

Chairman Brenner and Members of the House Education Committee, thank you for the opportunity to speak to you today in support of HB 181 - the Student and Teacher Liberty Act (STLA).

My name is Sarah Fowler. I am currently serving my fifth year as an elected member of the Ohio State Board of Education representing District 7, which encompasses nine house districts in Ashtabula, Trumbull, Geauga, Portage and portions of Lake and Summit counties. During my service on the Board I have received many requests to “just restore common sense” to education. I believe HB 181 begins to answer that plea. For the record, I will be sharing as an individual Board Member and not on behalf of the State Board of Education or Department of Education.

ESSA/Federal Funding:

During the development of this bill, the federal Every Student Succeeds Act (ESSA) was passed. While certain provisions of No Child Left Behind were retained (such as the requirement to have standards and assessments that align and that assessments be administered to all children), other provisions (such as the statewide assessment of teachers and principals, which were enacted through the Race to the Top Grant) were repealed.

This change in federal law allows Ohio to exercise its autonomy and redirect teacher and principal evaluations to the local districts without losing federal funding. The bill also utilizes existing flexibility in selection of statewide assessments and standards to meet the requirements in federal law while returning Ohio to a system of consistency and stability.

Cut Scores:

As a State Board of Education Member I have been frustrated by the lack of academic criteria provided to justify selection of cut scores on the statewide assessments. We are asked to set the scores based upon how many students we want to see pass and how many we want to see fail. This has led to cut score revisions every few years and a constantly changing system.

HB 181 provides a process for selecting a norm-referenced assessment which includes the State’s existing request for proposal and contract processes. Norm-referenced assessments provide parents and teachers with academic progress reports and diagnostic data without fluctuating score expectations. The state would have meaningful longitudinal data to evaluate and direct policy decisions, evaluate district and community school report cards, and follow student improvement.

If we want to provide teachers with consistency and have accurate longitudinal achievement data on which to base our policy determinations, we must address the fundamental flaw in our assessment methods.

The Third Grade Reading Guarantee:

HB 181 also brings stability and consistency to the Third Grade Reading Guarantee (TGRG) through use of the norm-referenced assessment tool and parental involvement. The retention threshold will be based upon a static quintile range rather than a cut score that changes frequently. Unlike criterion referenced assessments (currently used), norm-referenced assessments provide diagnostic feedback which many districts find helpful in identifying the exact areas where a student needs intervention. Moving to a norm-referenced system ensures that the expectations for reading competency are known and enables teachers to help their students meet the requirement through the diagnostic feedback provided.

Additionally, HB 181 and the proposed amendments strengthen the TGRG by recognizing the integral role parents have in their child's academic success. Unlike the current law which does not include parental roles, HB 181 would allow parents to ensure their child is best served through intervention, retention and remediation decisions. We all recognize the importance of learning to read, HB 181 builds upon existing law to ensure that a child needing additional support receives it in the most effective manner.

Data Mining:

Another rapidly developing area of concern involves digital learning platforms. Just a few months ago the Ohio School Boards Association brought to our attention a study detailing how student data is being mined and marketed through digital learning platforms. Federal privacy laws (such as FERPA, COPPA, etc) are not sophisticated enough to protect student's personally identifiable, psychological, and biometric data with our 21st century challenges.

HB 181 brings together parents and districts in the fight to protect students from unauthorized data mining and marketing. Districts would be expected to make parents aware of the data collected from their children through digital learning platforms and how that data is being used through an annual letter and by posting the district policy on their website. Additionally, parents could request traditional teaching materials for their child if data privacy for a given program was a significant concern to them.

Finally, HB 181 prohibits the collection of student's social security numbers and clarifies existing law to ensure student data is not being shared beyond entities with specific duties under the contractual obligations (ie. assessment companies).

I support the STLA because of the much needed, long-term academic vision, consistency and stability that a norm-referenced assessment and standard system would bring to our students, teachers, and state system. There could be no better time to restore local control in teacher and principal evaluations, address growing concerns about student data privacy, and enable parents to work with teachers and districts to address their child's reading needs. Thank you for attention, I would be happy to answer any questions you might have.