



Ohio Senate Finance Committee
Primary and Secondary Education Subcommittee

Dear Chairman Oelslager and members of the Senate Finance Committee,

I would like to thank you for this opportunity to submit my written testimony in regard to our concerns about the Sponsor Evaluation system. I am Sandra White and I am a veteran educator with 48 years of experience in private, public and community schools. I currently am serving as the Sponsor Evaluation Consultant on behalf of Findlay City Schools who is the sponsor for Findlay Digital Academy. Findlay Digital Academy is an on-line conversion Dropout Prevention and Recovery community school that serves approximately 180 ninth through twelfth graders in northwest Ohio. Findlay Digital Academy has always Exceeded or Met Standards on the Ohio Report Card and was recognized in 2014 as the Charter School of the Year by the Ohio Alliance of Public Charter Schools.

Findlay City Schools and Findlay Digital Academy firmly believe there **should be Sponsor and School accountability, but we feel that the accountability system should be fair, reasonable and timely.** We feel that the current Sponsor Evaluation system is flawed and puts school district sponsored community schools at a distinct disadvantage when it comes to filling out the volumes of Sponsor Evaluation paperwork, much of which really does not impact the true quality of the 'education choice' that the Sponsor is providing. Large sponsors have entire staffs that do nothing more than sponsoring paperwork. School district sponsored community schools do not have that luxury, but they have something more important – constant contact with the community school they sponsor and the day-to-day providing of services. School district sponsors know the quality of education their schools are providing because of proximity and the sharing of resources and staff that takes place.

I would like to share with you some of our concerns about the current Sponsor Evaluation system.

Our first concern is with the timing for when the Ohio Department of Education (ODE) released guidance documents, or rubrics, that specified how sponsors should comply with the Sponsor Evaluation. **The ODE did not release its 2016-17 Sponsor Evaluation rubrics until seven (7) months into the school year.** The Quality Practices and Compliance rubrics were released on February 10, 2017. The ODE then required the Quality Practices documentation to be submitted on April 30, 2017.

Findlay had to submit volumes of paperwork to the ODE for just the Quality Practices portion. We had only eleven weeks to pull this data together. What's even more troubling is that we discovered that the February 2017 rubric required things to be done in August 2016 and we were totally unaware those requirements in August. The 31-page rubric doesn't always totally align with the Ohio Revised Code and Sponsors have not been informed by ODE about the changes in law or changes in ODE requirements. Consequently, Sponsors will lose points. Additionally, the Quality Practices rubric was modified mere days before the April 30th deadline. **How can Sponsors comply with a guideline/rubric that is constantly being changed?** Schools want to do what is best for children and be compliant with law, but we want a fighting chance to be able to do so.

The Compliance rubric also poses a number of problems. A Sponsor's "Compliance" score is based on 19 questions. If a Sponsor misses more than 4 questions, the Sponsor will receive a Compliance score of "0." **Sponsors can only earn 0, 2, or 4 points. It is impossible to earn a 1 or a 3. This is like taking a test where you can only earn an A, C or F grade. How is this fair?**

Wading through the 28-page Compliance spreadsheet has been a challenge. We cannot predict what score Findlay City Schools will receive. Why? Let me give you a few examples of 'why.'

Question S-101 relates to a special education expenditures report. The ODE's Compliance Rubric clearly states that if we did not submit the report by November 1, 2016, pursuant to ODE's guidelines, we would be noncompliant. I will tell you right now—not a Sponsor in Ohio can comply with this. Why? **The ODE never issued guidelines.** I tried to acquire the guidelines. I emailed five individuals at ODE prior to the deadline and asked for guidance. **I never received a response.** I even emailed a report (without ODE guidance) to attempt to be compliant. **I never received a response.** So will Findlay receive a compliance point for this item? Who knows? Based on the Rubric, Findlay will not be compliant because ODE never issued guidance and never responded to my emails. As written, ODE has set up every Sponsor to miss at least 1 of the 19 points.

Another example is question S-601 that requires that the Sponsor attend the School's audit review. However, the Auditor's office allows the Sponsor the right to waive attending the meeting. Sponsors learned in February that the Sponsors were required to attend audit reviews that took place prior to February, when it was already too late to attend. **How can ODE make Sponsors comply with something that is retroactive and directly contradicts another state agency's practice?**

An additional example relates to monitoring compliance of the School we sponsor. This question requires a Sponsor to review 251 school compliance questions. If a School misses more than 4 of the 251 questions, the Sponsor will not receive a Compliance point. As of right now, Findlay is unsure how to answer over a dozen of the questions. These are questions that we believe either (1) mis-states the law, (2) requires actions not required by law, or (3) do not apply to the School, but the School must answer. Findlay has had to engage legal counsel to review the questions and assess what is being asked. Given that there is no way to explain an answer or to appeal a result, it is also unlikely that there will be an opportunity to correct a mistake. **It is also hard to work toward being compliant, when ODE has stopped answering phone calls and emails. Isn't ODE supposed to be our resource and advocate?**

I will give you one final example of the **many** I could share with you. Findlay has students enroll in courses and complete them between the close of the Spring End of Course Test window and the end of the school year. We have been informed by ODE that we need to remove these students or charge them tuition because they did not test in the Spring test window. How does fining students or kicking them out of school benefit our young people? **Findlay simply will not punish students for being successful.**

Because Sponsors received the rubrics so late in the year and many items are built into the rubrics that Sponsors simply cannot comply with, **it will be almost impossible to achieve an "Effective" rating.** Sponsors also do not know how non-applicable Compliance questions are going to affect our points. The ODE has not addressed this. **Currently, the rating requires a minimum combined score of seven (7) points for a Sponsor to be 'Effective.'** **The score matters!** Any Sponsor rated 'Ineffective' for three (3) years in a row will lose its ability to sponsor. Like almost all Sponsors, Findlay City was 'Ineffective' last year. Based on the arbitrary changes and decisions, it is unclear whether Findlay City will be 'Effective' this year. If not, Findlay will be

'Ineffective' for two consecutive years and need to be 'Effective' in 2017-2018 or else its **sponsorship authority will be revoked.**

Some of Ohio's highest performing school district sponsored community Schools have already closed or are on the path to closing because of the Sponsor Evaluation system. This is just wrong!

Is this the Sponsor Evaluation system **you expected or wanted** when you passed H.B. 2? Did you intend Sponsors not to be informed about evaluation rubrics until seven months into the school year? Did you intend for us to be penalized for ODE's failure to give guidance? Findlay has spent almost \$20,000 in legal fees for help in understanding the rubrics and navigating through the Sponsor Evaluation system, is this a good use of taxpayer dollars? Or is the hiring of SchoolWorks to grade the Sponsor Evaluation system a good use of taxpayer dollars? I think not. And I do not think this is what you intended to happen. We all want a reasonable, fair and timely accountability system. And surely, a simpler, cheaper and less time consuming system could be developed.

We are **requesting your help with this flawed Sponsor Evaluation system** and are **offering some possible legislative solutions** to protect Sponsors and Schools from ODE's inconsistency and still hold Sponsors accountable.

1. Advance notice of the rubric. Require that the sponsor rubric be released by July 15 of each year and prohibit subsequent modification of the rubric during the school year. Any changes may only be effective for the following school year.

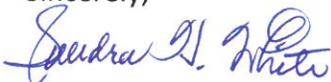
2. Appeal Process. Provide sponsors with an opportunity to appeal their ratings prior to their scores being made public.

3. Simplify scoring rubric. Remove requirement that a score of "0" in any area requires an "Ineffective" rating. Remove requirement that any two scores of "0" will result in a "Poor" rating. The scoring system already establishes how a "Poor" or "Ineffective" rating can be established.

4. Safe Harbor for 2016-2017. Provide a safe harbor to all sponsors rated "Poor" or "Ineffective" for 2016-2017 school year given that ODE provided insufficient and untimely notice regarding standards. A sponsor that is rated 'Ineffective' will not have the year counted as one of their three consecutive years toward sponsorship being withdrawn. Safe Harbor for the schools in 2015-16 that received '0' in two parts but received enough overall points to be considered 'effective.'

We know legislators worked very hard to hold Sponsors accountable, and we honor that commitment and dedication to Ohio's youth. We are not suggesting that accountability be thrown out. **We are only making an appeal that the 65 Sponsors and the 117,000 students they represent be treated in a reasonable, fair and timely manner.**

Sincerely,



Sandra H. White