



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

**Senate Bill 358: Proponent Testimony**  
**Wednesday, September 2, 2020**  
**Senate Education Committee**

Chair Lehner, Vice Chair Brenner, Ranking Member Fedor and Members of the Committee,

My name is Jeff Wensing. I serve as Vice President of the Ohio Education Association. On behalf of OEA's 122,000 members, thank you for the opportunity to offer testimony in support of Senate Bill 358.

As the school year begins our students and educators are facing many challenges. Whether classes are in-person, online or a combination of the two it is unlike any year that came before. Recognizing this, Senate Bill 358 would extend flexibility in several areas.

**Suspension of Testing**

Notably, SB 358 would require the Ohio Department of Education to seek a federal waiver of testing requirements by December 15, or thereafter if such a waiver is offered. OEA supports this provision. State-mandated achievement tests are logistically challenging and anxiety inducing under the best of circumstances. Providing testing relief this year will help to keep the focus on safely engaging students in learning. It is entirely possible that our schools will continue to be impacted by split schedules, distance learning or other configurations in the spring that would make testing impractical.

Absent the availability of a waiver, the bill calls upon the State Superintendent to identify federally required tests and for only those tests to be administered. This would eliminate the Fall administration of the 3<sup>rd</sup> grade ELA test as well as some high school end-of-course exams. Additionally, OEA urges the suspension of the Kindergarten Readiness Assessment (KRA) for this school year. The in-person nature and deadlines of the KRA make it unfeasible in districts that are doing remote learning. Reducing tests is the right thing to do to aid teaching and learning in the current environment. Test reduction would also likely result in cost savings to the state that can help in some measure to offset increased costs borne by our public schools.

**Report Cards and School Sanctions**

Senate Bill 358 would suspend district and school report card ratings for the 2020-21 and 2021-22 school years. OEA supports this provision. Due to COVID-19, school districts will continue to experience barriers to education service delivery and instability in student data (particularly in districts with high concentrations of poverty). It would be misleading and unfair to require report card grades or punitive measures based on report card data during this time. Under the bill, these school years would be



excluded from determinations of school sanctions, extending what HB 197 provided for the 2019-20 school year (report card ratings of years previous or subsequent years will be considered). Similarly, the 2019-20, 2020-21, and 2021-22 school years would not be included for purposes of determining progressive consequences for districts subject to an academic distress commission.

Further, OEA continues to urge legislators to overhaul the Ohio's broken report card system. Now is the time to act with urgency so that we don't go back to using a report card widely regarded as fundamentally flawed.

### **Teacher Evaluations**

SB 358 extends into the 2020-21 school year the HB 197 provision that prohibits the use of value-added in teacher evaluations. OEA supports this provision. However, subsequent to HB 197, the General Assembly passed HB 164, which prohibits the use of all student growth measures on 2020-21 teacher evaluations, not just the value added student growth dimension. OEA recommends maintaining current law from HB 164 (Section 10) regarding the prohibition on student growth measures in teacher evaluations for the 2020-21 school year and reviewing the SB 358 language to ensure there is no conflict between the two bills.

Student growth measures require a valid and reliable system of testing to be in place from year to year. Based on the school building closures and testing cancelled at the end of the 2019-20 school year, combined with the disruptions to scheduling and service delivery already occurring in the 2020-21 school year, a valid and reliable system of testing will not be in place for the calculation and use of student growth measures on teacher evaluations in 2020-21. Such a system will also not be in place for calculating student growth measures in 2021-22, especially with regard to the value added progress dimension, which relies on student testing from the prior school year. Therefore, OEA recommends SB 358 be amended to extend the HB 164 prohibition on using student growth data in teacher evaluations through the 2021-22 school year.

SB 358 also extends into the 2020-21 school year the HB 197 provisions providing local flexibility on teacher evaluations. As with the 2019-20 school year, this flexibility will allow school districts to suspend completion of teacher evaluations in 2020-21 if the local school board determines it would be impossible or impracticable to complete evaluations. Providing this local flexibility is an effective way to help districts and educators navigate any significant disruptions to education service delivery this school year.

### **EdChoice Vouchers**

SB 358 would essentially freeze school-based eligibility for the EdChoice voucher program at the 2019-2020 level. This would prevent a devastating explosion of eligibility based on the state's broken accountability system. However, it must be noted that this is not a solution to the voucher issue. OEA calls on policy makers to move away from basing voucher eligibility on a fundamentally flawed report card and away from the pass-through funding model of EdChoice.

In conclusion, I urge support of SB 358. The bill indicates continued recognition of the challenges faced by our students, educators, and families in these difficult times.

Thank you Chair Lehner. I am happy to take questions at this time.