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**Testimony Before the Senate Education Committee on Senate Bill 216 (M. Huffman)**  
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**Ohio Alliance for Arts Education**  
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Chairwoman Lehner, Vice Chair Huffman, Ranking Member Sykes, and members of the Senate Education Committee:

The Ohio Alliance for Arts Education (OAAE) appreciates this opportunity to present our comments and concerns about Senate Bill 216 (Huffman) the Ohio Public School Deregulation Act.

For forty-three years the OAAE has brought together a variety of individuals and organizations in Ohio to ensure that the arts, which include dance, drama/theater, media arts, music, and visual art, are an integral part of Ohio's education system. Our members include over 8,000 teachers, artists, administrators, parents, and students, and arts education associations and institutions, including the Ohio Music Education Association, the Ohio Art Education Association, OhioDance, and the Ohio Educational Theatre Association.

The OAAE understands that the purpose of this bill is to relieve school districts of some state regulations so that districts can operate more effectively and better address the needs of their students.

But the bill would affect 15 major areas of education law, and would eventually impact programs at institutions of higher education that prepare teachers and how school districts employ teachers. These changes will affect teacher quality, the quality of the education programs in our schools, and especially the students, who deserve well-trained teachers in all of their classes so that they can achieve at the highest levels.

For these reasons the OAAE takes the following positions on the bill:

**Oppose Permitting the Proposed K-8 Grade Band License to be Certified to Teach the Arts.**  
(Section 3319.22 Educator Licenses)

The bill requires the State Board, when issuing resident, professional, senior professional, and lead

professional educator licenses, to specify whether the educator is licensed to teach grades Kindergarten through eight or grades six through twelve. While the bill doesn't address the types of courses that a teacher with the proposed K-8 and 6-12 licenses could teach, or the types of courses and other requirements that future teachers would be required to meet in order to earn the two new licenses, the bill sets up the future need to address these questions, and therefore the OAAE's responsibility to respond.

The current grade band levels for educator licenses are not specified in Ohio law, but are issued by the State Board of Education through the Ohio Administrative Code (OAC) rules, which are approved by the Joint Commission on Agency Rule Review (JCARR).

OAC Rule 3301-24-05 identifies several types of educator licenses that an individual can earn to teach all subjects or selected subjects at various grade levels.<sup>1</sup> The primary license areas are "Early Childhood" (grades pre-Kindergarten through three), "Middle Childhood" (grades four through nine in named curricular areas), "Adolescence through Adult" (grades seven through twelve in named curricular areas), and the Multi-Age Licenses (pre-K to 12) issued for a particular subject area, such as dance, drama/theater, music, visual art, library/media, health, languages, etc.

The OAAE is concerned that those teachers earning the proposed K-8 general teaching license could be certified to teach the arts in Ohio classrooms. Currently teachers with the pre-K to grade three license, and those teachers with the "grandfathered" K-8 license are considered "certified" to teach the arts under Ohio Administrative Code rules. But the course requirements for teaching the arts under these licenses are extremely minimal when compared to someone earning the Multi-Age License to teach the arts, which requires that the teaching candidate major in one of the arts disciplines, meet the requirements of the higher institution, and meet other state requirements. At Kent State University, for example, the course requirements for earning a Bachelor of Science in Early Childhood Education to teach all subjects, including the arts, in grades pre-K through grade three, only include the course "Music and Rhythms in Preprimary Education" (3 credits) and 9 credit hours in the "Humanities and Fine Arts."<sup>2</sup>

The OAAE recommends that Ohio law specify that all courses in the arts at all grade levels be taught by a teacher with a Multi-Age pre-K to 12 license in a specific arts discipline of dance, drama, music, or visual art, or an equivalent license in a specific area. Teachers earning a Multi-Age license are required to complete a major or its equivalent in a specific content area in the arts, and meet the requirements specified by the teacher preparation institution, which are approved by the Ohio Department of Education. A teacher with the Multi-Age license in the arts can best provide the instructional and professional expertise to guide students to achieve at the highest levels in the arts.

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<sup>1</sup> Ohio's Certification and License Dictionary for Teaching the Fine Arts at <https://education.ohio.gov/getattachment/Topics/Teaching/Licensure/Additional-Information/Certification-and-Licensure-Dictionary/Fine-Arts.pdf.aspx>

<sup>2</sup> Kent State Course Requirement Catalog at <http://catalog-archive.kent.edu/archive/catalog/2016/eh/ug/ecde6614.html?requirement=ecde-BSE-progreq>  
<http://catalog-archive.kent.edu/archive/catalog/2016/info/courseinformation/kent-core.html#Humanities>

## **Oppose New Section 3319.391, Which Would Permit the Employment of Teachers to Teach in any Subject Area or Grade Level.**

The bill also includes a provision, NEW Section 3319.361, that permits a superintendent of a city, local, or exempted village school district to employ a person licensed under section 3319.22 of the Revised Code to teach a subject area or grade level for which the person is not licensed.

This provision gives superintendents carte blanche to hire any licensed person to teach any subject at any grade level with no approval by the local board of education, no exemptions, no time limits, or guidelines to ensure that individuals have the training, knowledge, and experience to teach the subject in Ohio classrooms. Such limits have been placed in law on other efforts to provide school districts with more flexibility when hiring teachers. For example, while current law allows “high performing school districts” to hire licensed teachers to teach at any grade level, there are exemptions from this provision for special education teachers.

This provision could undermine the great track record that Ohio school districts have made to hire highly qualified and licensed teachers in the arts. According to OAAE data for the 2012-13 school year, there were 8,990 arts teachers in Ohio’s traditional public schools. Ninety-seven percent (97%) of these arts teachers were certified to teach courses in the arts by holding appropriate licenses. These teachers met the graduation requirements of their institutions of higher education in their arts discipline, and also met Ohio’s rigorous standards for beginning teachers, including passing a national assessment for teachers in their content area, and fulfilling all requirements for earning a permanent license.

Ohio already has in current law the alternative license program, which provides a different pathway for individuals to become licensed teachers.

There are other provisions in law that provide school districts some flexibility when hiring licensed educators and non-licensed individuals to teach on a limited basis, including Section 3302.151 High Performing School Districts, Section 3319.301 Non-licensed Teachers, and OAC Rule 3301-23-41: the 40-hour and 12-hour STEM temporary teaching permit.

At a minimum, the bill should require the State Board of Education to develop guidelines for hiring teachers who are teaching out of their subject area, including limits on the amount of time a teacher can teach; a requirement that these teachers pass a content area exam or are enrolled in a program to earn a license in the content area; and the requirement that the local board of education approve the hire. These guidelines should ensure that students are not short-changed in the classroom because they have a less than highly qualified teacher.

## **Oppose Changes to the Gifted Standards Rule for Professional Development**

Currently OAC Rule 3301 -51-15 (D) Provision of Services requires educators working with gifted students to complete professional development that meets best practices for serving gifted students. The State Board of Education adopted this rule in March 2017 after years of stakeholder input and

debate. At the time it was approved the State Board agreed that in order to better serve gifted students in Ohio classrooms, a general education teacher, who is designated as the provider of gifted services, would be required to participate in 30 hours of professional development in year one; 30 hours in year two; and additional hours of professional development each year thereafter as determined by the school district. The professional development must be aligned to specific competencies for teaching gifted students.

SB 216 would reverse this rule, and prohibit the State Board of Education from requiring any gifted professional training for classroom teachers providing gifted services.

The OAAE believes that “prohibiting” the State Board of Education from requiring professional development to improve instruction for gifted students is an excessive reaction to the rule. Lawmakers, school districts, and stakeholders for gifted education should be able to identify other options that would help school districts meet a higher standard for serving gifted students, while also addressing their concerns about implementing the professional development requirements.

### **Support the Proposed changes for the Ohio Teacher Evaluation System (OTES)**

The bill requires the ODE to revise the state framework for teacher evaluations, based on most of the recommendations of the Educator Standards Board (ESB), and submit a summary of the revisions to the State Board of Education for review. The State Board must adopt the revised framework by May 1, 2018. School districts are required to update their teacher evaluation policies by July 1, 2018.

The State Board of Education approved on April 11, 2017 the recommendations of the Educator Standards Board to revise OTES. The ESB issued its recommendations on January 27, 2017 after several months of review and revisions. The recommendations call for many changes, including embedding student growth measures into the revised rubric so that student academic achievement and growth data, and professional practice measures, would be included in the OTES rubric, and the final summative ratings would be calculated using the revised OTES rubric.

The OTES changes are the result of extensive discussions among educators and policy-makers and years of experience with OTES. The revisions would provide a more holistic teacher evaluation system that would increase the “...integrity of the system as a professional growth model for teacher development and advancement.”<sup>3</sup>

The OAAE supports the proposed changes in the bill with two additional amendments described below:

Unlike the recommendations of the Educator Standards Board and the State Board of Education, the bill does not require that student growth measures remain embedded in appropriate components of the OTES teacher performance rubric. The OAAE would support this provision being added to the bill.

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<sup>3</sup> “Ohio Educator Standards Board Recommendations for Revising the Ohio Teacher Evaluation System” by Catherine Jacques, Jessica Giffin, and Amy Potemski, AIR, January 27, 2017 at [ftp://ftp.ode.state.oh.us/StateBoardBooks/March-2017/Executive%20Committee/OTES%20Final%20Recommendations%20By%20ESB\\_Jan2017\\_FINAL.pdf](ftp://ftp.ode.state.oh.us/StateBoardBooks/March-2017/Executive%20Committee/OTES%20Final%20Recommendations%20By%20ESB_Jan2017_FINAL.pdf)

The bill also requires “high-quality student data” to be used when measuring student performance in an evaluation. But unlike the recommendations from the Educator Standards Board and State Board of Education, the bill defines “high-quality student data” as data derived from student assessments approved by each school district, rather than by the state. The OAAE would support amending the bill to require the State Board of Education, rather than local school districts, to approve the tests that provide the high quality data for OTES, to ensure consistency of data and standard OTES results across the state.

In conclusion, the OAAE appreciates the important work that the Senate Education Committee is tackling and the opportunity to testify on SB216, and extends to the committee our commitment to work with you to support Ohio’s students in the best way possible.