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**Testimony on H.B. 49
House Finance Committee
Primary and Secondary Education Subcommittee
March 22, 2017**

Chairman Cupp, Ranking Member Miller, and members of the subcommittee, my name is Dave Cash, and I am the President of Charter School Specialists, representing St. Aloysius, one of nearly 70 charter school sponsors in the State of Ohio, and one of only 5 sponsors rated Effective overall. St. Aloysius was the only sponsor to receive an exemplary rating in Quality, making us the highest rated sponsor in Ohio.

Charter school sponsors play an essential role in providing oversight, monitoring and technical assistance to the schools they authorize. And while we support efforts to improve sponsor quality, we have serious legitimate concerns regarding the Ohio Department of Education's (ODE) implementation of H.B. 2 and the overall sponsor evaluation system. I would like to emphasize that we are not seeking to revisit the passage of HB2, but rather address concerns about how the law is being implemented.

Over the past several weeks I have met with numerous members and staff of both the House and Senate to discuss the ODE's implementation of H.B. 2. These meetings included each member of this committee. Additionally, last week, the committee heard from the Ohio Coalition for Quality Education, the Ohio Association of Charter School Authorizers, and the Buckeye School Boards Association. Our concerns are the same and they are held by nearly every stakeholder group, except for ODE. Allow me to touch on the main points.

- We ask that the General Assembly clarify that equal means equal. All three components of the sponsor evaluation system must be equally weighted. The Legislature directed ODE to do so in law, but the current practice by ODE does not.
- Enrollment is not an academic performance measurement. Sponsors are concerned about the academic performance of all schools, not just the largest schools. The current practice by ODE is to weight the academic performance calculation by a school's enrollment. Under this metric a sponsor could concentrate on one large school and neglect many smaller schools.
- Charters serve mostly students from high poverty and high mobility communities. Growth is the most valid metric for assessing performance in these communities. Further, many charters have been closed due to academic performance while still out-performing the closest district school. We believe more consideration should be given to using comparison school data from the Local Report Card and

using comparison data in how ODE calculates the academic component score for sponsors. Currently ODE establishes a variety of weights to calculate a school's grade for the sponsor evaluation utilizing the full complement of metrics on the Local Report Card. Growth is only considered at 20% of this calculation, and comparison data is not considered at all.

- Any new evaluation system will need some final vetting through use. Currently, ODE does not allow any sponsor to appeal their rating unless they are marked for closure. There were obvious, sponsor-documented errors in ODE's ratings during the past implementation of the sponsor evaluation system, but sponsors were prohibited from appealing the rating. We ask the General Assembly to establish an expectation for appeals.
- The sponsor evaluation system is a highly robust and distinct assessment of sponsor's practice and performance unlike any in the country. It assesses performance down to a sponsor's mission statement, whether the American flag is five feet in length, and the sponsor's allocation of resources. In addition, ORC 3314.025 requires sponsors to submit all their expenditures to ODE by August each year. ODE has enlarged the scope of practice by requiring that all sponsors must submit their data according to the USAS codes including fund, function, and object, and special cost center per the USAS manual. Most sponsors don't use USAS coding because the manual was created for use by public schools and not sponsors. Many of the activities that sponsors are engaged in have no fund, function, or object coding. A quality based description of how sponsors allocate funds is already assessed within the Quality component of the sponsor evaluation system, and because ORC 3314.025 essentially becomes a second or third yearly evaluation of sponsors, we ask that the General Assembly modify the Statute to only be required of any poor rated sponsor and clarify that sponsors can provide this data using whatever accounting codes they currently use.
- Drop out recovery charter schools are required to test their students using the nationally normed NWEA test as a growth measure. ODE has arbitrarily established a participation rate of 75% for this test. This is a voluntary test for students. As such, it is very difficult to achieve this participation rate with these students. We believe most Drop out recovery schools fell below a 50% participation rate last year and all will likely fall below the 75% participation rate this year. We request that the State either make the test mandatory which may increase participation or reduce the participation rate to a reasonable percentage.
- Representative Patterson asked Peggy Young, the President of the Ohio Association of Charter School Authorizers, whether the organization had an opinion on ODE's request for additional funding. I have considered the question and I do have an opinion. ODE has been evaluated as a sponsor on at least two occasions. The first was by the Auditor of State which resulted in the General Assembly removing ODE's authority to sponsor schools in 2005. The second time was the sponsor evaluation system implemented last year. Last year's evaluation found ODE's sponsor effort to again be ineffective. As of two weeks ago, the Office of School Sponsorship had only three staff. Three schools made

a request to ODE to change from their poor rated sponsor to St. Aloysius for sponsorship. ODE has denied two requests, meaning that the Office of School Sponsorship, which only employs three staff and is considered Ineffective, will have two more schools. In sum, ODE has decided that two schools that have lost their sponsor are not permitted to transfer to an effective sponsor, but must instead transfer to ODE's own Ineffective rated Office of School Sponsorship. I believe that ODE not only lacks the capacity to both oversee sponsors and be a sponsor, but is essentially conflicted in their role. I would deny ODE's request for more funding and instead more fully support those sponsors who received an effective rating.

We believe the Ohio Department of Education should faithfully carry out the laws passed by the legislature. Only that will guarantee fair and consistent treatment of Ohio's charter school sponsors.

Mr. Chairman and members of the subcommittee, I am grateful for the opportunity to briefly share our concerns with you. I'd be happy to discuss any or all of these provisions in greater detail.

Thank you.