

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

MONDAY, DECEMBER 29, 2008

TWO HUNDRED THIRTY-FIFTH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Monday, December 29, 2008, 1:00 o'clock p.m.**

The House met pursuant to adjournment.  
Pursuant to House Rule No. 23, the Clerk called the House to order.  
Representative McGregor, R. was selected to preside under the Rule.  
The journal of the previous legislative day was read and approved.

CLERK'S NOTATION

Based on Section 2.10 of the Ohio Constitution, [Rights of members to protest: Any member of either house shall have the right to protest against any act, or resolution thereof; and such protest, and the reasons therefore, shall, without alteration, commitment, or delay, be entered upon the journal,] I am today, December 29, 2008, formally exercising my right to protest the deliberate detention of my access to the House Floor to offer an amendment. To Representative Jimmy Stewart's bill regarding Identity Theft.

House Bill 46:

Legislation to **financially benefit major credit bureaus** was passed **under the guise** of protecting the **elderly from identity theft**. To minimize the cost to seniors, I sought to amend the bill to exempt them from a \$45 fee to freeze their credit. At the close of caucus on the day the bill was scheduled for a floor vote, the Speaker told me and Rep. Stewart that session would not begin until we had worked out our differences on the bill. The desired outcome of opponents to my pro-seniors amendment was that I would withdraw my amendment; I was not willing to do so. In an effort to keep me off the House floor and thus unable to offer the amendment, I was detained by the sergeant-at-arms. When I finally reached the House floor, session had begun; opening prayer, the pledge, and other events had transpired and Rep. Stewart was providing commentary on his bill. I protest any and all such manipulation of the legislative process.

Signed,

Diana M. Fessler  
State Representative, 79th District  
Monday, December 29, 2008

CLERK'S NOTATION

Based on Section 2.10 of the Ohio Constitution, [Rights of members to protest: Any member of either house shall have the right to protest against any

act, or resolution thereof; and such protest, and the reasons therefore, shall, without alteration, commitment, or delay, be entered upon the journal,” I am today, December 29, 2008, formally exercising my right to protest the handling of a particular section of House Bill 119 (127th General Assembly):

There is a folk tale about four men, blind from birth, describing an unknown creature after touching just a portion of it. The first man, feeling an elephant’s **trunk**, described it as a **thick, snake-like creature**. The second man, feeling the elephant’s **leg**, argued that it was a **large, column-like creature**. The third man, feeling the elephant’s **ear**, insisted it was a **fan-like creature**. Finally, the fourth man, feeling the **side of the elephant’s body**, described it as a **giant, wall-like creature**. The point being, of course, is that the *parts* of an elephant do not convey even a rudimentary picture of the whole animal. And so it is with STEM (Science, Technology, and Engineering & Math). Teachers of the STEM disciplines see hope that math and science classes will no longer be for nerds only. Business and industry leaders see hope for a better educated workforce – a workforce trained at the expense of taxpayers, not employers. Education and information technology vendors are just plain giddy over a the pending windfall. And social engineers see yet another piece of their broad agenda falling into place with the passage of House Bill 119.

In 1983, Dr. Eugene Maxwell Boyce, professor of education administration at the University of Georgia, wrote: “In the Communist ideology, the function of universal education is clear *and easily understood* . . . Education is tied directly to jobs -- control of the job being the critical control point in an authoritarian state.” He went on to say, “No such direct, controlled relationship between education and jobs exists in democratic countries.” [That is a factual statement and not some weird linkage to a communist plot as insinuated by those who have sought to marginalize my comments on this important issue.]

Now, fast-forward almost twenty-five years to May 15, 2007, when David Burns, Executive Director of Secondary Schools and Workforce Development for the Ohio Department of Education, testified before the House Education Committee regarding the *creation of a new school system generally referred to as just STEM schools*. Mr. Burns testified that the key to an education system that *really works* is creating a *direct link* between education and economic development, i.e., *jobs*. Mr. Burns also testified that the Ohio Department of Education believes that the state, with input from business and industry, will define economic and educational expectations for children and that a region’s role is to determine how to meet the state’s expectations. Thus, the clear and desired result of embracing the STEM agenda is the two-fold: the redefinition of education and the loss of meaningful local control of education. Decision-making on the part of school boards will be reduced to merely responding, regionally, on how to get students to meet, for the good of the economy, the state-approved expectations of business and industry. Accordingly, one might think that such a proposal would be a topic worthy of

great debate among and between lawmakers and interested parties, like parents, teachers, taxpayers and school board members at all levels, but it is likely that few of them were aware of what is taking place. Nonetheless, the Governor says that Ohio is ready for this transformational change.

As I am no longer a member of the House Education Committee, I sought to develop a deeper understanding of STEM by reading everything that Gongwers published on the topic as well as testimony given in both Chambers. In the House Education Committee, obscure testimony regarding STEM was submitted by five entities – each very knowledgeable about the STEM agenda. During Senate deliberations on House Bill 119, STEM testimony was equally obscure and, from my perspective, in both chambers, testimony was primarily from individuals representing organizations with a current vested interest, and/or from entities interested in seeking their own gain. Nonetheless, the written testimony regarding STEM, limited as it was, provided clues, that when followed, provides details about a far-reaching agenda that will have *a major impact on today's children and their children's' children --- the redefinition of education to merely that of workforce preparation, and the worth of education being measured by its impact on economic development.*

Testimony on STEM disclosed that the Ohio Department of Education, in collaboration with the Governor, had submitted a grant application to the National Governor's Association. As a result, I requested a copy of the grant application from the Governor's Office. To the credit of his administration, my request was processed promptly and professionally.

The May 11 grant application was a beautifully prepared 250-page plan for the development of a regionally-driven STEM *structure* supported with Third Frontier dollars. The stated purpose is to develop a **regional-specific** workforce for the benefit of business and industry by establishing a statewide network of regional STEM Centers under the direct leadership of the Governor. The Intel/Gates grant money is specifically to fund the first Center which will be in Dayton. Another center will be added on in the southeastern part of the state, and another in the northeastern part. Each of them will be networked together at the Partnership for Continued Learning.

On behalf of the Intel Foundation and the Gates Foundation, the National Governor's Association was poised, within days, to award seven \$500,000 sub-grants to states that agree to certain *non-negotiable requirements* that cannot be met without the General Assembly making the statutory changes embedded in House Bill 119. The non-negotiable requirements that Ohio has declared that it will meet include:

- Implementing a new governance structure to lead the redesign of P-16 education;
- Participating in the National Education Data Partnership initiative;

- Implementing a program to track individual students even after they have graduated from high school;
- Utilizing a communications/marketing plan to *sell* STEM to public. STEM advocates acknowledge that they will be seeking increased press coverage for the purpose of promoting public acceptance of STEM and its various components. Frankly, I believe that *proponents* did members of the General Assembly, and those that we represent, a grave disservice by being anything less than 100% transparent regarding all aspects of STEM.
- Matching funds are also required and to that end the Ohio Business Roundtable will provide them.

One cannot speak of STEM without speaking of the Partnership for Continued Learning as they are interlinked. The PCL is to establish a statewide network of public-private STEM partnerships to redesign our education system to support the regional economy. House Bill 119 empowers various appointees to re-design our education system. The PCL was created in SB 6 of the 126th and directed to make certain *recommendations*, but based on page five of the NGA contract and without any apparent statutory authority at the time the application was submitted, they will be developing a “*a seamless p-16 education system . . .*” By any account, it is a huge expansion of authority from merely making recommendations per SB 6 to being the entity charged with developing a new P-16 system of education in HB 119.

What does the National Governor’s Association, the Gates Foundation and the Intel Foundation get in exchange for the money? They get a royalty-free license to use, copy and modify all final products including all reports, drawings, studies, specifications, estimates, maps, computations, computer programs, and other data (writing, sound recordings, or other graphic representations). Also, they have purchased the right to re-use and republish, without limitation, all systems analysis products, models, electronic data processing systems, software and related services, the methods, material, logic, and systems developed under the grant.

To institutionalize STEM, a STEM Leadership Team, which is really the PCL minus any dead weight, will provide necessary guidance. Team members include seven from the Executive Branch: the Governor, Lt. Governor, the Governor’s Education and Economic Development assistants, the state superintendent, the Director of the PCL; four legislators, the respective chairs and minority leaders of the House and Senate Education Committees; and three people from business: the President of Knowledge Works, the Chair of the Eaton Corp, and Chair of AEP and the Ohio Business Roundtable.

It is my hope that future interested parties will further examine the makeup of the STEM Leadership Team as it related to the individuals that made the necessary behind-the-scene agreements and their standing of members of the state legislature with specific attention to the date when the grant request was

formed and the date that House Bill 119 was approved by the respective Houses of the Ohio General Assembly. Clearly, the legislative players contracted with the grantors prior to the public hearings on House Bill 119 and its passage by the Ohio General Assembly. In addition, the testimony regarding the enacting legislation was less than transparent.

In short, I protest the way in which the education of Ohio's children was hijacked for the financial gain of certain entities and I protest the part that influential legislators played in making that hijacking possible.

Signed,

Diana M. Fessler  
State Representative, 79th District  
Monday, December 29, 2008

Message from the Speaker

The Speaker of the House of Representatives, on December 23, 2008, signed the following:

- H. C. R. No. 34** - Representative Batchelder - et al.
- Sub. H. B. No. 79** - Representative Batchelder - et al.
- Am. Sub. H. B. No. 130** - Representatives White, Yates - et al.
- Am. Sub. H. B. No. 215** - Representative Collier - et al.
- Am. Sub. H. B. No. 273** - Speaker Husted Representative Beatty - et al.
- Am. Sub. H. B. No. 280** - Representative Schneider - et al.
- Sub. H. B. No. 318** - Representative Gibbs - et al.
- Am. Sub. H. B. No. 420** - Representative Brinkman - et al.
- Sub. H. B. No. 427** - Representatives Webster, Letson - et al.
- Am. Sub. H. B. No. 450** - Representative Goodwin - et al.
- Sub. H. B. No. 458** - Representative Uecker - et al.
- Sub. H. B. No. 500** - Representative Hughes - et al.
- Sub. H. B. No. 525** - Representative Combs - et al.
- Sub. H. B. No. 529** - Representative Wachtmann - et al.

On motion of Representative Oelslager, the House adjourned until Tuesday, December 30, 2008 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,  
Clerk.