

Senate Finance Committee
Testimony HB 153
Presented by Sue Taylor
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Chairman Widener, Ranking member Skindell. I am Sue Taylor, president of the Ohio Federation of Teachers (OFT). OFT represents some 20,000 members in primary and secondary education, higher education, and the public sector across the state.

Substitute House Bill 153 contains several policy issues that concern our members. They are concerned about the many charter provisions, expansion of vouchers, several provisions that fail to improve the teaching profession or education for our students, reductions of local government funds, the charter university provision, and changes in contributions to the pension plans.

OFT believes that responsible charter school management must be both transparent and accountable. Charter schools should:

- **Be tuition-free, not-for-profit, and open and accessible to all students on an equal basis.** Charter schools shouldn't use selective admissions to "cherry pick" top performers. And, just like other public schools, they should serve special needs students and English language learners.
- **Operate transparently by fully disclosing their finances, curriculum, student demographics and academic outcomes to parents and the public.** Charter schools, like other public schools, also should be subject to ongoing public input and oversight. Allowing for-profit charter is counter to this idea.
- **Meet or exceed the same academic standards and assessment requirements that apply to other public schools.**
- **Hire well-qualified teachers.** Teachers should be either certified or on a pathway to certification.
- **Work cooperatively with local school districts.** One of the goals of charter schools is to try out new instructional practices so that the lessons learned can be used to improve all public schools. This sharing of ideas should be a two-way street, with innovations coming from regular public schools too.
- **Permit their employees to freely form unions.** A strong teacher voice supported by a union is essential to achieving fairness in the workplace and improving academic outcomes. Charter school teachers and staff should be able to choose union representation in a timely and straightforward process.

Charter schools

At a time when everyone wants to ensure that Ohio's children have the best education possible, reduced charter school accountability is the wrong direction for Ohio taxpayers, parents and students. We oppose allowing for-profit corporations to operate charter schools. Last year, the state of New York banned future for-profit sponsors from operating there. Ohio should do the same. Obtaining information from for-profit management corporations has been very difficult, if not impossible. The taxpayers have a right to know how public dollars are spent to educate children.

In testimony in the House, the Fordham Foundation expressed concerns about the lax fiscal oversight of charter schools. We share Fordham's concerns.

We support the national Charter School Authorizers accountability measures for charter school sponsors.

- Members of a charter school governing board should not be employees of the management organization running their school, nor should they be compensated for their service or selected by the management organization.
- A charter school governing board should have an independent attorney, accountant, and audit firm working for it, not the management organization.
- The governing board and the management organization should enter into a contract that defines each party's rights and responsibilities. That contract must lay out the specific services provided by the management organization and the fees for those services. It must also allow for the board to terminate the management organization under defined circumstances and without "poison pill" penalties.
- All public funds paid to the charter school should be paid to and controlled by the governing board, which in turn pays the management organization for successful provision of services.
- All equipment and furnishings that are purchased with public funds must be the property of the school, not the management organization.
- All loans from the management organization to the school, such as facility loans or those for cash flow, must be appropriately documented and at market rates.

We are interested in knowing where the myriad of community school amendments came from and how where they vetted.

Vouchers

We oppose vouchers because public monies should not be used to pay for tuition to private schools. Further, data from the various vouchers programs show little or no difference in the performance of students that receive vouchers and those who remain in public schools. Quadrupling the number of vouchers in this budget cycle will cause harm to suburban and small city public schools.

Cleveland Scholarship [Voucher] and Tutoring Program (CSTP, started in 1996)

- Researcher Kim Metcalf from Indiana University found little or no difference in student achievement between Cleveland voucher students who had attended private schools from kindergarten through grade 5 and public school students. This finding is particularly striking because Metcalf did not control for income differences between public and private school students.
- Recent test scores reinforce these findings: Ohio Department of Education data released in 2010 (the first year that voucher students were required to take state achievement tests since the program began in 1996) 3rd and 4th-grade voucher students had lower scores in reading and math than public school students¹. Public school students in grades 5-8 outperformed the voucher students in math, with 45.6% of the public school 4th graders scoring proficient or above in Math, compared to only 22.1% of the CSTP voucher students. However, voucher students in those grades showed higher achievement in reading.

Ohio EdChoice vouchers

- Test scores for voucher students lag far behind those of students in Ohio's public schools, according to 2009 and 2010 test scores released by the Ohio Department of Education.
- Test scores of voucher students even generally lag behind those of students attending the underperforming (in 'academic watch' or 'emergency' status) public schools the voucher students would have attended. The pro-voucher group Black Alliance for Educational Options reports that scores for Ohio voucher students in grades 3-8 were significantly lower than their public school counterparts, while voucher students showed a slight advantage in 7th and 8th grade reading.
- While an early report by the pro-voucher Friedman Foundation found 'substantial beneficial effects on academic outcomes in public schools from EdChoice vouchers,

and no harmful effects,” an independent review of that study describes the Friedman Foundation results as “hardly clear,” and failing to demonstrate any measurable effect in the majority of the situations analyzed.

The state does not have a constitutional responsibility to pay for private school education. Ohio does have a responsibility to maintain a system of common public schools.

Teaching Issues

Sub HB 153 goes too far when it comes to testing teachers and prescribing evaluation methods. Ohio earned the Race to the Top grant and now is the time for that process to work. More than 536 local education agencies, traditional public schools, and charter schools are participating in the process including 2,179 principals and 65,233 teachers.

Ohio’s Race to the Top Great Teachers and Leaders Goals to be obtained by 2014

GOAL: (D) (2) Ohio’s RttT participating districts and charter schools will design annual performance reviews for teachers and principals that include multiple measures with student growth as a significant factor.

GOAL: (D) (2) Ohio will establish clear approaches to measuring student growth and measure it for each individual student.

GOAL: (D) (3) Ohio must have an effective teacher in every classroom every year to increase student achievement throughout the State. Ohio will implement strategies for ensuring placement of effective and highly effective teachers and principals in Ohio’s schools that enroll significant numbers of high-need students.

GOAL: (D) (4) Ohio’s accountability system for teacher and principal preparation programs will, for the first time, hold preparation programs accountable for graduate success, based on teacher and principal effectiveness ratings that include measures of student achievement, growth, and achievement gaps. State funding and program approval processes will be determined in part by these measures.

GOAL: (D) (5) Ohio will develop a comprehensive system for professional growth that supports and expands educator effectiveness to meet the challenges of helping all students to be college and career-ready and life prepared.

Educator Standards Board and Evaluation

The ESB has the background and understands the complexity the issues around educator evaluation. Members of the Board include educators who understand the reality in the field; they represent teachers, administrators, parents, school board members, and charter schools. The board has spent the last three years developing a model evaluation process for teachers to be to the Capacity Committee of State Board at its meeting this month. They have listened to experts in the field, reviewed the evaluation systems of a variety of states, and received feedback from stakeholders and the general public on their work. It is unnecessary to create the wheel again, and redo this work given the extensive process the ESB used to create its document.

The ESB has also created a model principal evaluation system using the same painstaking process. Further, the ESB is in the middle of its work to define student achievement and how it should fit into teacher and principal evaluation.

We believe it is important to understand that no single measure can define a teacher's effectiveness. Teachers contribute to the educational, social and behavioral growth of students as well as to other colleagues, schools and communities. HB 153 calls for the inclusion of multiple measures, but these measures will not be defined until July 1, 2012. Developing valid measures for this purpose may be costly. Ensuring data is complete and accurate to ensure validity requires resources. Are those resources available and is this extensive process funded? If not, will legislators force the issue to go ahead and use measures that do not adequately do the job - legal issues need to be considered here.

Ohio is a Race to the Top (RttT) state and the RttT federal priorities (Secretary's Priorities for Discretionary Grant Programs, 2010) specify that acceptable measures for determining teachers' contributions to student learning must meet three requirements. They must be: rigorous; between two points in time (as close to the beginning and end of the *same* school year as possible) - our current state assessments do not do this; and comparable across classrooms. The question is how will this be done for non-tested grades and content areas by 2012 as the budget prescribes?

Further, in Ohio's RttT grant, Ohio specified that local districts would create their own evaluation systems using the framework of the Ohio model that the ESB was creating. Further, LEAs in RttT are supposed to work through the student growth aspect of the evaluation using the model recommended by the ESB. This is work in progress and needs to be completed and fully operational in the 4th year of the RttT grant. The work has begun and it is clear that there is complexity to defining how teacher effectiveness will be measured. While some form of assessment data will be part of the definition, there are multiple measures that are to be explored to assure the measure can give as accurate a picture of what a teacher does in the classroom as possible.

The ODE has indicated that 69% of Ohio's classroom teachers are not working in tested content and/or grade level classrooms. Measures used to document student learning growth in music, art and physical education classes, as well as the non-tested content areas in high school and in K-3 classrooms must be rigorous and comparable across all classrooms. To make these determinations is a massive undertaking and can become very costly to do correctly. It is important to allow the Educator standards Board to continue to build on the work they have already begun.

The Council of Chief State School Officers is in the midst of helping state chiefs deal with the issue of student growth and evaluation. They have acknowledged that this is a very complex and difficult task and needs to be done correctly with input from experts who understand the research and possible consequences of the variety of options that would be involved in creating an efficient and usable system. Ohio is part of the State Consortium of Educator Effectiveness (SCEE) and their state team has just attended a summit on this issue. Networking with other states and hearing experts in the field was

invaluable, but it is clear that this is a job that needs to be done cautiously and with an eye toward the unintended consequences that can occur from taking too simplistic of an approach to this issue.

OFT can supply a list of documents and research that will support promising approaches to measuring student effectiveness as well as explain why research proves some methods fail to provide accurate measures of teacher effectiveness. Several districts have already begun the process of developing methods that look promising and have the potential to be used as models. Promising methods include: the Teacher Advancement Program (TAP); and systems being developed in New Haven, Connecticut, Hillsborough, Florida, and Austin, Texas. Some states are in the midst of determining a state model: Rhode Island, New York and Delaware. None of these are fully fleshed out or implemented. Further, they all exist in a different context than that of Ohio. However, we believe that Ohio can learn from both the successes and bumps in the road experienced by these fledgling models.

Finally, any reference to hiring and evaluating teachers should be removed from this bill since they are already addressed in Senate Bill 5. The pension contribution issue should remain out of the bill and a balanced approach to cuts should be sought to maintain basic services and help Ohio create jobs.
