



**Senate Education Committee  
House Bill 154 Testimony  
Ohio School Boards Association  
Buckeye Association of School Administrators  
Ohio Association of School Business Officials  
Sept. 10, 2019**

Good afternoon, Chairwoman Lehner, Vice Chair Terhar, Ranking Member Fedor, and members of the Senate Education Committee. Thank you for the opportunity to speak to you today regarding House Bill (HB) 154. My name is Barbara Shaner, advocacy specialist for the Ohio Association of School Business Officials. Joining me today for this testimony and in answering your questions are Kevin Miller, director of governmental relations for the Buckeye Association of School Administrators and Jennifer Hogue, director of legislative services for the Ohio School Boards Association.

Our organizations represent public school district boards of education, superintendents, treasurers/CFOs, business managers, and other school business officials from around the state. Our members support the provisions in HB 154, which passed the House of Representatives by an overwhelming margin of 83-12.

The House-passed provisions of HB 154 would replace a punitive, state takeover mechanism with a partnership model for F-rated school districts. It would require them to take immediate action after receiving their first overall “F” grade by creating school improvement teams and implementing improvement plans with community partners. These provisions address the urgent need to move to a tailored system of school improvement that involves the locally elected board, existing administrators, teachers, and community members. It will go a long way in building partnerships that will lead to successful student outcomes.

**Kevin Miller will now discuss the provisions in the proposed substitute bill.**

We must also address the substitute bill currently pending before the committee that would make changes to both HB 154 and school turnaround efforts in Ohio. There are several changes to the Senate proposal circulated during budget deliberations that we appreciate.

First, the substitute bill acknowledges that turnaround efforts take time by extending the deadline for when districts become subject to an academic distress commission or are designated as in “improvement” status.

Second, while turnaround efforts do take time, they also demand an adequate and consistent supply of resources dedicated to that turnaround effort. We appreciate the state’s commitment to this effort by proposing to invest \$35 million over the biennium, which can be used to provide academic improvement services and root cause analyses at no cost to school districts with two consecutive overall “F” grades.

Third, we appreciate the new requirement for the Ohio Department of Education to review state and federal processes, programs, and funding opportunities for school improvement efforts and that this review must be presented to the legislature.

Fourth, we support the portions of Senate Bill 110 that are reflected in this substitute version that require an annual performance evaluation for the chief executive officer (CEO), require the CEO to appear at board of education meetings upon request, and require the CEO to provide quarterly progress reports to the board.

Fifth, we support the appointment of the president of the board of education to the revised version of the academic distress commissions.

Finally, we appreciate the decision to designate as a body politic the School Transformation Board and its members, as well as the school improvement committees and their directors.

Our appreciation of the substitute bill's provisions is not without concern, however.

**Jennifer Hogue will now address those concerns and provide our suggestions for improvement.**

Our first main concern exists with the proposed School Transformation Board (STB) and its authority over and involvement in local decision-making processes. We believe the creation of this new, standalone entity is unnecessary. Instead, we propose an office within the Ohio Department of Education (ODE) be established to exclusively focus on this issue and leverage its preexisting state support efforts. We believe this would be a more efficient and effective way to carry out the state's responsibilities in turnaround efforts, and provide a better connection between the state and the affected schools.

Second, we oppose the STB's ability to override local control, effectively permitting it to dictate things like "progress benchmarks for improvement," which are included in a contract between a district and an improvement organization. Since the substitute bill gives the STB final authority to approve or disapprove these contracts, the STB can nullify local agreements. Moreover, none of the decisions of the STB can be appealed, and districts have no ability to ask for reconsideration of the STB's choices. We propose removing the STB's authority to approve these local contracts, as well as creating an appeals process for dealing with the STB.

Third, another concern exists with the substitute bill's decision to keep intact the key features of HB 70, despite renaming the academic distress commissions (ADC) as "school improvement committees" (SIC) and the chief executive officers (CEO) as "directors." The SIC still sidelines the locally elected board of education. The director still exercises "complete operational, managerial, and instructional control of the district," and can still close schools, suspend collective bargaining agreements, and terminate the entire staff of a building. However, unlike current law where all of these powers are gradually afforded to the CEO over a period of years, the substitute bill immediately grants all of the director's powers upon their appointment by a school improvement committee.

Additionally, the substitute bill's efforts at increasing accountability for the director/CEO and SIC/ADC are warranted but are ultimately incomplete. Both the current law and the proposal fail to answer: "To whom is the SIC/ADC accountable?" Another question that is unanswered: "What should happen if their turnaround efforts are unsuccessful?" A longstanding concern with HB 70 that will continue to fester under this substitute bill is that the residents in the affected districts have no recourse over the decisions of the CEO or the ADC. They have no way to vote for any change in the leaders who make the educational decisions for the students of their district. The only difference with the substitute bill is the lone board member who is the citizen's only conduit to

representative democracy. Thus, overall, the bill would continue to restrict local citizens' voting rights.

We propose repealing these provisions as was expressed by the House of Representatives in HB 154.

Fourth, the substitute bill revises the exit criteria from a school improvement committee to qualify a district if, for two consecutive school years, it receives an overall grade of "D" or higher and a grade of "C" or higher on its value-added score. We appreciate these revisions but would propose that a district qualify if it meets that criteria for two of the three most recent school years. This would account for an off-year in performance while averaging the criteria.

Fifth, while the substitute bill permits current ADC districts to petition the STB for dissolution, it would not grant this authority to the Youngstown City School District. By limiting the petition timeframe to between Feb. 15, 2020 and June 30, 2020, the current board of education would be unable to petition the STB because, under HB 70, it is set to be replaced with a mayor-appointed board by Jan. 1 if it does not receive an overall "C" or better on its upcoming report card. That means this petition authority would apply to a brand new board, and not the current board. This school district has been under state control for a decade with no discernible improvement. The CEO would remain in place and this failed experiment will continue. The answer is not to continue down this path, but to restore power to the citizens to elect their school district leaders. We propose halting the mayoral appointment of the Youngstown board and also widening the petition timeframe.

Finally, we appreciate the substitute bill's provision that resets the clock for being subject to an SIC/ADC. However, we propose that, instead of the 2018-2019 school year, it should begin with the 2019-2020 school year because that is the first school year in which the HB 166 budget bill changes to the value-added component of the report card are effective. If report card grades are being used to determine these interventions, then a consistent use of the report card components should be used.

Chairwoman Lehner and members of the Senate Education Committee, thank you for your time and attention. We would be happy to address your questions.