



**Proponent Testimony on Senate Bill 162
Senate Primary and Secondary Education Committee**

Thank you, Chair Brenner, Vice Chair O'Brien, Ranking Member Ingram, and Senate Education Committee members for giving me the opportunity to provide testimony today on Senate Bill 162.

My name is Chad Aldis, and I am the Vice President for Ohio Policy at the Thomas B. Fordham Institute. The Fordham Institute is an education-focused nonprofit that conducts research, analysis, and policy advocacy with offices in Columbus, Dayton, and Washington, D.C. Our Dayton office, through the affiliated Thomas B. Fordham Foundation, is also a community school sponsor.

I am here today to testify in support of Senate Bill 162. Too many students in Ohio are off-track—way off-track—in terms of meeting grade-level math and reading standards. Last school year, 32 percent of students statewide scored “limited”—the lowest achievement mark—on state math exams, while 20 percent scored at that level in English language arts (ELA). In big-city districts such as Cleveland, Columbus, and Dayton, a staggering 45 to 50 percent of students scored limited, while numbers were just as grim in places like Lima, Lorain, and Middletown. Even in some affluent districts, 10 to 20 percent of students scored limited on last year’s assessments.

Why is this such a big deal? These students are performing well below grade level standards, and many would rightly be considered functionally illiterate or innumerate. Without improvement before leaving high school, a significant number of these students will suffer unemployment, require public assistance, or wind up in the criminal justice system.

For these reasons, we commend Chair Brenner for introducing this important legislation. It’s a serious effort to address an important issue. Moreover, coming out of the pandemic, the time is right to expand efforts to help our most struggling students. Key strengths of SB 162 include the following:

1. **Focus:** The bill rightly requires schools to provide academic interventions to every student who scores limited on state math and/or ELA exams. Requiring services is the key. One pandemic-era lesson is that, if supplemental services are optional for schools and students, many of the [students who most need the extra supports won’t get them](#).
2. **Duration:** There isn’t a specific period of time for interventions, and that’s a good thing. Student support should continue until students score above limited on the state assessment.
3. **Flexibility:** Recognizing that students may need varying types of support, SB 162 is not overly prescriptive about what interventions schools must provide. The bill smartly requires interventions to be evidence-based. However, beyond basic guidelines, schools have leeway to decide how to structure interventions for low-achieving students.

4. **Accountability:** The requirement for the Department of Education and Workforce to conduct onsite reviews at 5 percent of districts, charters and STEM schools is a good hedge against a school using interventions that aren't evidence-based or implementing them less than faithfully. Also, a publicly available report of each school's interventions must be completed within six weeks of the review. This audit-type provision is crucial to help identify and disseminate best practices and to flag schools implementing low-quality interventions.
5. **Parental notification and engagement.** SB 162 requires schools to notify parents that their child scored limited and that he or she will receive academic interventions. In my view, this might be the most important requirement in the bill. [Surveys](#) from Learning Heroes indicate that parents are often unaware that their child is performing at such dangerously low levels. Some may not receive their child's state assessment results or have a clear sense of what they mean; others may be misled by their child's [grade-inflated report cards](#).

Overall, SB 162 is a strong piece of legislation that would help address a critical issue in Ohio. However, the underlying problem and the solution proposed are massive undertakings. To get it right, we have a few suggestions for improvement.

1. **Add consequences:** If schools are not taking their responsibility seriously and failing to provide interventions to students scoring limited, there should be a negative consequence. Otherwise, this bill may simply be ignored.
2. **Modify how a student exits support status:** Remove the provision allowing schools to "exit" students from interventions based on a diagnostic test result. This would guard against "gaming" through the use of potentially less-rigorous diagnostics and also maintain a clear target—the state assessment—that must be met before schools are released from their obligation to intervene.
3. **Adjust onsite review targets:** Rather than selecting a district for a random onsite review, which would be hard for DEW to properly staff not knowing what districts would be selected (some are much larger than others), focus reviews on 5 percent of school buildings in the state (about 175).
4. **Intervention tracking:** While some reporting of the intervention used for limited students is required, it should be tracked in a manner (e.g. using EMIS) that would allow for research on which interventions were most impactful.
5. **Interventions need to be additive for impacted students:** The flexibility of the interventions could create some unintended loopholes. For example, could a district offer an extended school year by offering more than the minimum number of hours required under law—which the vast majority of districts already do? As written, that seems possible. Students scoring limited need to be provided services above and beyond what all students are provided. After all, in the example given, the students scored limited after participating in the "extended school year."
6. **Limit interventions to those that are evidence-based:** While the legislation in one division of the bill requires "evidence-based" academic interventions, a subsequent division allows "any other academically centered support service that the district or school determines will improve

the student's academic performance.” If a district solely determines whether an intervention can be used, then it isn’t evidence-based. We recommend removing this language.

7. **Report availability:** The onsite review reports are currently required to be made available on the district’s website. To expand access, we recommend they also be made available on each reviewed schools’ state report card page.

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It’s troubling that so many Ohio students have such great difficulty with reading, writing, and arithmetic. Even more disheartening, from Chair Brenner’s sponsor testimony is the fact that almost two in three of the students who posted a “limited” score on last year’s state exams scored at that very same level in the prior year.

We can do better, and we must do better for our struggling students. Senate Bill 162 is a good first step, but we believe that we need to be even bolder to give every Ohio student the opportunity for lifelong success.

Thank you again for the opportunity to speak with you today. I am happy to answer any questions that you may have.