

**OHIO SENATE
EDUCATION COMMITTEE**

Testimony on
Academic Distress Commissions

Sub. H.B. 154

by

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Committee Chair Lehner, Vice Chair Terhar, Ranking Member Fedor, and members:

I am the Vice President of the Canton City School District Board of Education and its Legislative Liaison.

I come here today to oppose the legislation before you, as I have done several times before.

While I am pleased to report that the Canton City School District got a 'D' on our report card this time, and is no longer in immediate danger of state take over, we are still a high poverty urban district that will, because of how Ohio report cards discriminate against such districts, always be threatened by anti-democratic, punitive and also ineffective measures designed to further other agendas, not improve how Ohio's most vulnerable children are educated. Substitute House Bill 154, by all indications, is another such bill.

I say by all indications, because although this testimony was written less than 24 hours ago, we have been told there is a new version we have not seen yet, to be rolled out today. There is what I call procedural *hocus pocus* going on with this legislation, which I will address toward the end of my testimony.

First, what is being proposed today bears little resemblance to H.B. 154 as reported by the House, which I came to support.

What seems to be discussed today is H.B. 70 with a longer timeline, more candy along the way, more state bureaucracy, requisite studies and promised plans, and title changes. But the same problem outcomes of H.B. 70 remain intact.

What is proposed is still:

- Taxation without Representation
- Conflicts of Interest
- Harmful to communities

- Discriminatory against high poverty urban school districts

The headline of the Plain Dealer analysis published earlier this summer says it all about what a bad idea it is to start with. [“Has State ‘takeover’ improved struggling schools? Test scores say no.”](#)

You have the link to that article embedded.

After four years under state control, Youngstown City School District still has an “F.”

Lorain City, for reasons largely unrelated to state control, got a “D” and still remains under state control. Go figure.

East Cleveland City Schools, also under state control, still has an “F.”

All of these communities have been devastated by the state-caused insults and scandals that are difficult to overstate.

Communities should never have to deal with what these three have been through. All of you up here who voted for H.B. 70 owe these Ohioans an apology.

Ohio is not the only state that has experimented with taking over school districts. It is a “reform” that has its roots in think tanks that promote markets, not educational best practices, most notably the American Legislative Exchange Council (ALEC). Other states have tried various schemes to take over school districts, but none have seen substantive improvement in the education the students in those districts receive.

A prominent member of this committee told me some time ago, in a moment of candor when she thought I was more on board, that the purpose of H.B. 70 was really to break teachers unions and push privatization in the form of charter schools.

So it is no wonder that the same interests who developed H.B. 70 are still having outsized influence, and the elements that undermine collective bargaining and promote charter schools remain.

You expect elected school boards to make decisions based on evidence, rather than politics and personalities. I am asking you to start holding yourselves to the same standard. Who is going to take over a failed state legislature?

Like them or not, collective bargaining agreements are between bargaining units and elected school boards on behalf of the taxpayers we represent. State bureaucracy should not be supplanting the judgment of

elected officials. That is a violation of democracy and small-government principles of local control.

Likewise, the provisions that allow for the reconstitution of any school operated by the school districts is particularly offensive to home rule, small government, and the choices and needs of the families of our districts – and we know that they still don't achieve the fig leaf objective of improving educational outcomes in those schools.

Much of what the state can and should do to help school districts that are struggling is not even considered in this bill.

The state legislature could address the fact that the way Ohio funds K-12 education is still unconstitutional; still failing the adequacy and equity test.

The state legislature could appropriate funds for high quality preschool education for at-risk students.

The state legislature could increase investments in career tech.

The state legislature could reverse the 20 year trend of disinvestment in education when dollars are adjusted for inflation.

The state legislature could stop the proliferation of low-quality, unaccountable, sometimes fraudulent charter schools, most which are for profit.

The state legislature has no special training in the science of teaching and learning, and could stay out of the way of people who do.

Ohio could develop a school accountability framework that does not penalize school districts for their high poverty and related circumstances over which they have no control.

The state legislature could restore proper funding to Ohio's universities that train teachers.

The state legislature could stop attacking the financial viability of our families already in distress through sneak attacks on Medicaid food assistance.

The state legislature could restore local government funds to our cities and communities so the neighborhoods in which our children live can be safer. Children who feel safer learn better.

The state legislature could stop micromanaging that which is better placed with education professionals, like graduation requirements.

The state legislature could mandate the repair of our broken and misleading district report cards.

Rather than doing any of those things, however, there is movement here to pass the blame, to advance the agendas of parts of the business community and for-profit charter school industry, and to increase state subsidies to religious schools.

This is agenda driven, and the jury is in. The agenda we see has nothing to do with advancing the education our most vulnerable students receive, and for that I say, shame on you!

I said I would comment on what I called procedural *hocus pocus* earlier, and I will address that now.

In my previous vocation as a reporter I spent a lot of time in this building over 17 years covering legislation.

It taught me that when we see something agenda-driven, as opposed to evidence driven, or something that necessitates the suspension of regular order to ram through, say, to get it done before someone retires, or generally when things start to move at a high rate of speed that isn't necessitated by an emergency, it usually means there's something nefarious happening.

I see that here.

H.B. 154 was in the budget because it was necessary to get it fast so Lorain, Youngstown and East Cleveland could get relief. But then it wasn't.

I have received thousands of pages of documents from two separate public records requests that show how narrow interests not related to improving public school districts played an outsized role in how we got to where we are today.

A few senators wanted more "stick" with which to beat up on school districts, so the work product of committee convened as a side gig by Senator Lehner and Senator Terhar called Ohio School Transformation Plan: An Alternative to the Academic Distress Commission.

This work product was not widely shared, and purposely so, until it could interrupt the otherwise regular order of the budget process. The

same business and charter school interests that support where this proposal is going were all involved in that document's creation – a document, by the way, which talks about “alternative routes to state takeover” as its centerpiece. A substantial amount of what you're debating today came from that document or those who created it.

Again as an interruption to normal order, the Senate Finance Committee was stripped of its jurisdiction over Academic Distress Commissions while putting together the omnibus budget.

The substitutions have come at a fast pace here. LSC analyses have not kept up, and the bill before you today may not be the same as what I believed it was as of noon yesterday.

In addition to being a school board member, I am an Ohioan and a taxpayer, and I find all of this highly alarming.

This body has done what might be irreparable damage to communities in Ohio to further an agenda that really does not have quality education as its mission. Those competing, hidden goals and counter-science plans are at work right now in what you are discussing.

Who is going to take over our failed state legislature?



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