

March 26, 2018

## House Bill 540 – OTES Reform Bill Receives Sponsor Testimony from Rep. Gavarone (R-Bowling Green) and Rep. Manning (R-North Ridgeville)

OEA strongly supports the proposed reforms to the Ohio Teacher Evaluation System (OTES) contained in HB 540. The sponsors of the bill testified before the House Education Committee on Tuesday, March 20, 2018. The sponsors, Rep. Theresa Gavarone (R-Bowling Green) and Rep. Nathan Manning (R-North Ridgeville), are both members of the Committee.

The OTES reforms in HB 540 are based on the recommendations of the teacher-majority Educator Standards Board. These OTES reforms are similar to those contained in SB 216.

[Take Action](#) and send an email to your state representative asking them to support the teacher evaluation reforms in HB 540!

## Senate Bill 216 Passed by Ohio Senate; Heads to Houses for Further Consideration

The Ohio Senate passed SB 216 by a vote of 32-0 on Thursday, March 22, 2018. SB 216 is a wide-ranging bill with numerous policy proposals that impact educators and students. The bill contains Ohio Teacher Evaluation System (OTES) reforms long-sought by the OEA.

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Ohio Education Association

225 East Broad Street  
Columbus, OH 43215

Phone: 614-228-4526

Toll-free: 1-800-282-1500

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However, the bill contains a multitude of provisions impacting other areas of education policy. Some of these other provisions are cause for concern, such as those that impact teacher licensure. OEA will continue to review the bill as it moves to the House and will urge that our concerns be addressed in the House consideration of the bill.

## Teacher evaluation system

The SB 216 OTES reforms are based on the January 2017 recommendations made by the Educator Standards Board.

- Requires ODE to revise the state framework for OTES based on those recommendations and requires the State Board of Education to adopt the revised framework by May 1, 2019, and each district board, by July 1, 2019, to update its teacher evaluation policies to conform to the updated framework;
- Eliminates a requirement that 50% of an evaluation consist of value-added student data and replaces it with at least two measures of "high-quality student data," as defined by ODE, including the value-added progress dimension and at least one other measure;
- Eliminates shared attribution of performance data among all teachers in a district, building, grade, content area, or group;
- Eliminates an option for districts to formally observe an "accomplished" teacher only once (instead of the general requirement of twice) as part of the teacher's evaluation if the teacher meets certain requirements;
- Eliminates the alternative framework for the evaluation of teachers; Prohibits the use of student learning objectives;
- Eliminates the requirement that certain "ineffective" teachers of core subject areas in traditional and joint vocational school districts and all teachers of core subject areas in low-performing community and STEM schools take content area tests; and

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- Requires ODE to provide guidance to districts on various aspects of the revised evaluation system and professional development and technical assistance through a pilot program in the 2018-2019 school year.

## State achievement assessments – online and paper formats

- Authorizes public and chartered nonpublic schools to administer the third, fourth, and fifth grade state achievement assessment in any combination of online and paper formats, potentially increasing the state's cost for the assessments. State assessments are primarily funded by the General Revenue Fund.

## Educator license grade bands

- Requires the State Board to specify whether an educator is licensed to teach in pre-kindergarten through the fifth grade, grades four through nine, or grades seven through twelve when issuing resident, professional, senior professional, and lead professional educator licenses.
- Current law does not require educator licenses to be issued for particular grade bands, but the State Board's rules specify that licenses be issued for "Early Childhood" (pre-kindergarten through grade three), "Middle Childhood" (grades four through nine in named curriculum areas), and "Adolescence through Adult" (grades seven through twelve in named curriculum areas).
- The changes to the grade band specifications will not apply to a person who holds a license prior to the bill's effective date.
- The bill generally extends the same grade band requirements for a teacher licensed as an intervention specialist for students with disabilities except that a licensed intervention specialist with mild-moderate or moderate-intensive specialty areas will be licensed to teach grades kindergarten through twelve, as under current practice.

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These provisions are intended to provide public districts and schools with additional flexibility in responding to certain staffing needs.

## Teaching outside of license area

- A school district superintendent may employ licensed teachers with three or more years of experience to teach a subject area or grade level (within two grade levels of the teacher's licensure grade band) for which the teacher is not licensed for up to three school years, provided the teacher passes an examination in the teaching area.
- After teaching for one year in a subject area or grade band for which the person is not licensed, a license may be obtained if that person successfully completes the pedagogy and instruction in the teaching of reading required by ODE.
- NOTE:
  - The federal Every Student Succeeds Act (ESSA) eliminated the Highly Qualified Teacher requirement related to Title I funds. Accordingly, the bill eliminates from current state law the requirement that a teacher of a core subject area be highly qualified as well as a number of other related provisions. However, ESSA requires states to implement teacher equity plans to ensure economically disadvantaged and minority students are not disproportionately served by ineffective, out-of-field, or inexperienced teachers, principals, and other school leaders.
  - According to the Ohio Legislative Service Commission (LSC), one factor to consider regarding this provision is that the federal Elementary and Secondary Education Act (ESEA) requires state plans for Title I funds to contain assurances that teachers working in Title I-supported programs meet state licensure requirements. Thus, placing teachers outside the subject area or grade level for which a teacher is licensed may put Ohio at risk

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for certain federal sanctions. The U.S. Department of Education may impose a range of enforcement actions for noncompliance, including placing a state's Title I, Part A grant on high-risk status, withholding Title I, Part A state administrative funds, or, in what is likely to be the most severe option, withholding Title I, Part A programmatic funds.

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