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Criminal Justice Recodification

Good Afternoon Chairman Brenner, Vice Chair Slaby, Ranking Member Fedor and members of the House Education and Career Readiness Committee, thank you for the opportunity to present sponsor testimony on House Bill 540 today. This legislation is a companion bill to Senate Bill 240, which was sponsored by Senator Lehner.

The intent of HB 540 is to revise the law regarding the Ohio Teacher Evaluation System (OTES). Specifically, it requires the Department of Education to revise the state framework based on the recommendations of the Educator Standards Board, and submit a summary of its revisions to the State Board of Education for review. The State Board must adopt the revised framework by May 1, 2019, and each school district board of education by July 1, 2019, must update its teacher and administrator evaluation policies to conform to the revised framework. For the 2017-2018 and 2018-2019 school years, the bill states that evaluations must be conducted under the current framework, and the revised framework takes effect beginning with the 2019-2020 school year. In the meantime, the bill establishes a one-year pilot program for the 2018-2019 school year in order to guide implementation of the revised framework.

This bill would also eliminate the requirement that student academic growth would count for half of an evaluation and instead include two measures of “high quality student data” to provide evidence of student learning attributing to teachers being evaluated. Currently, 50% of educator evaluations are determined solely by student academic growth, a variable that is at times unreliable and erratic due to many factors that lead to teachers being incorrectly labeled “effective” or “ineffective”. Professional development has failed by implementing this current evaluation system, and overall it is not helping educators and students succeed and grow the way they should.

HB 540 also makes the following additional changes to the state framework:

1. Prohibits the framework from using shared attribution of student performance data among all teachers in a district, building, grade, content area, or other group;
2. Prohibits the framework from using student learning objectives; and
3. Requires the framework to include the development of a professional growth plan or improvement plan for the teacher

As recommended by ODE, removing shared attribution from current standards would be best since it does not adequately measure performance by teachers or growth of students since it uses assessments for a group of students that the teacher does not teach. Instead, student portfolios, student surveys, self-evaluations, peer reviews and other

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district based determining measures will still stand as optional resources of evidence of teacher effectiveness.

Under current law, teachers must be evaluated on an annual basis. However, a teacher that receives a rating of "skilled" or "accomplished" may be evaluated once every two or three years respectively, provided that the teacher's academic growth measure is "average" or higher. The ORC also requires that during any year a teacher is evaluated, an evaluator must conduct at least two formal observations for at least 30 minutes each time. The bill retains this requirement, but eliminates an exception authorizing a district board to require only one formal observation of a teacher being evaluated. These two provisions would help to streamline the evaluation process, but allow evaluators more information to formalize their review.

And finally, HB 540 also repeals a provision of law that requires public school teachers of core subject areas to take exams to prove their knowledge of the subject when certain circumstances are triggered, such as low teacher ratings or low school building academic performance rankings.

As a point of reference, most of the provisions contained in House Bill 540 have been included in Senate Bill 216 (Huffman) which recently unanimously passed out of the Senate Education Committee 11-0. The two changes made by that committee to the as-introduced language of HB 540 include allowing local school boards to define "high quality student data" rather than ODE, and the removal of language pertaining the Cleveland Municipal School District.

Currently, Cleveland Municipal School District exclusively created separate teacher and administrator evaluations in 2012 with HB 525. Differences between statewide framework and CMSDs include changes in content, timing, frequency and use of evaluations. HB 540 requires CMSD board of education and the teacher's labor organization to mutually decide whether to update the districts evaluation framework to match the revised state framework or to remain in accordance with current CMSD framework no later than July 1, 2018.

In conclusion, instead of evaluations being an overwhelming burden that weighs heavily on ineffective variables, HB 540 supports education improvement with more specific tactics for administrators, teachers and students to monitor progress. Thank you for your consideration of HB 540, I will be willing to answer any questions the committee may have.