



**Senate Primary and Secondary Education Committee
SB 178 Opposition Testimony
Ohio School Boards Association**

December 6, 2022

Chairman Brenner, Vice Chair Blessing, Ranking Minority Member Hicks-Hudson and members of the committee. My name is Jennifer Hogue, director of legislative services for the Ohio School Boards Association. The Ohio School Boards Association represents public school district boards of education from around the state. Thank you for the opportunity to speak to you today as an interested party to SB 178 on behalf of our members.

Proponents last week spoke of the importance of career technical education. We could not agree more with them about the need to highlight the great things occurring at career tech centers, the opportunities they provide for students and the partnerships shared with local employers to help fill Ohio's workforce needs. Career technical education is an amazing opportunity for students and provides a pathway for lifelong success both for students and the state.

We support the requirement for the department to develop and provide materials for seventh and eighth graders about career opportunities. The materials will also share information on how a career-technical education can help students satisfy high school graduation requirements. Additionally, we support the requirement that the department identify in-demand jobs and post that list on its website.

While we support the elevation of career technical education and opportunities for students, we have significant concerns about the restructuring of the roles of the State Board of Education and the superintendent of public instruction included in the bill.

The Ohio Department of Education (ODE) is responsible for carrying out the public education policy changes and laws passed every year by the Ohio General Assembly. In recent years, there have been constant, significant changes to Ohio's education public policy, presenting significant implementation challenges for ODE staff and our school districts. ODE's implementation of so many changes can admittedly result in frustration by our members. However, our experience in working with department staff to resolve issues and questions from the field is typically very positive.

We believe that the goals of the legislation as stated in previous testimony can be accomplished without engaging in drastic restructuring. We offer the following suggested changes with the

intent of the sponsor, the chair and proponents in mind and would be happy to meet outside of this hearing to discuss them further.

Restructuring

We oppose the creation of a new agency and the reduction in the role and significance of the State Board of Education and Superintendent of Public Instruction. However, **we would support the renaming of the department and the creation of two separate divisions, within the current Department of Education**, the Division of Primary and Secondary Education and the Division of Career-Technical Education, each with a separate deputy director who will serve on the Governor's Executive Workforce Board. We believe that this will help to highlight the importance and value of career-technical education and strengthen partnerships with Ohio's employers.

State Board of Education

SB 178 would undermine the role and authority of the elected members of the State Board of Education. By stripping it of all but its regulatory role, the board would no longer be acting in any significant way on behalf of the citizens they represent. At the core of our existence is the belief that education in Ohio will be at its best when the interests of the people are served through publicly elected boards and the State Board of Education is no different. **SB 178 should be amended to have a fully elected State Board of Education.**

We are also concerned about the changes to the policymaking process included in the bill. As interested parties in the decisions and recommendations made by the state board, we strongly support and participate in the current process. This process includes public committee discussions, public hearings and other opportunities for the public to engage and provide valuable input. These opportunities do not exist in the Chapter 119 rulemaking process that would be utilized under substitute SB 178. The current state board process acts in the open with many observers and interested parties weighing in on the decisions before the board. In addition to our association, over the years, we have seen parents, school leaders, educators and the public take advantage of the public nature of these deliberations. These opportunities for public input and participation will be lost if rulemaking is moved outside of the state board of education as proposed in substitute SB 178.

In addition to losing these important processes, substitute SB 178 would move decisions about important topics such as setting the state's learning standards, graduation requirements for students and school district report cards to department staff as opposed to the current process that is transparent, purposeful and includes many opportunities for public input. **We request that all of the changes in the role of the State Board of Education be removed from the bill to allow for the continuation of open, transparent policymaking that exists today.**

We have also heard concerns from witnesses about the state board's recent consideration of resolutions that are outside the scope of their role and purpose. To alleviate these concerns, **we suggest that the committee consider drafting language that would restrict the board's ability to entertain and discuss items outside of their purview.**

Superintendent of Public Instruction

Previous witnesses have spoken about frequent turnover in the state superintendent's position and the lack of long-term vision and planning that this causes. If one looks to the history of that position, they will see that the impetus of the frequent turnover coincides with the placement of appointed members on the board. As a governor came into office, he would place his appointees on the state board and a change in superintendent would occur shortly thereafter.

This has created a system with frequent changes in leadership, direction and vision, these issues that would likely be exacerbated by the bill. The bill continues to tie education leadership to the changes in the governor's office just in a different way. **While the current system is subject to fluctuations in leadership, we believe the current structure allows for more continuity than the proposed governance structure in SB 178.**

Most of the work of the board today is dictated by legislative action that the department and board are charged with implementing. Under substitute SB 178, the Senate would have a role to consent on the governor's appointed director. **We are proposing that the legislature be given that role to consent on the State Board's selected superintendent of public instruction.** This would serve to foster the relationship between the board and the legislature.

We further recommend that the board appointed, and Senate approved, superintendent of public instruction be added as a member of the governor's cabinet. This will allow the superintendent of public instruction to work collaboratively with the governor on creating and implementing the education strategy and vision for Ohio.

We believe that our suggestions are a viable way to answer the current challenges with the system posed by the sponsor and witnesses. Creating a new agency with a single director accountable to the governor will not ensure that the stated goals for SB 178 will be achieved. We urge you to revise SB 178 to include the suggested changes.

Thank you for considering our testimony. I will be happy to address any questions you might have.