



The OEA will lead the way for continuous improvement of public education while advocating for members and the learners they serve.

March 24, 2020

The Honorable Larry Householder
Speaker of the Ohio House
Ohio House of Representatives
77 S. High St.
Columbus, Ohio 43215

The Honorable Larry Obhof
President of the Ohio Senate
Ohio Senate
1 Capital Square
Columbus, Ohio 43215

The Honorable Emilia Sykes
Minority Leader of the Ohio House
Ohio House of Representatives
77 S. High St.
Columbus, Ohio 43215

The Honorable Kenny Yuko
Minority Leader of the Ohio House
Ohio Senate
1 Capital Square
Columbus, Ohio 43215

Re: OEA Legislative Priorities – Supporting Public Schools During School Closings

Dear Legislative Leaders of the Ohio General Assembly:

On behalf of our approximately 122,000 members and the students they serve, the Ohio Education Association (OEA) offers the following priority legislative recommendations designed to support the work of educators and students during the current statewide school closure and public health crisis.

OEA stands ready to partner with the Ohio General Assembly and other state leaders as we work together to confront and overcome our shared challenges. We hope to support your leadership in meeting these challenges by continuing to serve as a trusted resource on public education issues for the Ohio General Assembly.

OEA legislative priorities in support of educators, students and public schools:

Testing

The extended school closure makes the administration of state testing impossible. The focus should be on efforts to keep students healthy, engaged and learning—not state testing.

OEA calls on the legislature to cancel state required testing for the rest of the school year.

Further, the Ohio Department of Education (ODE) should seek a waiver from the U.S. Department of Education allowing for the cancellation of tests without penalty.

(Note - the U.S. Department of Education has now said that it would expedite and pre-approve testing waivers for any state that requests them.)



For high school graduation, seniors who do not have 18 points on end-of-course exams should have access to alternative graduation pathways. However, as retakes and other opportunities are unavailable due to school closures and social distancing, many are facing increased uncertainty.

OEA calls for legislation to make graduation a local decision in these cases. ODE should provide guidance to districts based upon the input and recommendations from a group of education stakeholder groups (including OEA).

For the Third Grade Reading Guarantee, *OEA recommends that legislation allow for the retention of a student to be a local decision.* In the absence of a passing test score, retention and promotion decisions should be based on the agreement of teachers, reading specialists and school principals.

Report Cards

School districts should not be penalized by the cancellation of further testing this school year. Partial testing data will increase the unreliable and misleading nature of report card data. It will also render a fair calculation of letter grades on state report cards impossible. Again, the focus should be on efforts to keep students healthy, engaged and learning—not letter grades on state report cards.

OEA calls on the legislature to prohibit letter grades on the state report cards or basing any future school sanctions on 2019-20 report card data, e.g. EdChoice voucher eligibility, mandated state takeovers by Academic Distress Commissions, etc.

Educator Licensure

Educators and aspiring educators should not be penalized by the disruptions to the 2019-20 school year when applying for initial licensure, renewal or advancement. Through no fault of their own, licensed educators and aspiring educators in Ohio's colleges and universities may be unable to meet all requirements and deadlines in the licensure process in a timely fashion. Therefore, flexibility will be needed to support individuals seeking various forms of educator licensure.

OEA calls on the legislature to allow the ODE Office of Educator Licensure to approve applications for initial licensure, renewal and advancement for up to six months after July 1, 2020, without requiring additional coursework.

OEA also recommends the legislature require that ODE waive or extend requirements and deadlines that individuals participating in education preparation programs and the Resident Educator (RE) program are unable to complete due to the disrupted 2019-20 school schedule.

Ohio Teacher Evaluation System

Educators should not be penalized on their OTES (Ohio Teacher Evaluation System) evaluations because of the disruptions to the 2019-20 school year and the cancellation of further testing. School districts across Ohio are in varying stages of transitioning from the original OTES framework (version 1.0) to the new and improved OTES framework (version 2.0). This important transition has many moving parts, including an OTES 2.0 pilot project being implemented this school year in

approximately 70 districts. The disruptions in schedules and the cancellation of testing for the remainder of the school year will create a variety of complications for conducting OTES evaluations in a fair and effective manner. For these reasons, flexibility is needed to support teachers and promote a fair and effective implementation of OTES. All teachers should be protected from being penalized on OTES evaluations during this process.

OEA calls on the legislature to provide the following flexibility measures for OTES evaluations:

- *Delay statewide implementation of OTES 2.0 until 2021-22 to allow school districts and local unions the time for planning, training and any required bargaining over the effects of changes in the evaluation system.*
- *Extend the current OTES 2.0 pilot program for the 2020-21 school year to local school districts that agree to participate based on collaborative agreements between local superintendents and unions.*
- *Ensure that no teachers are penalized in their evaluation rating for 2019-20 or 2020-21 as a result of the extended shutdown of schools.*

Primary Election

OEA calls for legislation to set the 2020 primary election earlier than the proposed date of June 2nd to allow sufficient time for levy election results to be known before districts need to make budget and staffing decisions. Further, every effort should be made to push absentee voting as the preferred option. Conducting further voting in the primary election exclusively by mail should be considered. This would allow Ohioans to exercise their Constitutional right to vote in the safest manner available.

Many school districts had levies on the anticipated March 17th primary. The results of these levies will have an impact on staffing decisions for the next school year. Current law has a June 1st deadline for notifying staff of the school board's intent to non-renew a contract. Having election results prior to this date is critical to allowing affected districts to plan their budgets and in making decisions about staffing.

EdChoice Vouchers

The legislature faces a looming deadline of April 1st for new EdChoice voucher applications. Without action, over 1,200 schools in more than 400 school districts will become eligible for EdChoice vouchers based on a broken school report card system. The continued expansion of vouchers drains needed resources from public schools which educate 90% of Ohio's students.

OEA calls on the legislature to pass provisions of Senate Bill 89 as passed by the House.

Senate Bill 89 would grandfather current EdChoice recipients while making most new scholarships based on family income (up to 250% of poverty). Income-based vouchers would be funded directly by the state rather than utilizing the pass-through funding model of performance-based EdChoice vouchers. Applicants would be rank-ordered based on income, so lower income families would get priority in cases where appropriations aren't enough to fund all qualifying applicants. Beginning with the 2021-2022 school year, a student who received a performance-based voucher the previous year but whose family income qualifies the student for the income-based program would be transferred to that (state-paid) voucher program.

OEA also calls for enacting provisions of SB 89 that would dissolve academic distress commissions and restore local control to Lorain, Youngstown and East Cleveland and sunset a provision related to school district territory transfers.

In conclusion, OEA appreciates your consideration of these priority recommendations during this busy and complicated time.

Moving forward, OEA will keep leaders of the Ohio General Assembly informed as additional issues and challenges accumulate that may merit further legislative action in support of our great public schools.

Thank you for your valuable public service on behalf of educators, students and all Ohioans.

Sincerely,

A handwritten signature in black ink that reads "Scott W. DiMauro". The signature is written in a cursive, flowing style.

Scott DiMauro
President

CC: Mike DeWine – Governor of the State of Ohio
Frank LaRose – Ohio Secretary of State
All Members – Ohio General Assembly
All Members – Ohio State Board of Education
Paolo DeMaria – Ohio State Superintendent of Public Education