

September 28, 2015



The Honorable John R. Kasich
Governor of Ohio
Riffe Center, 30th Floor
77 South High Street
Columbus, OH 43215-6117

Dear Governor Kasich:

My name is Henry Patterson and I have had the privilege of serving as the Vice-Chair of the Lorain City Schools Academic Distress Commission (ADC) since March of 2013. As graduates of the Lorain City Schools, residents of the city of Lorain and parents of three children (all daughters) in the school district, my wife and I felt that it was of paramount importance and a civic duty for me to make time to serve on the ADC. To that end, I sought an appointment and, with the exception of an absence for appendicitis, have dutifully attended each Commission meeting.

Over the course of the past two and a half years, every member of the commission has dedicated significant time into preparation and participation in commission meetings. As just a small sampling, our commission has regularly reviewed volumes of data from the district, processed and incorporated the findings of three ODE site visits, reviewed contract language and district policy, and prepared two (working on a third) Academic Recovery Plans. In short, after thoughtful study and reflection, the Lorain ADC has made data driven decisions that have resulted in significant progress for the Lorain City Schools.

Additionally, the Lorain ADC has enjoyed a strong working relationship with the Lorain School Board. While we have had some growing pains, there is regular, open and honest communication between the ADC and Lorain School Board. Importantly, the Lorain School Board has gone on record as viewing the ADC as a positive opportunity to achieve real change for the Lorain City Schools. Evidence of this relationship was apparent in the joint participation of the Lorain Board of Education and the ADC in the recent hiring of a new Superintendent in an abbreviated timeline.

Finally, the Lorain City Schools has seen success during the existence of the Lorain ADC. While we are not satisfied with the current state of the Lorain Schools, the Overall Value Added score of "A" in the 2013-2014 report card is something that Lorain should be proud of and is evidence that there is progress in Lorain. Moreover, as a parent, the most important thing that I want to know is whether or not my child learned something over the course of a year; Did they get better, stay the same or get worse? In Lorain, I can say student's learned more than a year's worth of information as a result of the efforts of the students, parents, teachers and administrators in Lorain.

I attempted to be as succinct as possible but it was necessary to provide some context under which I write to you. Governor Kasich, the purpose of this letter is because I am troubled by your recent decision to accept the Legislature's overhaul of ORC 3302.10 Academic Distress

Commissions and wanted to put my thoughts in writing. Please understand that I am in full agreement and support with the previous ADC model for districts like Lorain and believe that students cannot continue to suffer at the expense of adult issues. However, our entire commission, of which three members were selected by Dr. Ross, was blindsided by the expedited timeline, apparent level of secrecy, lack of public debate or ADC input, and impact that the HB 70 will have on the Lorain Board of Education and Lorain ADC.

Governor, while I do not always agree with your policies, I have admired that you have consistently placed principle above party or ideology. This sentiment was evident by your bold decision to expand Medicaid in Ohio because it was, “the right thing to do.” I also admire that you appear to be a common sense and no-nonsense type of leader who makes decisions after you have gathered all of the facts, weighed the pros and cons of an action and then are prepared to take decisive action and defend that decision. However, when it came to HB 70, it appears that you ignored this common sense approach and simply signed bad legislation into law.

While the ADC legislation was far from perfect, I believe that HB 70 was a rushed overreaction to issues that arose in Youngstown. Moreover, had I and other members of our commission known that the legislature was considering a change to the Ohio Revised Code with regards to the ADC, we would have found the time to make the trip to Columbus to testify as to recommendations for reform as individuals who are in the trenches with the current iteration of the law.

I only wished that I would have personally had the opportunity to tell the legislature about the successes and frustrations that we have faced over the course of the last two and a half years. Some of the recommendations for any overhaul to the ADC that I would have testified about would have included:

1. That the law requires the ODE to expedite the results of state report cards for districts in Academic Emergency by no later than July 1st of each year. ***(Do you realize how difficult it is to draft and implement a recovery plan when the data doesn't arrive until weeks or months after the school year has started?)***^[1]
2. The need for the ADC to have additional control over teacher assignment, employment, and contract terms, similar to the control that was in place for administrators. However, it would appear that there is also a need to incorporate some small measure of due process rights for impacted individuals to pass constitutional muster.
3. To provide additional funding to the ODE to provide real resources to districts that are in Academic Emergency. While the ODE staff is very skilled and well-intentioned, they are stretched far too thin to provide timely and consistent input to the ADC. This budget should also include some modest amount of resources for the local ADC as opposed to using district General Fund dollars for expenses.
4. The law should require the State Superintendent (not a designee) meet at least annually with each local ADC and School Board. (Though all commission members volunteer their time, after our initial meeting, we have not had the privilege of interacting with Dr. Ross. ***Incidentally, before HB 70 was passed, several members of our***

^[1] As further insult to injury, this year's report card won't be available until November or December!

commission volunteered to go to Columbus to meet with Dr. Ross about recommendations for changes to the law.)

5. The law should require annually a minimum number of hours of training/education (10) for the local ADC and School Board members related to working collectively for students and strategies for exiting Academic Emergency.
6. I would have encouraged a law more focused on measured progress versus hard scores on a report that is still in flux. The standards have increased since our ADC was put in place and we have seen a complete overhaul in the report card yet we are held to the same standards.
7. I would have discouraged you from moving toward an appointed school board and CEO model that was hastily put in place. In Lorain, the School Board and ADC worked very well together; we were on the same page and worked collectively for the best interest of students. Moreover, this approach seems to go against the concepts of home rule and the democratic process as outlined in Article 6 of the Ohio Constitution.

I would implore you to take a leadership role in reviewing and then fixing this Law. Students and communities of school districts under Academic Emergency deserve as much help as is possible to improve their situation. However the authoritarian and rushed overhaul cannot possibly be in the best interests of anyone involved. Please take these comments as non-partisan constructive criticism of this law and my personal commitment to do whatever I can to improve educational opportunities for Ohio children.

Regards,

Henry T. Patterson, Jr., J.D, M.P.A..
Vice-Chairman Lorain Academic Distress Commission

cc: The Honorable Cliff Rosenberger, Ohio Speaker of the House of Representatives
The Honorable Dan Ramos, State Representative 56th District
The Honorable Keith Faber, President of the Ohio Senate
The Honorable Gayle Manning, Senator 13th District
Dr. Richard A. Ross, Superintendent of Public Instruction
Tom Gunlock, State Board of Education President
Anthony Dimacchia, President Lorain Board of Education
Dr. Jeffrey Graham, Superintendent Lorain City School District