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OHIO EDUCATION ASSOCIATION

Senate Finance Subcommittee on Primary and Secondary Education

Substitute House Bill 166 Testimony

May 16, 2019

Good afternoon Chair Terhar, Vice Chair Lehner, and members of the Senate Finance Subcommittee on Primary and Secondary Education. My name is Scott DiMauro. I am a high school social studies teacher from Worthington with 16 years of classroom experience, and I currently serve as Vice President of the Ohio Education Association. Thank you for the opportunity to speak to you today about provisions in the budget bill for Fiscal Years (FY) 2020 and 2021. On behalf of the more than 122,000 OEA members, we look forward to working with you on Substitute House Bill (HB) 166 to ensure that a high-quality public education, and the resources needed to succeed, are available for all Ohio’s students. The following are some of our positions on provisions included in the budget bill:

School Funding

Let me begin by saying OEA and our membership are encouraged by recent efforts to address school funding. OEA has long advocated for state lawmakers to address the shortcomings of Ohio’s school funding system. Ohio’s current school funding system falls short of meeting the needs of students and the school districts that educate them. Ohio must end the band-aid approach to a formula that is not driven by what constitutes a high-quality education.

OEA believes that Ohio should enact a student-centered formula that is equitable, adequate, predictable, and that ensures that all students have the resources to succeed regardless of where they live or their family’s income. Additionally, the school funding formula should directly fund charter schools in a way that is fair to both school districts and charters, as well as local taxpayers.

Under Substitute House Bill 166, an additional \$675 million would be provided over the biennium, outside of the formula, to support disadvantaged students by providing wraparound services, mental health counseling, physical health care services, mentoring, professional development when trauma-driven care may be required, and other means of addressing student needs. The bill requires school districts to develop plans for utilizing this funding in coordination with at least one community partner. The funds would be distributed based on the percentage of students in poverty in a district.

Educators know firsthand that providing access for students to these integrated services and supports is critical to the social and emotional development and academic success of the student.



Research tells us that when educators, parents, and community members collaborate to identify problems, they will find solutions to meet the unique needs of their students. This collaboration is particularly important in high-poverty communities.

OEA urges the Senate to retain the additional \$125 million provided by the Ohio House to the Student Wellness and Success Program. However, we remain concerned that the bill retains a school funding methodology that is not driven by what constitutes a high-quality education.

While it is not currently included in the budget bill, I would like to share OEA's thoughts on the *Fair School Funding Plan* (FSFP). The FSFP school funding formula focuses on what students need to receive a high-quality education. It is built around the importance of supporting classroom instruction as well as focusing on social and emotional support, co-curriculars, safety and security, educator professional development, and access to technology. The formula also provides additional special education funding, expands early childhood education opportunities, and provides increased transportation support.

Additionally, OEA supports the FSFP proposal to direct fund charter school and voucher students rather than the current district pass-through system. Under the current funding system, too many school districts are forced to subsidize the difference between the full per-pupil charter school deduction and the lower per-pupil state aid that a district receives. This results in local public schools having to either cut services for their students, tap into local revenues, or both. Direct funding of charter school students will move Ohio to fairer system that doesn't pit charters schools and school districts against each other.

While there are many positive aspects in the *Fair School Funding Plan*, OEA is concerned that 19 of the 71 districts in FY 2020 that are slated to receive no additional funding are among the poorest in the state. On average, in these 19 districts, approximately 95 percent of students are economically disadvantaged and 70 percent are minority students. OEA recommends that further improvements be made to the FSFP formula to ensure that additional state resources are directed to districts with higher populations of disadvantaged students in order to work towards closing the education opportunity gap.

While the funding proposal was not included in the budget bill in the Ohio House, a number of related studies were included. Studies on special education, gifted funding, incentive programs for rural districts serving gifted children, economically disadvantaged students, preschool, English learners and Educational Service Centers are to be completed by December 31, 2020. OEA urges the Senate to retain these provisions.

OEA looks forward to working with members of the legislature to build upon the foundation laid by the *Fair School Funding Plan* to finally deliver the school funding system our children and communities deserve.

Academic Distress Commission

OEA strongly supports the Academic Distress Commission (ADC) language from HB 154 that has been included in HB 166. OEA asks the Ohio Senate to keep the HB 154 language in HB 166.

The 83-12 vote in Ohio House of Representatives for HB 154 demonstrated overwhelming support for the HB 154 approach to ADC reform. The bill has wide bi-partisan support.

As you might imagine, the fact that two former teachers are the bi-partisan sponsors of House Bill 154 is part of why we are strongly supportive of this measure. These gentlemen, Representatives Jones and Miller, know first-hand what is needed to meet the challenges of providing a quality education in troubled school districts. And the current state takeover law is not getting the job done.

The state takeover and the resulting loss of local control in Youngstown, Lorain and East Cleveland schools have not helped the students in those districts. If current law is not changed, over the next two years, state government could take away local control from Dayton, Columbus, Canton, Mansfield, Lima, Toledo, Ashtabula, Euclid, North College Hill and Painesville schools. It's time for this to end. Let's not do any more damage to other school districts.

We support House Bill 154 because it would do the following:

- Repeal the ill-conceived law that allows the state to takeover local school districts that are deemed to be in trouble.
- Restore local control to elected school boards.
- Hold school districts accountable by requiring school improvement teams and plans in F-rated school buildings.

As my colleagues and our fellow OEA members in Youngstown and Lorain have experienced, the current state takeover law provides no citizen oversight through elected school boards, no voice for classroom teachers and has been bad for our kids. Our experience in Youngstown and Lorain has demonstrated that the Academic Distress Commission/CEO model does not work. We believe that no more districts should be taken over, and that the districts that have been taken over should be relieved of that burden. That is why the first part of House Bill 154 is so important - repeal.

It is also important to note that state takeovers are based on misleading state report cards that severely penalize students and districts in poverty. After the failed state takeover law is repealed and local control is restored, OEA stands ready to work with state lawmakers to fix Ohio's broken and deceptive report card system.

Graduation Requirements

Ohio is one of only 13 states that require students to pass a test to earn a high school diploma. But as more people have come to see that high-stakes tests do not well serve all of Ohio's students, alternative graduation requirements have been developed for recent graduates.

While long-term graduation requirements are not currently in HB 166, the discussion continues. The State Board of Education other groups have offered proposed solutions. In OEA's view these approaches have their pros and cons. For the committee's consideration, here are the guiding principles that OEA has developed to evaluate proposed changes to graduation requirements:

- There needs to be a viable, attainable and meaningful path to graduation that does not rely on the results of high-stakes testing. Students should be able to demonstrate what they know in ways other than a standardized test.
- It is important to recognize the professional judgement of licensed educators as a valid method for making decisions about student work, knowledge and readiness for graduation.
- OEA supports a reduction in testing to the federal minimum requirements for high school. This can be accomplished by eliminating four end-of-course exams (one in math, one in ELA, American History, American Government).
- Students who do not wish to retake an exam and do not need a score in order to graduate should not be subjected to retakes.
- Implementation of new graduation requirements should go into effect no earlier than for the Class of 2022.
- Clear guidelines and directions need to be put in place for any new changes or requirements (such as culminating experience).
- There needs to be substantial and comprehensive training, support and resources for teachers, counselors and other school staff.

Report Cards

OEA supports the provision requiring the use of the higher of the performance index score or the value-added progress score for the overall grade on the state report card and for any sanction or penalty based on the measures. This provision serves as a fair and reasonable interim approach to report card grades as efforts continue to rethink what report cards should measure, how they should be measured, and what they should be used for. Ohio's current report card system is misleading. OEA favors a comprehensive overhaul of the state report card with an eye toward eliminating A-F grades. The current system is unfairly skewed against buildings and districts that serve high percentages of students who live in poverty. The barriers to learning caused by poverty are not acknowledged or reflected in the current report card measurements.

On the issue of dropout prevention and recovery (DOPR) charter school report cards, OEA opposes prohibiting ODE from issuing report cards for these charter schools until the General Assembly enacts recommendations from a legislative review committee. This provision dilutes and essentially eliminates any kind of report card system for DOPR. The performance of these schools is measured with an absurd and unjustifiably low standard. The bar is already set very low to define quality in a DOPR charter school, which effectively evades any meaningful accountability whatsoever.

Teacher Minimum Salary

OEA supports the House-passed provision raising the minimum salary (base salary) for teachers with bachelor's degrees from \$20,000 to \$30,000. This proposal is fair, responsible, and overdue. There are currently ten school districts with starting salaries below \$30,000. Another school district is only \$4 over \$30,000. OEA asks the Senate to take a further step by pegging the updated minimum salary for teachers to inflation.

Charter School Provisions

OEA opposes the so-called "Quality Community School Support Program." Under the program, the Ohio Department of Education (ODE) would have to pay substantial per-pupil increases to each charter school that meets an operator-influenced definition of "school of quality." These schools would receive additional payments of \$1,750 per-pupil for students that are identified by the school as economically disadvantaged AND \$1,000 per-pupil for students the school does not identify as economically disadvantaged. OEA recommends the General Assembly complete its review of e-school funding models before acting on proposals to expand per-pupil payments to charter schools. In addition, any effort to define "quality" should be more focused on students, not charter school operators. Six of the eleven charter "quality" indicators in this cash bonus program are based on extraneous benchmarks related to school operators. Only two of the eleven "quality" categories are specifically based on students.

OEA supports the requirement that ODE make recommendations on the feasibility of new funding models for e-schools. OEA commends ongoing efforts by the Ohio General Assembly to resolve the substantial and peculiar problems related to the distribution of General Revenue Funds and local property taxes to charter schools and related entities.

OEA opposes efforts to dilute the charter school reforms that were part of HB 2 (Roegner/131st G.A). Specifically, OEA urges the following provisions in HB 166 be removed because they undermine the accountability and transparency reforms passed in HB 2:

- Allowing two or more charter schools to merge if they adopt a resolution, notifying ODE, to enter into a new contract with the surviving community school's sponsor. This merger provision appears to circumvent a major charter school reform enacted by the 131st General Assembly in House Bill 2. In part, House Bill 2 sought to prevent charter schools from avoiding accountability laws through sponsor-swapping or closing and re-opening under a different name. House Bill 2 requires charter schools to receive approval from ODE before taking these actions. The HB 166 merger provision could bring back the practice of sponsor-swapping.
- Requires that a community school sponsor with an overall rating of "effective" for at least three consecutive years be evaluated by ODE once every five years, instead of annually as under current law
- Requires ODE, prior to the publication of the final ratings for community school sponsors, to permit each sponsor to review the information used by ODE to determine the sponsor's

rating on the academic performance component and to request an adjustment to the sponsor's rating for that component, if it believes there is an error in ODE's evaluation.

- Removes the requirement that charter school sponsors must annually verify that no finding for recovery has been issued against any individual who proposes to create a community/charter school or any member of the governing authority, the operator, or any employee of each community/charter school.
- Eliminates the requirement that sponsors annually provide a list of assurances to ODE not later than 10 business days prior to the opening of the school. Instead, sponsors would only be required to provide ODE assurances prior to a school's first year of operation.
- Loosens charter school closure law requirements, which would reduce the number of community/charter schools subject to permanent closure.

For-Profit Operators Granting Teacher Licenses

OEA strongly opposes the budget provision that allows for-profit operators to establish nontraditional teacher preparation programs in Ohio.

It should be noted that Ohio already has high-quality options for those seeking to pursue an alternative resident educator license. In addition to the important role played by the nationally regarded teacher preparation programs in Ohio's state universities and colleges, Ohio's nontraditional pathways include a high-quality on-line option called the Intensive Pedagogical Training Institute (IPTI). This nontraditional on-line teacher preparation institute was created at the direction of the Ohio General Assembly and developed jointly by the Chancellor of Higher Education and the Ohio Department of Education. As with Ohio's other alternative licensure options, this high-quality and accountable program allows aspiring educators to obtain more quickly an alternative resident educator license in designated subjects.

Ohio would be wise to spare teacher preparation programs the ever-expanding quality-control and financial oversight problems that have long endured after the door has been opened to unaccountable for-profit operators of other education services. The for-profit model of delivering public education services has proven unaccountable, non-transparent, and ineffective. Our state knows well the financial oversight risks that accompany for-profit education operators and should steer clear. The interests of our schools, students, and local communities are best served by teacher preparation pathways that put quality first and remain accountable to the taxpayers who fund them.

Licenses for Substitute Teaching

OEA opposes the budget provision that automatically deems some substitute teachers to be "properly certified or licensed" and who can then teach an unlimited number of days thereafter. As stated previously in this testimony, Ohio educates and prepares the best classroom teachers in the nation. Substitute teachers play an important role, but the word "substitute" reflects the temporary nature of this important service. If an individual is a "substitute" teacher, but does not hold a professional educator license, the designation "substitute" should not become a backdoor pathway

to licensure, without meeting the actual requirements of an alternative licensure program. If the intent of this provision is to provide more flexibility for administrators, it comes at the expense of providing less instruction for students.

Special Elections

As passed by the House, the bill contains a provision that prohibits school districts, municipalities or other forms of local government from proposing tax issues in an August special election. The operation of local school districts requires both state and local funds. Passing school levies is necessary to replace expiring levies, to generate additional revenue to keep up with increasing costs, or to avoid cuts to important programs and personnel. It often takes multiple attempts in order to pass a school levy and a previous budget bill (HB 64 from the 131st General Assembly) eliminated use of February special elections. For these reasons, OEA opposes this provision and asks for its removal from the bill.

School Breakfast

OEA supports the provision in Substitute HB 166 that requires the Ohio Department of Education (ODE) to establish a program, to be phased-in over a three-year period, to require higher-poverty public schools to offer breakfast to all students during the school day. There is a significant amount of research that indicates making sure students have breakfast helps to improve academic performance, attendance, behavior and the overall well-being of students.

Chair Terhar this concludes my testimony. OEA looks forward to working with the legislature on making improvements to Substitute House Bill 166. I would be happy to address your questions.