



OEA Legislative Watch

November 21, 2012

House Bill 555: “A-F” Letter Grading System for School Districts/Buildings; New Charter School Sponsor Ranking System and Drop-Out Prevention Charter School Closure Triggers

House Bill 555 (R-Stebelton) was introduced as a placeholder bill on May 22, 2012. A 150 page substitute bill was accepted by the House Education Committee on November 13, 2012. The bill has been receiving hearings in the House Education Committee. Committee Chair Stebelton hopes to have the bill passed out of the House and sent to the Senate with time for final passage before the end of the year.

In part, the legislature is proposing these changes to school district and building report cards as part of Ohio’s application to the U.S. Department of Education for a waiver from various portions of the federal “No Child Left Behind” statute. Further, Chairman Stebelton has indicated that the intent is also to make it more difficult for schools to earn high marks, stating that Ohio’s current performance benchmarks and student expectations are low when compared to other states and may give a false sense of accomplishment. By 2014-15, Chair Stebelton expects to see a drop of 35 percent or more in marks that schools and districts currently receive.

The following are the major proposals in House Bill 555:

“A-F” Letter Grade System for School Districts and Buildings:

House Bill 555 proposes to create a new “A-F” letter grading system for Ohio school districts and buildings. “A-F” letter grades would be given on various performance measures in 2012-13 and 2013-14, and an overall/composite school district and building letter grade would also be calculated beginning in 2014-15. Specific performance benchmarking criteria for the letter grades would be developed by the State Board of Education. The “A-F” letter grades would replace the current rating system that classifies school districts and buildings on a spectrum of “Excellent,” “Effective,” “Continuous Improvement,” “Academic Watch,” and “Academic Emergency.”

Ohio Accountability Advisory Committee (currently “Taskforce”) membership changes:

The Ohio Accountability Advisory Committee would be charged with examining the implementation of the value-added progress dimension by the Ohio Department of Education (ODE), the reporting of performance data to school districts and buildings, and adopting recommendations on improving the school district/building accountability system established.

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House Bill 555 eliminates the requirement to appoint the ranking minority party member of the House and Senate Education Committees, as well as the requirement to appoint one representative of a teachers union, one representative of district superintendents, one representative of building principals and one representative of school boards. These bi-partisan and educator appointees would be replaced with a requirement that members of the public be appointed.

Charter School Sponsor Rankings and Drop-out Prevention Charter School Closure Triggers:

House Bill 555 would require the Ohio Department of Education to rank sponsors of charter schools as either “exemplary,” “effective,” or “ineffective,” based on criteria to be determined by the State Board of Education. Sponsors ranked “ineffective” would not be allowed to sponsor additional schools.

Further, dropout prevention charter schools would be ranked either: “exceeds standards,” “meets standards,” or “does not meet standards.” Any drop-out prevention charter school that has received a report card designation of “does not meet standards” for at least two of the three most recent school years shall be subject to closure. Currently, drop-out prevention charter schools are not subject to closure based on academic performance like other charter schools.

The OEA is supportive of these efforts at charter school accountability, which are a step in the right direction. However, the impact will not be known until the State Board of Education determines specific criteria and benchmarks for rating charter school sponsors and closing drop-out prevention charter schools.

Ohio Education Association House Bill 555 concerns and recommendations:

- **Legislative Timeline:** The OEA is extremely concerned about plans to pass extensive changes to Ohio’s school accountability system within the artificially compressed timeline of lame-duck session. Using the lame-duck timeframe will not afford the time necessary for fully informed and research-based deliberations. The OEA recommends addressing this complex and impactful issue in early 2013.
- **Implementation Timeline:** Ohio’s educators need time to adequately prepare for and begin teaching toward the Common Core Curriculum and new science and social studies standards, all of which must be fully in place by 2014-2015. Therefore, the OEA recommends a phase-in of the implementation of overall/composite school district and building ratings beginning in 2015-16, instead of the proposed 2014-15.
- **Report Card Designation:** School district and building rating systems should be derived from a fair methodology based on valid, research-based indicators that are both informative and easily understood. The OEA would support an overall/composite designation system similar to the current rating system (“excellent” through “academic

emergency”), with a subset of “grades” in specific categories that provides more targeted information.

- **Value-Added:** The OEA continues to support the use of the value-added methodology (VAM) for appropriate diagnostic purposes in support of student learning, not as a punitive measure. The accountability system should not be weighted or skewed toward any single measure, such as value-added or other student growth measures. Schools must be provided assurance that the measures of student growth used as part of a high stakes report card are scientifically valid and reliable and fair to all teachers and school districts. The OEA recommends basing “value-added” and other student growth measures on three years of data, instead of two years, which will provide more valid and reliable data benchmarks.
- **Teacher Evaluations and Value-Added/Student Growth Measures:** Schools and teachers need time to adjust to the implementation of the Common Core Curriculum in 2014-15, and the State Board of Education needs time to ensure that the student growth measures it is approving are adequately correlated to the new curriculum. Therefore, the OEA recommends reducing the student growth measure portion of teacher evaluations from 50% to 25% until 2015-16.
- **Ohio Accountability Advisory Committee:** The OEA opposes changes to the membership of the Ohio Accountability Advisory Committee (currently Taskforce) that would remove educator expertise and bi-partisanship from the committee. These viewpoints are critical to ensuring the new accountability system is fair and effective. The OEA recommends that the current statutory membership be reinstated.
- **School Sanctions:** School reform mandates and Ed Choice voucher/start-up charter school eligibility should be based on accurate and complete accountability measures. The earliest this is likely to occur is 2015-16, after implementation of the Ohio Core Curriculum and other revised standards. Therefore, the OEA recommends suspending sanctions on school districts/buildings until 2015-16, such as new eligibility for Ed Choice vouchers, new designations of “challenged school districts” (allowing start-up charter schools to open) and other school reform mandates and sanctions based on report card ratings. Suspending school reform mandates and sanctions during the phase-in period will help ensure fairness and time for schools to effectively adjust to the new accountability system, especially since there is an expectation of a drop of 35 percent or more in marks that schools and districts currently receive.
- **Capacity and Double Counting:** Specific school districts and buildings should not receive lower grades merely because they have higher populations of students in various subgroups or lack the resources to expand capacity in certain performance measures (e.g. AP classes, rate of participation on national college admissions assessments, dual enrollment, etc.). The OEA recommends that the new accountability system include clear consideration of the relative lack of resources/capacity at the local school district/building level, as well as protect against double counting students in various subgroups.

- **Annual Measurable Objective (AMO):** The proposed AMO performance measure should not reduce the focus on improving academic achievement by students categorized in subgroups. The OEA encourages as much transparency as possible in the AMO performance measure to ensure that the performance of various student subgroups is effectively and fairly measured.
- **Definition of “Challenged School District”:** The change to the definition of a “challenged school district” in ORC 3314.02(A)(3)(B)(i), lines 3522-3525, states that a school district is a “challenged school district” if “on the effective date of this amendment, the district was in a state of academic emergency or in a state of academic watch.” This could possibly be interpreted as permanently designating these districts as a “challenged school district.” If this is the intent, the OEA opposes this provision. If not, the OEA recommends clarifying language.
- **College Admission Testing Fees:** College admission assessment testing fees could serve as an artificial barrier to providing students the opportunity to take a “national standardized test for college admissions.” If school districts/buildings are going to be graded on student “rate of participation” for taking these assessments, the OEA recommends that the state directly fund related fees and costs so that this is not an unfunded mandate that artificially drags down school district/building ratings.
- **Legislative Oversight:** Given the significant long-term impact of the proposed school accountability measures, the Ohio General Assembly should retain a formal opportunity for additional oversight before the implementation process for the new accountability measures begins. The OEA recommends that the State Board of Education be required to report back to the House and Senate Education Committees with the board’s proposed grading methodology before initiating the administrative rule-making process.