

Joint Education Oversight Committee, *Every Student Succeeds Act*

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Good morning Chairman Cupp, Ranking Minority Member Sykes and members of the Committee. I would like to begin my testimony by thanking Representative Roegner for listening to the concerns I presented to her last week about the Ohio Department of Education's draft plan regarding the *Every Student Succeeds Act*. Since the draft plan was released by the ODE on February 2nd, I have familiarized myself with the document and worked with superintendents in Summit County as well as with my own staff to highlight areas of concern and to communicate those concerns with State Superintendent Paolo DeMaria and President Tess Elshoff of the State Board of Education. Other superintendents from across Ohio have done likewise given the importance of this new federal law.

As you know, the *Every Student Succeeds Act* (ESSA) was signed into federal law in December 2015. ESSA replaced the *No Child Left Behind Act* and at its core, was meant to shift broad federal oversight of primary and secondary education to greater flexibility and decision-making at the state and local levels. At the federal level, ESSA requires states to develop and submit a plan to the federal government that addresses:

1. Academic Content Standards
2. Assessment of those standards
3. State, district and school accountability models
4. Support for low-performing schools

During the summer and fall of 2016, the Ohio Department of Education with the assistance of Philanthropy Ohio, conducted many stakeholder meetings and webinars for the purpose of gathering feedback regarding the new federal law. Members of my staff and I were among those who participated in these stakeholder meetings.

Although I applaud the ODE for holding these regional meetings and webinars that allowed educators, parents and community members to voice their opinions on how the new state education plan should look, I was surprised to find the draft plan lacking in the feedback provided during those stakeholder sessions.

I am here this afternoon to share several recommendations I believe will enhance Ohio's education plan under the *Every Student Succeeds Act*.

Testing:

During the regional meetings, participants urged the state to reduce the amount of testing, which is allowable under ESSA; however, the proposed plan maintains the existing levels of testing. I recommend that Ohio's plan meet the minimum requirements of ESSA, namely Language Arts and Math in grades 3 – 8 and Science in grades 5 and 8. The additional assessments currently mandated in Ohio, including the fall administration of the grade 3 Language Arts assessment, Social Studies assessments in grades 4 and 6, the American History and American Government End of Course assessments, an End of Course assessment in English Language Arts, and an End of Course Assessment in Mathematics should not be a part of Ohio's plan. This is an opportunity to reduce testing at the high school level and replace the End of Course exams with the nationally normed ACT or SAT, which are more relevant to our students and their families. The new federal law permits the use of the ACT or SAT and Ohio's plan should include authorization to do so. Our school district, along with many others in our state, already administer the ACT or SAT as part of our instructional program. I recognize that Ohio's graduation requirements namely, the point system, would need to be evaluated and revised if the End of Course exams were to be eliminated from the mandated requirements, however I believe the task would be well worth the effort. Allowing school districts to use these assessments in lieu of the currently mandated End of Course exams clearly makes sense. Imagine the time that could be rededicated to classroom instruction. Finally, in areas in which ESSA does not require assessments, the ODE should allow school districts to submit plans as to how they will evaluate their students' mastery of the content standards. Again, ESSA provides flexibility and local control. By permitting school districts to determine the best way to measure their own students' levels of mastery, Ohio will be meeting the federal requirements.

Accountability:

ESSA requires an accountability measure, however, it does not require using a letter grade to rate each district or school. As you know, the current accountability system includes the Local Report Cards published by the Ohio Department of Education. While residents can relate to an "A – F" system due to their own experience in school, the current "A - F" system is neither descriptive nor accurate. My parents have little faith in the current Local Report Card as they find the information to be very confusing and inaccurate. I recommend that the accountability measure employed by Ohio eliminate the letter grades and instead include a three-tiered system consisting of:

- Standards (Indicators) Exceeded
- Standards (Indicators) Met
- Standards (Indicators) Not Met

With regard to Performance Index and Performance Indicators, these two growth measures should continue to be a part of the accountability measure; however, the aforementioned system of measure meaning "Exceeded, Met or Not Met" should be implemented. Furthermore, the inclusion of a growth measure underscores the need to revise "Value Added" so that it constitutes a true, transparent measure of a student's growth that parents and educators can understand and Districts can compute using our own data. Additionally, the Gifted Indicator needs to be eliminated from the proposed plan as this indicator is not required by ESSA. This measure and the yearly increases being proposed by the ODE are unrealistic and do not align with the mandates of ESSA.

Graduation Rate:

The Local Report card currently published by the ODE uses four and five year graduation rates to determine an overall score. At the same time, no consideration is given to school districts which continue to educate Students with Disabilities and who have Individual Education Plans, beyond the four or five year graduation mark. Many times, these students are receiving essential transition services and are better served remaining in the school district. School districts should not be penalized for doing what is best for our students. I recommend that further consideration be given relative to the manner in which Students with Disabilities are calculated into a district's Graduation Rate.

Subgroups:

The ODE's plan proposes to reduce the student subgroup size from 30 to 15. When a subgroup is this small, there is the potential for students to lose anonymity when data regarding subgroups is released to the public. This issue is multiplied when these same students are represented in multiple subgroups. I do not support the reduction of the N size to 15 and respectfully request that it remain at 30.

Testing Opt Outs:

The opt out solution that was implemented by the state did not solve the issue facing school districts. Students are still calculated in the participation rate and the AMO calculations. Districts are being penalized for decisions made by parents. When a parent determines that their child will not complete the state assessments, that child's score (calculated as a zero) should not be included in the participation rate and AMO

calculations. A school district's data should only include results for students who participate in state assessments and who are not opted out by their parents.

K-3 Literacy Improvement:

We know that Kindergarten through 3rd grade literacy skills are critical to a student's future success, however, the K-3 Literacy measure is not a reliable measure in Ohio. Furthermore, it does not align with the Third Grade Reading Guarantee. Ohio's plan must clarify the manner in which the K-3 Literacy measure is calculated, aligned with the Third Grade Reading Guarantee and described on the Local Report Card.

English Language Learners:

Ohio's proposed plan introduces the idea of English Language Learners being included in the EL Subgroup for four years after exiting out of the English Language Learners program at their schools. I find this very interesting given the fact that former Students with Disabilities who are no longer identified with the need for an Individual Education Plan are no longer included in the Students with Disabilities subgroup. Why is the approach for English Language Learners being proposed so differently? Once an English Language Learner student has tested out of ELL services, he/she should no longer be counted in the calculation of the EL subgroup.

School Quality/Non-Academic Indicator:

ESSA requires one State Non-Academic Indicator, therefore, Ohio should only include one in its plan. Although I favor the use of chronic absenteeism as the measure, I am concerned about the state's definition of chronic truancy, namely the inclusion of excused absences. Again, much like the consideration I am asking for Testing Opt Outs, there needs to be consideration given to the fact that parents may call their students off from a day of school for a very reasonable circumstance. Students with ongoing medically related absences (e.g., asthma, cancer, diabetes, mental health illness, Crohn's, etc.) must not be included in the definition of chronic absenteeism. These are medically excused absences, and the parent and school district work together to assist in educating the student with medical needs. Furthermore, students attending internships, college visits or other school-related activities should not have their excused absences included in the calculation determining chronic absenteeism. Again, I believe that strong student attendance in school leads to student success. However, the inclusion of excused absences in the calculation for the new non-academic indicator is problematic, especially when the report card would not differentiate between excused and unexcused absences.

Educator Effectiveness:

The performance rubric of the OTES/OPES evaluation system is a useful tool and influences educator quality. It has led to rich and valuable conversations that have helped districts enhance the quality of education. I believe the state should eliminate the student growth measures from teacher and principal evaluations. Instead, I recommend enhancing the rubric to include evidence regarding the manner in which the educator uses formative assessments to inform instruction, which ultimately leads to academic achievement.

Early Childhood Programming:

The purpose of early childhood programming is to support the development and well-being of young children and to foster their learning. The research clearly indicates that we need to capitalize on the brain growth that occurs in the early years of life as a strong foundation for further learning. I am concerned that Ohio has not made Pre-K programming enough of a priority. As a result, the state has not invested enough in early childhood (Pre-K) programming. I recommend that Ohio's plan include a research-based, developmentally appropriate and strategic investment in our youngest learners.

Wrap-Around Services:

Ohio's plan does not include measures to support student mental and emotional well-being. We would like to see provisions for professionals to assist with the mental health and opiate issues affecting students and families throughout the state of Ohio.

Thank you for listening to the concerns I am sharing with you this afternoon. The federal law, *Every Student Succeeds Act*, requires states to submit their plans by September of this year. The Ohio Department of Education indicated its intention to submit Ohio's plan in April. Most of my colleagues and I strongly suggest that ODE be directed to delay its submission until September so that its many provisions can be thoroughly vetted by the General Assembly and the education community

ESSA presents a golden opportunity to return educational decisions to the state and local levels. As educators, we have the chance to create assessments and accountability measures that benefit students and truly reflect the needs of Ohio's children today and into the future. Ohio's plan should meet the requirements outlined in ESSA; however, it should also provide for greater flexibility and decision-making at the local level as noted in the new federal law. Again, I appreciate the efforts of the Ohio Department of Education in its draft document addressing Ohio's plan under the *Every Student Succeeds Act*. I am encouraged by the department's continued focus on educating

Ohio's children; however, I believe that time must be spent now so that the aforementioned areas can be addressed before the plan is submitted to the U.S. Department of Education for approval in September.

Thank you. I would be happy to answer any questions you may have at this time.