

State & National Policy Changes in Education

The purpose of this program is to update League members on the many changes in educational policy at both the federal and state levels.

At the **federal level**, the Department of Education has a new Secretary, Betsy DeVos, whose appointment suggests that many changes will be forthcoming in the future. She has been a stalwart defender of “school choice” and a reduced federal role in public education. Ms. DeVos has only been in charge of the Department for a year, so the full impact of her approach is yet to be seen.

At the **state level**, there has been a good deal of activity in the past two years, as the Ohio Department of Education and the legislature seek to improve academic performance in public schools and sharpen the monitoring of charter schools throughout the state.

The articles below describe what changes have been put into place; only time will tell if they will yield the desired results.

I. Federal Policy Changes

A. Every Student Succeeds Act

Although Congress passed the ESSA during the Obama administration (Dec. 2015), states have been submitting their state “accountability” plans for U.S. Education Department (ED) approval starting in 2017 (Ohio’s was approved in early January 2018), and ESSA began implementation this school year (2017-2018). Reacting to requirements under the No Child Left Behind Act (NCLB), the Act rolls back much of the federal government’s big footprint in education policy, on everything from testing and teacher quality to low-performing schools. And it gives new leeway to states in calling the shots.

States can pick their own goals, both a big long-term goal, and smaller, interim goals. These goals must address: proficiency on tests, English-language proficiency, and graduation rates. Goals have to set an expectation that all groups that are furthest behind close gaps in achievement and graduation rates (an objective of the previous No Child Left behind Act).

States have to identify and intervene in the bottom 5% of performers (low-performing schools) and in high schools with graduation rates of 67% or less. States, along with districts, have to identify schools where subgroups of students are struggling. Schools must come up with an evidence-based plan to help the particular group of students who are falling behind, such as minority or special education students. Districts could also allow for public school choice out of seriously low-performing schools, but they have to give priority to the students who need it most.

States still have to test students in reading and math in grades 3 through 8 and once in high school, and break out the data for whole schools, plus different “subgroups” of students (English-learners, students in special education, racial minorities, those in poverty). Districts can use local, nationally recognized tests at the high school level, with state permission, such as the SAT or ACT.

States are required to adopt “challenging” academic standards. That could be the Common Core State Standards, but doesn’t have to be. States will no longer have to do teacher evaluation through student outcomes, as they did under NCLB waivers.

B. State Goals under Every Child Succeeds Act

State goals are ambitious: for example, 80% of students would test proficient in 10 years. A graduation rate of at least 93% for all students would be required for a district or school to earn a letter grade of “A.” State Superintendent Paolo DeMaria and the state board of education are working on a new vision and goals outside the ESSA plan, such as focusing goals on the “whole child,” starting with what skills and knowledge a high school graduate should have. They have proposed legislation to reduce required standardized testing for students as well as testing of teacher effectiveness.

The state continues to use much of the Common Core curriculum and standards but is adjusting them based on what teachers have learned through using them. This will be an ongoing process.

You can access the Ohio accountability plan at:

<https://www2.ed.gov/admins/lead/account/stateplan17/ohconsolidatedstateplan.pdf>.

For more info. , see:

http://www.cleveland.com/metro/index.ssf/2018/01/ohios_essa_plan_wins_federal_a.html.

http://www.cleveland.com/metro/index.ssf/2017/01/how_ohio_is_adjusting_the_comm.html

C. Policy direction under the Trump administration and the Education Department headed by Betsy DeVos

The Trump administration, with Betsy DeVos heading the Education Department, has aimed to limit the federal role in education through budget cuts, greatly expand school choice options, and reduce federal regulations.

1. Budget Cuts

[Trump's new proposed budget, just released Feb. 12, would provide the Education Department with \\$63.2 billion in discretionary aid](#) [details at this link], a \$3.6 billion cut—or 5.3%—from current spending levels, for the budget year starting Oct. 1, 2018. That's actually less of a cut than what the president unsuccessfully sought for fiscal 2018, when he proposed slashing \$9.2 billion—or 13.5 %—from the department.

Trump's newest proposal will lay out his administration’s asks for fiscal year 2019, or the 2019-20 school year for most programs. (This year will continue last year’s funding level). The new budget copies two major education cuts proposed last year: the elimination of Title II teacher grants and the 21st Century Community Learning Centers (about \$3.1 billion from current levels). The Budget eliminates, streamlines, or reduces 39 discretionary programs that duplicate other programs, are ineffective; or “are more appropriately supported with state, local, or private funds.”

The proposal cuts an existing school climate transformation grant program from \$68 million to \$43 million and gives priority for the remaining funds to district proposals that plan to use evidence-based strategies to address the effects of opioids on students and schools.

The proposal seeks to eliminate a slew of other programs, many of which are popular in Congress (See [Trump Seeks to Cut Education Budget by 5 Percent, Expand School Choice Push](#)). This includes research programs and the \$250 million Preschool Development Grant program, which helps states develop or expand preschool programs for four-year-olds from low and moderate income families. It would also cut the \$190 million Comprehensive Literacy Development Grants program. Head Start will receive a modest boost of \$85 million.

Downsizing is part of DeVos' goal to decrease the federal government's role in education, including investigations and enforcement of civil rights in schools and returning control back to states, localities and parents. The department's workforce has shrunk by nearly 8% and is expected to decrease more.

2. School Choice

Trump came into office [promising a \\$20 billion initiative for school choice](#), but got only language in the recent tax overhaul [allowing families to use 529 college-savings plans](#) for K-12 private school tuition and expenses. As DeVos acknowledges, however, this will have a modest impact, especially for low-income students from families with limited means to save. Lawmakers have so far rejected the administration's budget pitches on choice, including a \$250 million private school voucher program, and a push to allow school districts to use some of their federal funding for public school choice. The new budget proposes a \$1.5 billion to promote school choice, including \$1 billion for new private and public school choice programs called Opportunity Grants—scholarships and open enrollment initiatives. Trump also wants \$500 million in federal charter school funding, an increase of roughly 50 percent from current spending levels, as in the first budget.

3. Regulatory Reduction

Trump also pledged to get rid of unnecessary regulations. He was able to work with Republicans in Congress to scrap Obama-era accountability regulations for the Every Student Succeeds Act and teacher preparation. DeVos has ditched dozens of regulations she said were duplicative or outdated. She has a task force working on reconsidering getting rid of Obama-era guidance calling on districts to ensure that their discipline policies don't have a disproportionate impact on students from certain racial and ethnic groups. However, DeVos has recently stated her commitment to enforcing civil rights law and the Individual with Disabilities Education Act.

II. State of Ohio

A. Charter Schools

In 2015, the Ohio Legislature, after years of complaints from citizen's groups, educators, and various professional organizations and think-tanks, finally passed legislation (Sub. HB2) setting standards of

operation for the sponsors of charter schools. Ohio had a national reputation as having the worst supervision of and requirements for sponsors of charter schools. As a result, many of their performances were appallingly poor, state dollars were not being accounted for accurately, and students were not receiving the education they were promised by these charters. Sub. HB2, lengthy and detailed, laid out new rules and regulations for the sponsorship of charter schools. The State Department of Education was charged with following up and ensuring that charter schools and their sponsors were providing the education they were formed to provide. The ECOT situation, described below, is one example of why there were so many complaints and so much outrage over the handling of charter schools, their programs, and their sponsors.

Ohio Dept. of Education overpaid Electronic Classroom of Tomorrow by \$60 million when the State calculation used the number of students which the school provided. When the State policy changed in 2016, emphasizing attendance, not just enrollment, Ohio demanded repayment from ECOT, the largest charter in Ohio, a for-profit organization, which the *Plain Dealer* says has “students and funding from 95% of the school districts in Ohio.”

After the school’s sponsor severed its ties, ECOT closed abruptly before the end of January, without finishing repayment to the state of \$53.6 million of its debt. Families of 12,000 students are scrambling to find new schools. They prefer on-line format. By February 11, only 7,600 of the 12,000 students have new schools, according to the State Superintendent.

Now the Ohio Supreme Court is considering whether ECOT is obligated to repay the State, many of whose legislators benefited from generous donations to numerous Republicans by the Charter’s founder, William Lager. The State and League members should be alert to this case and to the way other charters comply with Ohio laws.

B. State Takeover of Public School Districts

In June, 2015, H.B. 70 was under discussion in the Ohio Legislature, and it was close to passage with bipartisan support. The bill dealt with the establishment of community learning centers (similar to those in Cincinnati Schools) in public school districts with large percentages of underprivileged students, and there was little or no organized opposition to it. Then, in a surprise move, the bill was amended and 66 pages were added to describe new operating methods that underperforming school districts would be required to adopt. Previous legislation had assigned Academic Distress Commissions (ADC) to districts that had multi-year poor performance reports. If there were still no improvement after two years, the ADC was to hire a CEO to run the district. That CEO would have the freedom to utilize stern measures to improve the district’s performance.

Youngstown City Schools was the first district to be reorganized according to Am. Sub. H.B. No. 70. The district’s ratings had been very low for several years, and the Kasich administration had been working to find a solution. The criticism is that the work to “find a solution” was done quietly by a few Youngstown business and community leaders. There were no elected officials in the group. The details of the plan were described briefly on July 16, 2015 in the *Cleveland Plain Dealer* by Patrick O’Donnell: www.cleveland.com/metro/index.ssf/2015/07/a_quick_look_at_the_new_state_takeover_plan_for_faili

[ng_school_districts.html](#). The district's website, ycsd.org, provides information about who their CEO is and what their goals and programs are.

The Lorain City School District has also come under the arm of Sub. H.B. 70. This district had been working with an ADC, but failed to meet the criteria for improvement. As a result, they now have a CEO who administers the district. This transition is only about a year into operation, so it is too soon to tell whether to not it is successful. For info. about the CEO and programs he supports, see: <https://www.lorainschools.org>.

There has been vehement opposition to the plan from education organizations throughout Ohio. At this time, it is too early to determine if anything positive has been accomplished. One reason is that the state's method of grading/evaluating districts is being revised following severe criticism of recent "report cards." As a result, a current report on the success or failure of the process is yet to be issued.

A Youngstown District Review was published in July 2017; it was compiled using the Ohio Department of Education's six district standards and is available at [https://education.ohio.gov/School.../Youngstown-City-Schools.../ YOUNGSTOWN-City-Schools-District-Review-Report-07-19-17.pd](https://education.ohio.gov/School.../Youngstown-City-Schools.../YOUNGSTOWN-City-Schools-District-Review-Report-07-19-17.pd) A similar review for Lorain City Schools may be found at education.ohio.gov/loraincityschooldistrict/districtreviewreport. While these reports do not assign grades to the districts, they thoroughly outline the strengths, challenges, and recommendations for each district.

C. District Report Cards

Ohio's Department of Education has been releasing "report cards" on every school district in the state for at least 20 years, but over the years the format of the evaluation has morphed into a rather complex report. The most recent assessments for school districts were released 9/14/17 by the Department. Superintendent DeMaria stated that the report cards are a way "parents and communities gauge the success and improvement of their schools and districts." Districts and schools are graded on six components: Achievement, Progress, Gap Closing, Graduation Rate, K-3 Literacy, and Prepared for Success. Grades of A to F are given for each component, and those grades are basically compiled from testing and district statistics.

The changes in the approach and format of the report cards have led to criticism of their effectiveness. It is very difficult for non-educators (i.e., parents, residents of a district) to interpret what the report card has measured. Others complain that the cards are unfair to districts with high levels of students in poverty. Still others point out that the results are based only on language and math skills while ignoring art, music, computer science, etc. Citizens and education organizations advocate simplifying the report cards so that their information will be more useful to parents. Where these complaints will lead will play out over time, but for now, the format and the information presented therein remain in a state of flux.

D. Ohio High School Graduation Requirements

Students who entered the 9th grade between July 1, 2014, and June 30, 2015, are eligible for graduation if they fulfill the following requirements:

- Students must earn a minimum of 20 credits in specific subjects as well as instruction in economics, financial literacy and two semesters in fine arts.

For **2018**, there are three ways to receive a diploma:

1. Students must earn 18 out of 35 on seven end-of-course tests, a minimum of four points in math, four points in English language arts and six points total in science and social studies;
2. Industry-recognized credentials totaling 12 points and earn the required score on the WorkKeys test. Senior Only Program (Agriculture, Environment, Business and Finance, Education and Training, Arts and Communications, Construction, Engineering, Health, Law and Public Safety, Information Technology, Manufacturing); OR
3. Take the ACT or SAT to show college and career readiness.

For **2018 only**, there are two graduation options in addition to course requirements and OGT exam:

1. A score of “1” or “2” on any math or English tests, the test must be retaken as well as meeting two additional requirements; OR
2. Students must pass course requirements and take the OGT exam. Students must finish a career-technical program that includes four courses in a single career pathway as well as one of two options.

For **2019 and beyond**, student must:

1. Meet course requirements and earn 18 points across all end-of-course test;
2. Earn a minimum of 12 points by receiving State Board of Education approved, industry recognized credentials in a single career field and pass a work-readiness test; OR
3. Earn remediation-free scores in mathematics and English on ACT or SAT.

III. LWV Positions

LWVUS has several positions regarding the federal role of government in education:

http://forum.lwv.org/sites/default/files/impact_on_issues_2016-2018_social_policy.pdf

LWVO has several positions regarding education, including a new position on Charter Schools:

http://www.lwvohio.org/assets/attachments/file/Social%20Policy%20-%20Primary%20and%20Secondary%20Education%20Position%202_14_18.pdf

LWVCA has two positions regarding education: <http://www.lwvcincinnati.org/positions.html#8>

IV. Additional Reading

For more info. on Ohio graduation requirements, see:

<http://education.ohio.gov/Topics/Ohio-Graduation-Requirements/Graduation-Requirements-2018-and-Beyond/Industry-Recognized-Credentials-and-WorkKeys/Industry-Recognized-Credentials>

For more info. on Charter Schools in Ohio, see:

<http://www.dispatch.com/news/20180204/will-ecot-scandal-return-ohio-democrats-to-power>

<http://wvxu.org/post/charter-school-critic-says-ecot-has-itself-blame#stream/0>

<http://www.dispatch.com/news/20180123/gop-lawmakers-christian-alliance-defend-ecot-state-says-school-prioritized-profit>

<http://www.dispatch.com/news/20180123/democrats-tussle-over-ecot-campaign-money-but-gop-got-far-more>

https://www.washingtonpost.com/national/state-might-seek-19m-more-back-from-closed-charter-school/2018/01/23/6ca58ad8-0087-11e8-86b9-8908743c79dd_story.html?utm_term=.deec21e53d3

http://www.cleveland.com/metro/index.ssf/2018/01/should_ecot_founder_pay_money_back_faster_state_auditor_dave_yost_says_yes_while_school_floats_new_plan.html#incart_river_index

http://www.cleveland.com/metro/index.ssf/2018/01/ecot_finances_now_under_court.html

<http://www.dispatch.com/news/20180125/many-ecot-kids-pick-virtual-schools>

<http://www.dispatch.com/news/20180128/closing-of-ecot-halts-state-collection-of-536-million-school-owes>

http://www.cleveland.com/metro/index.ssf/2018/01/ecot_closure_doesnt_block_recovery_of_80_million_state_superintendent_says_ohio_has_other_options.html

http://www.cleveland.com/metro/index.ssf/2018/02/ecot_goes_to_ohio_supreme_court_with_80_million_its_survival_and_states_control_of_charter_schools_on_the_line.html