



Office of Representative Teresa Fedor, 45th District

December 4, 2018

**H.B. 626: Suspend creation of new academic distress commissions
Sponsor Testimony**

Chairman Brenner, Vice Chair Slaby, my fellow members of the Education and Career Readiness Committee, thank you for the opportunity to testify. The main premise of House Bill 626 is to suspend the creation of new academic distress commissions for the purpose of the State of Ohio is takeover public schools.

HB 626 prohibits the Superintendent of Public Instruction from establishing any new academic distress commissions for the 2018-2019, 2019-2020, and 2020-2021 school years. Following this three-year moratorium, new academic distress commissions can be established but cannot consider a school district's grades on its state report card from those three years, effectively establishing a reset.

In 2015, the General Assembly enacted H.B. 70, which repealed the then existing law on academic distress commissions and replaced it with a new law requiring the appointment of a chief executive officer who has substantial powers to manage the operation of a qualifying district. Under that law, the state Superintendent must establish an academic distress commission for any district that receives an overall grade of "F" on the state report card for three consecutive years or equivalencies prescribed for years for which there is no overall grade. The law also provides for progressive consequences for the district, including possible changes to collective bargaining agreements and eventual mayoral appointment of the district board.¹

The last minute amendment in H.B. 70 to change academic distress commissions did not receive full vetting to ensure good governance on accountability measures to local and state taxpayers. As we have seen in Ohio's charter school system the last 20 plus years, lack of accountability and transparency components to fend off corruption were not in place due to a last minute amendment process to another bill. After millions of dollars and years of failed academic achievement, Ohio has been correcting the system piece-meal even to this day.

Ohio is repeating the same mistake again with state takeovers of our public schools. State takeover of our local public schools is an extreme measure especially when you consider how

¹ R.C. 3302.10 and 3302.11 and Section 6 of H.B. 70 of the 131st General Assembly, effective October 15, 2015, none in the bill.

this change was made within hours of passing H.B. 70 without any input from education stakeholders.

If there needs to be a change to academic distress commissions, put it out to the public for all to view, consider and deliberate.

So, it is not surprising to discover that there are alarming indicators from Youngstown and Lorain Public School Districts of problematic issues as it relates to good governance.

Education is a public service and requires transparency, accountability and community feedback in order to serve the best interest of our children. We need more local control, not less to solve systemic challenges such as poverty.

HB 626 is a response to Ohio's students, educators, administrators, and parents. We continue to hear from constituents around the state, sharing profound concern, about the unchecked power HB 70 gives to CEOs. HB 626 is a response to the ineffective state takeovers that have already occurred.

Youngstown and Lorain, the two Ohio districts under state control right now, have both failed again this year. Recently, these local leaders presented lawmakers a list of their areas of concern with the implementation of academic distress commissions and the CEO model for School Districts. These concerns included:

- Lack of accountability
- Financial state of the school district
- Lack of improvement in academic performance since implementation
- Lack of meaningful community input and involvement in the district
- Preserving public education
- Restoring and maintaining local control of the School District.

CEO absenteeism, questionable staff and executive hiring, poor financial management, and more have been reported around the state. HB 626 is needed before more irreparable harm occurs.

Furthermore, the School Report Card, the grading mechanism that triggers an eventual state takeover, has been recommended for change by the Ohio Department of Education. Districts will earn evaluations and potentially failing grades under two different sets of criteria. Mona Al-Hayani, winner of the state's Teacher of the Year distinction, is an educator in a school with an "F" overall performance grade: Toledo Public Schools. How is Ohio reconciling examples of great education with overall poor performance grades? These are questions that should be examined and answered before moving similar districts closer to the loss of local control.

Proponents of this model would be wrong to say that more time is needed for success. A study from the Tennessee Education Research Alliance shows three years later their program isn't working. District-run turnaround efforts of the state's lowest-performing schools yielded greater

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results than that of Tennessee's state-run districts. This and more examples around the country demonstrate the value of the local perspective in helping students.

This local approach is essential in part because student performance is closely intertwined with nonacademic barriers to learning. We've already seen it work here in Ohio. Launched in 2003, West Muskingum's initiative to provide a "wrap-around system of care" is helping students overcome these barriers. The Care Team Collaborative includes personnel and entities outside of the school, such as the Muskingum County Juvenile Court and Muskingum Behavioral Health Prevention Services and Six County counseling. The district is now rated "Excellent" on the state report card.

With HB 70 being challenged as unconstitutional, and with the wealth of information we already have on what does and doesn't address poor performance, we need the passage of HB 626 to refocus our state's efforts to provide the best possible outcome for our children.

Ohio needs this legislation to support public education in our state. Thank you for your time and the opportunity to speak. I ask for your support to improve our schools and restore local control.

I am happy to take questions from the committee.

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