

Testimony in support of

SB 216 – Public School Deregulation Act

Presented by

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May 2018

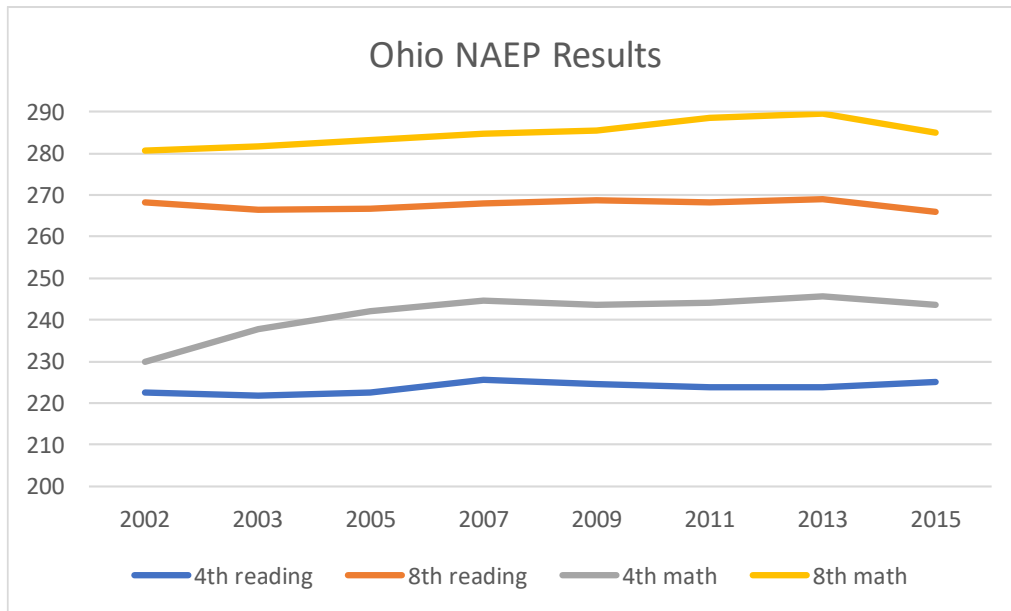
Introduction

Good afternoon Chairperson Brenner, Vice Chairperson Slaby, Ranking Member Fedor and members of the House Education Committee. I am Robert Sommers, co-founder of CF Educational Solutions and a life time educator with experience as a classroom teacher, a locally elected board member, a district superintendent, a charter school operator, a gubernatorial education policy advisor (Ohio and Oklahoma) and national education policy advocate. Thank you for the opportunity to share my thoughts regarding the provisions of SB 216.

SB216 is a tremendous start of an exciting new chapter in Ohio educational reform. Ironically, I must accept partial responsibility for several of the laws this bill would eliminate. As the Director of the Office of 21st Century Education, I advocated for many of these laws. My support at the time was well intentioned and guided by reasoned policy theory and practice. The people who put these laws in place were also well intentioned, guided by a fervent desire to improve the future of Ohio children, and to assure Ohio was competitive in the global economy. After nearly a decade, however, the results show we must move on from these reforms because **they haven't delivered on our vision**. As you consider this bill, please remember, **the reforms weren't our goal, the results were**.

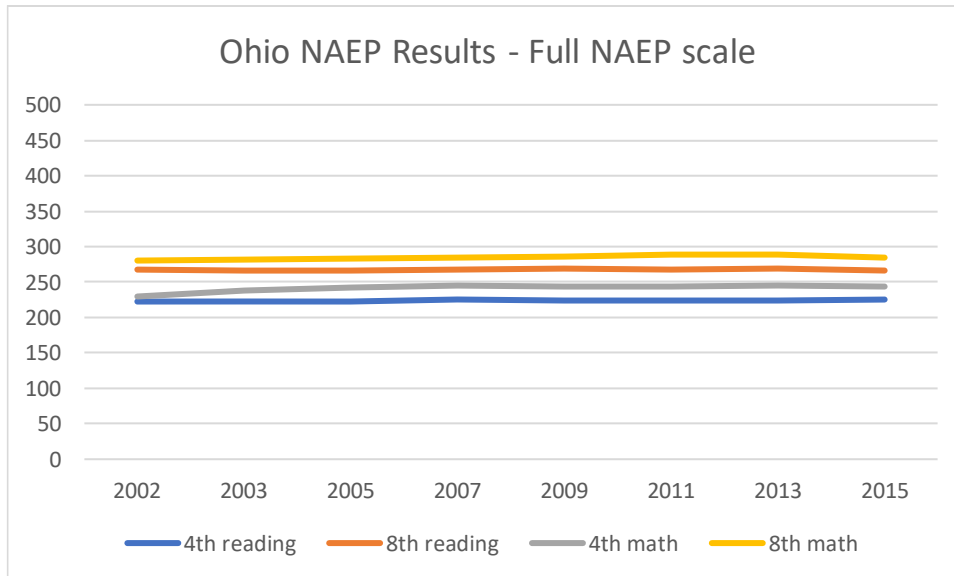
Performance challenge

There are many measures of performance that show we have not made progress over the past 8-10 years. In my brief time with you I will focus on the National Assessment of Education Progress (NAEP) results to illustrate my point. NAEP is considered the gold standard in measuring student academic progress.



Ohio NAEP results have shown an overall increase of 1.8% since 2002.¹ That isn't per year growth, that is over the entire 15-year period. As you can see by the chart, there has been marginal growth in math, but reading scores have declined. If you look at a full NAEP scale graph, you can see we have made no visible progress.

¹ Data used in this analysis is from USDE, Institute of Education Sciences, National Center for Education Statistics, National Assessment of Educational Progress (NAEP).



Ohio participated in the 4th grade math and reading NAEP assessments in 1992. When comparing results for the 11-year period 1992 through 2002 on 4th grade reading and math we see an average growth of 3.75%. This is a bit over twice as fast as performance improvements from 2002-2015. Both improvements are incredibly anemic and point to our need for continued system reform. By the way, Ohio has slipped in standings nationally on several of the NAEP score areas.

These data points and others suggest it is time to rethink our reform efforts. SB216 is the beginning of this effort.

SB216 starts removing burdens of several failed reform policies and positions the Legislature to start the hard work of dramatically improving or replacing past policies. Modern reform efforts are increasingly focused on the importance of continuous improvement science and innovation. This work is only possible if Ohio focuses on attracting and retaining professional education talent and reducing top down school control.

State driven teacher evaluation system

One reform has proven to be a particularly burdensome without positive impact and gives a simple example of why SB216 is a beginning of the process to transform state policy. The Ohio Teacher and Principal Evaluation System (OTES and OPES for short) has negatively impacted the ability of school districts to focus on student performance and truly innovate human resource strategies. It has created a digital “paperwork” nightmare and has had no significant impact on teacher evaluation results. One only must look at school district report cards and see there is no correlation between teacher evaluation results and student performance standings. Further there is little indication of change in overall teacher evaluation results.

In fact, this one-size-fits-all reform has contributed to the dearth of professional talent currently emerging. Dramatic declines in enrollments in our state’s colleges of education and a shockingly high rate of departure of new teachers will soon result in classrooms without faculty.

Rick Hess, a prominent reform advocate put it best when he wrote regarding state driven teacher evaluation efforts like OTES and OPES, “Unfortunately, all that time, money, and passion haven’t delivered much. ... after all is said and done, the share of teachers identified as effective in ... states inched down from more than 99% to a little over 97% in 2015.”² In other words, teacher evaluation results are statistically unchanged after considerable cost and effort.

Kraft and Gilmore, who completed a 19-state study of the impact of state driven teacher evaluation systems noted, “These efforts have paid short shrift to the simple and frustrating fact that, while public policy can make people do things, it cannot make people do those things well.”³ Their study discovered the unfortunate truth...these systems have not changed teacher evaluation results.

² <http://educationnext.org/when-fancy-new-teacher-evaluation-systems-dont-make-a-difference/>

³ <http://educationnext.org/when-fancy-new-teacher-evaluation-systems-dont-make-a-difference/>

The state driven system also eliminated district options for truly innovative teacher evaluation and support systems. When I was superintendent at Butler Tech our team created an innovative teacher development and teacher evaluation system that separated these two tasks. We were successful at removing 100% of the teachers we found unacceptable. We also dramatically reduced administrative burdens and freed our principals to spend more time collaborating with teachers on innovative instruction. This led to higher professional engagement among teachers we retained. **Our student results went up, our administrative costs went down, and our ability to attract and retain quality teachers improved.** This highly successful system was **outlawed** by the implementation of OTES and OPES.

I have heard from principals and superintendents that the methodology incorporated into the current system has improved their evaluation processes. This positive impact hasn't materialized in rating changes, but it may be making subtle local improvements in instruction. Removal of the mandates of OTES and OPES will not diminish these positive results. Local school districts can opt to keep those portions of the system they find valuable. Of course, districts like Butler Tech can continue to innovate and further refine their choices also.

SB216 begins the journey of removing the onerous burdens put in place by OTES and OPES. I personally would go much farther, but this bill is a tremendous and worthy starting point.

As to the energy and money committed to the ineffective OTES and OPES system, I recommend you use it to advance school district use of continuous improvement science and innovation to improve student results.

Other reforms needing major overhaul or removal

SB216 touches on several other reforms needing substantial revision or removal. I would suggest the following should receive the Legislature's attention.

1. **The A-F report card.** Accountability is critical. This accountability instrument has not moved performance. It is inconsistent with aspirational, high quality continuous improvement and innovation systems found in health care and the private sector.
2. **Teacher licensure.** There is little to no evidence teacher licensure has increased the quality of classroom teachers or school administrators. Finland's educator preparation systems are infinitely more successful in this regard. They focus on dramatic improvements in the quality of candidates and the value of the pre-employment educational experiences.
3. **Rules and regulations related to instructional design.** Legislatures don't pass laws around the way in which doctors do brain surgery, they shouldn't pass laws around the way professional educators teach. I serve on a board of a community school sponsored by Cincinnati Public Schools. We have over 300 regulations for a school of only 250 students. Fewer than 5% of the regulations deal with meaningful issues related to student learning, safety, or fiduciary responsibility.
4. **Standardized testing.** Modern assessment capabilities provide teachers with fast, useful information about student learning and provide incredible proof of learning documentation. These assessment approaches make state developed assessments obsolete. Additionally, mastery-based, personalized learning require just-in-time testing instead of once a year standardized testing.
5. **Curriculum standards.** Our current focus on math and reading has sterilized educational experiences and has not acknowledged the full range of knowledge and skills required to be successful in life. Our curriculum standards must be broadened to include a broader definition of content, habits of success, life skills, and wayfinding talents. The NLCG MyWays initiative can inform the progress we need in this area.

Conclusion

Our efforts over the last 10-15 years have been driven by our desire to improve educational results. The reforms we implemented were thoughtful and, at the time of implementation, showed great promise. But now we know they haven't gotten the results we wanted. Thomas Edison famously tested over 3,000 different filaments before he discovered the one that made the electric lightbulb possible. Thomas Edison is known for his incredible inventions and for his bringing light and electric power to the world. But his greatest accomplishments came not from being correct, but being willing to fail over 2,999 times, learning from the failure, and moving on to new options. SB 216 is the first acknowledgement that our current reforms, just like the failed filaments, must be learned from and then let go. We must move forward into a new generation of reforms. Passage of SB216 is the first step in this journey.

Thank you for your time and attention.