleen Hofmann, Tom Jackson, Meryl Johnson, Antoinette Miranda, and Michelle Newman. Franklin County Judge Karen Held Phipps issued the temporary restraining order Sept. 21.

The lawsuit complaint was amended on Sunday and now Collins, Newman, Stephanie Eichenberg and the Toledo Public School Board are the plaintiffs on the case. Eichenberg is a former Toledo Public School Board president. They are being represented by Democracy Forward and Ulmer & Berne LLP.

“The Court already ruled that the DeWine Administration’s takeover of the State Board of Education in Ohio must be halted until it has an opportunity to issue a decision,” Skye Perryman, President and CEO of Democracy Forward, said in Monday night in a statement. “If the Governor is suggesting the state will not comply with the Court’s order, then he would be in contempt of the Court.”

Collins, Eichenberg and Toledo Public School Board President Shenna Barnes testified as plaintiffs, and ODE’s Chief of Staff Jessica Voltolini testified for the defense on Monday.

Collins said during Monday’s hearing that she filed the lawsuit as a concerned parent, not as a school board member.

“The public and transparent nature that I have enjoyed for my entire career and my entire time being a parent is gone,” she said. “There is no public debate. There is nothing that I as a parent can follow to understand why things are being done and how those things will my effect my children.”

She is the mother of six children, with four currently attending public schools. She said she has reached out to her state board of education representative over the years about questions and concerns over implementing the state’s dyslexia policy, standardize testing and the Third Grade Reading Guarantee. Collins, who was elected to the state board of education in 2021, said she started looking into how to file a lawsuit on July 5, a day after DeWine signed the budget into law.

“I felt like this looked like it was similar to the agenda of our human resources committee on a local education board,” Stephanie Eichenberg said during Monday’s hearing when she was asked what she thought of the new responsibilities of the state school board.

Barnes said her working relationship with the state school board “is very vital” and explained how she has worked with school board members to put in legislative changes in place.

“We need someone who can give us real-time information, that gives us factual information but also responds to us when we ask questions,” Barnes said.

Ohio voters passed a constitutional amendment in 1953 that created a State Board of Education with the power to appoint a Superintendent of Public Instruction. The Ohio State Board of Education is currently made up of 19 members — 11 elected, and eight appointed by Gov. DeWine.

Senate Bill 1

These changes to the Ohio Department of Education and State Board of Education started out as Senate Bill 1, which Sen. Bill Reineke, R-Tiffin, introduced in January.

The [Ohio Senate voted along party lines to pass SB 1 in March](#) — which sent it to the Ohio House, but it stayed in committee. The Senate added SB 1 to the state budget in June, which DeWine signed into law in July.

The seven board members who originally filed the lawsuit previously [wrote a letter](#) to DeWine the day he received the budget and asked him to veto the “power grab” of changing the state board’s roles.

Ohio Redistricting Commission adopts sixth version of Statehouse maps with bipartisan support

The Ohio Redistricting Commission reached bipartisan agreement as it passed new Statehouse maps late Tuesday night after a few more hours of public comment, and then negotiation behind closed doors.

The maps show a Republican-to-Democratic advantage of 61 to 38 in the [Ohio House](#), with eight Democratic toss-up seats and three GOP toss-ups. In the [Ohio Senate](#), the maps show a 23 to 10 Republican advantage, with three Republican toss-up seats and one Democratic toss-up seat.

The commission held a fourth meeting for public testimony on Tuesday morning, with dozens more Ohioans submitting public comment the day after [a doubleheader in Newbury](#) on Monday. As the Tuesday meeting opened, Republican Auditor of State and commission co-chair Keith Faber said negotiations went on after the meetings on Monday and were actively happening even as public testimony happened Tuesday.

“This map is the result of an awful lot of hours of discussion, consideration, negotiation, mediation and more discussion,” Faber said on Tuesday night.

The public wasn’t able to review the maps that were adopted Tuesday, as the product, amended from [last week’s GOP proposal](#), was introduced at about 10 p.m. that night, something House Minority Leader Allison Russo mentioned in prefacing her “yes” vote.

“To me, it’s not a vote because I think that these maps are fair, or that this process worked the way that it was supposed to,” Russo said. “My vote is simply to take this process out of the hands of this commission.”

Senate Minority Leader and commission co-chair Nickie Antonio supported the idea that the redistricting process “does not belong in our hands,” but praised the members of the public whose influence was not lost on her.

“We worked hard to find a compromise, and it’s illustrated by the amended maps that we have before us today,” Antonio said.

She said the agreement is “more fair” than the proposal introduced last week, and “does provide a pathway” for an increased number of Democratic Senate seats, a priority for her.

“We think there will be more competitive races, we hope there will be more competitive races,” said Antonio, who also pushed for further changes to the redistricting process..

Maps and process criticized by coalition working for fair districts

The Ohio advocate coalitions Equal Districts and Fair Districts issued a joint statement Tuesday night criticizing the maps, calling the agreement, “the latest political power-grab by both the Republican and Democratic members of the commission.”

“Politicians are getting in our way,” said Molly Shack and Prentiss Haney, Co-Executive Directors of the Ohio Organizing Collaborative speaking on behalf of Equal Districts. “It has become obvious that we cannot trust politicians to deliver the fair maps Ohioans deserve. We must remove politicians from the process and give power back to the people. We look forward to making that change by amending the Ohio Constitution in November 2024.”

The coalitions said the maps “shockingly garnered the support of the two lone Democratic Commission members.”

“This corrupt, undemocratic process has resulted in rigged maps that help politicians and their friends get re-elected at the expense of Ohio families and communities,” said Catherine Turcer, Executive Director of Common Cause Ohio, speaking on behalf of Fair Districts. “We are working together on an amendment to ban politicians from map drawing so that Ohio voters get

the impartial districts they fundamentally deserve, and lawmakers will be responsive to the people rather than mega-donors and lobbyists.”

Public input earlier Tuesday

Public testimony on Tuesday touched on certain parts of the maps proposed last week as part of a “working document,” which were accused of being partisan gerrymanders, but also shamed the GOP for a lack of transparency.

“I’d be delighted to see maps that are equitable,” said Beaver Creek resident Daniel Hogg. “Prove me wrong, please. I want you to prove me wrong. Draw fair districts.”

Mike Halaiko asked the ORC to refocus on the task they were given more than two years ago, when the process began, and even before then when a ballot initiative reformed redistricting methods in the state.

“What the people of Ohio have asked for several times at the ballot box, in the last eight years is simple and direct: end all gerrymandering to favor any political party,” Halaiko told the commission.

State Sen. Paula Hicks-Hudson, D-Toledo, attended the meeting with a report from an informal town hall held in Lucas County, where she said the main theme was a feeling of disconnectedness from the process and even their own representatives.

“Unfortunately, last night many of the comments were that they felt that their voices were not being part of this conversation, and not being heard.”

What comes next?

The maps still could be challenged via the Ohio Supreme Court, as the last five versions have been.

All five of those maps were rejected for undue partisan favoritism, leading to the sixth effort in the last few weeks, but that involved a swing vote from conservative Chief Justice Maureen O’Connor.

O’Connor left the state’s high court after being age-limited, and is now part of an effort to reform the redistricting process yet again by creating a citizen-led redistricting commission and removing the politicians from the process.

But her successor, Chief Justice Sharon Kennedy, was a supporter of previous maps, writing in dissent of the rejections in the past, which could spell an easier journey in a court challenge.

An “if-needed” meeting of the commission is scheduled for Friday to allow for reconciliations between the original proposed maps and those adopted on Tuesday.

Faber and state Sen. Rob McColley, R-Napoleon, said they don’t expect the meeting to be needed, but scheduled it in case staff need more time to adjust maps and accommodate changes.

"Vouchers awards public Ohio tax dollars to discriminatory private religious schools"

That's the headline for an Ohio Capital Journal article written by Marilou Johaneck, a veteran Ohio reporter.

Here's the beginning of her article:

"Public financing of parochial school prejudice is the law in Ohio. Take a minute to process, I'll wait."

She continues..."The state has opened its coffers to Catholic schools that discriminate."

"The Catholic Diocese of Cleveland receives a ton of voucher funding. It just announced a new LGBTQ+ policy in its 84 private religious schools that is blatantly discriminatory. Your tax

dollars at work. Against the LBGTQ+ community. Against the highly vulnerable LBGTQ+ youth."

This is a central core of our lawsuit.

Public schools are open and accepting to all children.

Private school operators, the real choice-makers in the so-called school choice game, can and do apply litmus tests to admitting children into their schools. that includes race, religion, financial status, academic and athletic abilities, disabilities and now we know LBGTQ+ policies.

Johanek writes: "Church leaders in Cleveland put their flock on notice that the universal invitation of acceptance may be rescinded to those who "openly express disagreement with Church teaching on matters of sex, sexuality, and/or gender in an inappropriate or scandalous way."

She adds the church policy states every person is expected to "present and conduct themselves in a manner consistent with their God-given biological sex," or face disciplinary action.

Silence from the state leaders pushing the rapid \$1 billion-dollar universal voucher expansion in Ohio.

Tax dollars and discrimination don't mix. This is why vouchers are on trial in Ohio.