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# Cumbersome Assessment Process Won't Fix Ohio's Education Woes

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## The Problem—Ohio's Cumbersome and Inefficient Teacher Assessment Process

Post-pandemic state math and reading testing revealed that Ohio students had lost the equivalent of a year of learning during the COVID-19 pandemic.<sup>1</sup> Attainment levels in reading and math were especially bleak for urban students living in both “high” and “extreme” poverty, students who reside in Ohio's cities of Cleveland, Columbus, and Cincinnati.<sup>2</sup> According to a report from the Thomas B. Fordham Institute, “The overall statewide PI (performance index) score fell from 84.7 to 79.3 from 2018–19 to 2021–22, a 6.4 percent slide. Ohio's Black/White achievement gap was 27.2 points in 2018–19. Now that gap is 30.2 points.”<sup>3</sup> Pandemic learning losses in cities were exacerbated by the length of time their students spent online undertaking remote learning, as powerful teachers' unions in these cities refused to resume in-person teaching after Governor DeWine called for schools to resume crucial in-person instruction.<sup>4</sup>

Charter schools provide an alternative for some students and have enjoyed an exponential increase in enrollment—from 62,561 in 2005 to 111,743 in 2022.<sup>5</sup> Charter school students are overwhelmingly Black and economically disadvantaged: 48 percent of charter school students are Black (as compared to 34 percent for White charter school students), and 80 percent of charter school students are economically disadvantaged.<sup>6</sup> However, charter schools are often not an option for rural Ohio students, as the majority of charter schools are in urban settings. As noted by Ohio's Public Education Partners, “Charter school students are concentrated in three urban counties: Cuyahoga, Franklin, and Lucas. Each has between 22,000 and 25,000 charter students and combined they account for 64% of the charter school students in Ohio.”<sup>7</sup>

High-quality public-school instruction is crucial for Ohio students to make up learning gaps accrued during the pandemic. To close these gaps and to ensure high-quality education for Ohio students, Ohio needs to ensure that each student receives the best teacher possible.

Ohio's time-consuming and cumbersome teacher assessment process does little to ensure quality education for its students. The assessment process should be overhauled with a more meaningful evaluation process, a greater focus on student outcomes, and less flexibility.

## The Assessment Process

Adopted in 2005, the Ohio Standards for the Teaching Profession set forth seven standards.<sup>8</sup> In 2014, Ohio implemented the Ohio Teacher Evaluation System (OTES 1.0). Under OTES 1.0, student data was heavily weighted in the evaluation process,

but it was weighted separately.<sup>9</sup> Ohio also used the Ohio State Teacher Efficacy Scale (OSTES), a self-assessment tool.<sup>10</sup> This moved “beyond previous measures to capture a wider range of teaching tasks,” according to an article in the journal *Teaching and Teacher Education*.<sup>11</sup>

For the 2023–24 school year, Ohio has implemented OTES 2.0. Additionally, Section 3319.16 of the Ohio Revised Code has been amended to impose additional criteria on teacher standards.<sup>12</sup> OTES 2.0 calls for two observations, two required conferences, walkthroughs, and a professional growth plan or improvement plan.<sup>13</sup> Unlike OTES 1.0, in OTES 2.0 “student data is built into the overall rubrics and is not a separate entity,” according to the Cincinnati school district.<sup>14</sup> OTES 2.0 uses high-quality student data (HQSD) as part of its teacher assessment; teachers are required to implement two forms of HQSD.

### **Meaningless Rankings**

In both OTES 1.0 and OTES 2.0, teachers are ranked on a four-tier system as ineffective (lowest), developing, skilled, or accomplished (highest).<sup>15</sup> Teachers are ranked on their use of HQSD; their connection to prior and future learning; and their connections to state standards and district priorities.<sup>16</sup> An ineffective teacher is one who “does not use HQSD,” makes “no connection to student prior learning or future learning,” or “does not reference Ohio’s learning standards,” according to the Ohio Department of Education.<sup>17</sup>

Yet these rankings are often effectively meaningless. In 2017, 94 percent of school districts did not report a single teacher as ineffective (and 44 percent of districts also failed to report a single teacher as developing).<sup>18</sup>

### **Too Much Flexibility**

In addition to having effectively meaningless rankings, the assessment process also has too much flexibility. Ohio prides itself on the flexibility available in the evaluation process. However, too much flexibility renders the evaluation process farcical. Walkthroughs and observations can be announced or unannounced; the decision of whether to announce is left up to each individual district.<sup>19</sup> The state’s education department explains: “Schools have flexibility in defining what an observation or walkthrough might look like in their own unique education setting. Additionally, there is no requirement for a rating on each component on the rubric.”<sup>20</sup>

Local education agencies can also use their own locally developed rubrics for teacher assessment as long as they are “aligned to the Ohio Standards for the Teaching Profession,” according to the Ohio Department of Education.<sup>21</sup> For example the Cleveland Metropolitan School District uses a Teacher Development and Evaluation System (TDES) which is aligned to OTES but not identical to it.<sup>22</sup> Under TDES, evaluators are the principals from the schools of the teachers they

evaluate, meaning that teachers can have the same evaluator year after year. Additionally, teachers receive \$4,000 bonuses for receiving an accomplished rating, and teachers with accomplished ratings are not evaluated again for another three years.<sup>23</sup>

Too much flexibility is again seen in the rare case that any teacher manages to be ranked “ineffective” in consecutive years. School districts, in cooperation with teachers’ unions, “[call] for the district to help train and develop teachers that need improvement, not just fire them,” according to a newspaper article.<sup>24</sup>

### **Reluctance to Terminate**

Besides having too much flexibility, the assessment process also reveals a reluctance to terminate lousy teachers. Termination of teachers is governed by Ohio Revised Code Section 3319.16, which provides that teachers “may not be terminated except for good and just cause.”<sup>25</sup> Pursuant to Sect. 3319.16 and 3311.80, teachers have the right to procedural due process, which includes a hearing and the right to an appeal.<sup>26</sup> The unions’ collective bargaining agreements refer to termination by citing O.R.C. 3311.82: “For purposes of contract terminations of teachers, good and just cause shall include receiving a composite evaluation rating of ‘ineffective’ under O.R.C. 3311.80 for two (2) consecutive years.”<sup>27</sup> The likelihood of any teacher being ranked ineffective two consecutive years, however, seems implausible as the vast majority of districts do not have a single “ineffective teacher.”

Powerful teachers’ unions seek to protect their teachers from termination. Unions’ collective bargaining agreements, the newspaper article notes, “call for the district to help train and develop teachers that need improvement, not just fire them.”<sup>28</sup>

### **Recommendations**

Ohio should make its teacher assessment process simpler, less cumbersome, more efficient, less flexible, and less time-consuming by reforming teacher rankings, amending the Ohio Revised Code, and eliminating flexibility.

### **Reform Rankings**

Ohio should eliminate the current four-tier ranking system of ineffective, developing, skilled, or accomplished. These teacher “labels” are effectively meaningless. Teacher rankings should be based solely on improvements in students’ test scores, considering the fact that economically disadvantaged students tend to perform worse on tests. Students should be tested at the beginning of each school year. The same test should be administered at the end of the school year, and the students’ improvement (or lack thereof) should be noted. The percentage of change should be compared only to the change demonstrated by other students in that school district.

## **Amend the Ohio Revised Code**

Ohio should eliminate Sect. 3311.82 of the Revised Code, which defines “good and just cause” as receiving a rating of “ineffective” for two or more years.<sup>29</sup> Teachers who receive negative numbers in comparison of the beginning and end-of-year student test scores should be immediately offered classroom assistance.

## **Eliminate Flexibility**

Each teacher should have classroom instruction “observed” via videoconferencing twice on random school days each month. Each teacher would receive an email notification the morning of the observation with instructions to set up the observation. This should not pose a burden to staff as video observations are already used by the state in conducting its Resident Educator Summative Assessments for new teachers. Recordings of these observations should be kept on file and utilized for giving teacher feedback and improving teacher performance.

## **Significance and Expected Result**

Random bimonthly observations would eliminate the problem of too much flexibility. All teachers would receive the same number and same type of evaluations. Scoring all teachers based solely on student outcomes will eliminate the ambiguous and meaningless four-tier labels and can easily chart teachers’ efficacy based on the percentage of change exhibited by their students.

Eliminating the two-year ineffectiveness wait period will terminate underperforming teachers more quickly or will allow them to receive resources and classroom assistance more readily.

The expected results of this system, as compared to the current unwieldy OTES 2.0, will free up more teacher resources, provide clearer results, and enable at-risk students to receive better educators in a more efficient manner.

## **Conclusion**

The COVID-19 pandemic created a troubling loss of learning for Ohio students. Ohio’s current teacher evaluation process wastes time and resources. The time and energy teachers spend in participating in the assessment process would be better spent in preparing lesson plans and in teaching their students.

Bimonthly video observations, a greater reliance on student test scores, and a quicker response to flailing teachers will improve the effectiveness of teaching and will help students catch up from their pandemic learning loss.

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## Endnotes

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<sup>2</sup> Ibid. (“In 2019, the typical Columbus student was 2.5 grade levels behind the national average. In 2022, she was a staggering 3.6 grade levels behind.”) See also, “Ohio Education by the Numbers,” Thomas B. Fordham Institute, 2023, <https://www.ohiobythenumbers.com/>.

<sup>3</sup> Aaron Churchill, “Assessing the Academic Wreckage of the Pandemic in Ohio,” Thomas B. Fordham Institute, September 29, 2022, <https://fordhaminstitute.org/ohio/commentary/assessing-academic-wreckage-pandemic-ohio>.

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<sup>6</sup> Ibid.

<sup>7</sup> Susie Kaesar, “Public, Private, and Charter School Use in Ohio’s 88 Counties,” Public Education Partners, June 13, 2023, <https://publiceducationpartners.org/2023/06/13/a-review-of-public-private-and-charter-school-use-in-ohios-88-counties/>.

<sup>8</sup> The seven standards are: “Teachers understand student learning and development and respect the diversity of the students they teach; Teachers know and understand the content area for which they have instructional responsibility; Teachers understand and use varied assessments to inform instruction, evaluate and ensure student learning; Teachers plan and deliver effective instruction that advances the learning of each individual student; Teachers create learning environments that promote high levels of learning and achievement for all students; Teachers collaborate and communicate with students, parents, other educators, administrators and the community to support student learning; [and] Teachers assume responsibility for professional growth, performance and involvement as an individual and as a member of a learning community.” See “Ohio Standards for the Teaching Profession.” Ohio Department of Education, 2005, <https://education.ohio.gov/getattachment/Topics/Teaching/Educator-Equity/Ohio-s-Educator-Standards/TeachingProfessionStandards.pdf.aspx?lang=en-US>.

<sup>9</sup> “Report of the Policy and Equity Committee,” Cincinnati Public Schools, June 7, 2021, [https://www.cps-k12.org/cms/lib/OH50010870/Centricity/Domain/109/Documents/Committee%20Meeting%20Minutes/2021/Comm\\_Policy\\_Mtg\\_2021-05-27\\_Approved\\_2021-06-07.pdf](https://www.cps-k12.org/cms/lib/OH50010870/Centricity/Domain/109/Documents/Committee%20Meeting%20Minutes/2021/Comm_Policy_Mtg_2021-05-27_Approved_2021-06-07.pdf).

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<sup>13</sup> Ohio Teacher Evaluation System (OTES 2.0) Framework, Ohio Department of Education, March 27, 2020, <https://education.ohio.gov/getattachment/Topics/Teaching/Educator-Evaluations/Teacher-Evaluations/Framework-OTES-2-0-Final-3-27-20.pdf.aspx?lang=en-US>

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<sup>16</sup> "Focus for Learning," Ohio's Revised Teacher Evaluation System (comparing OTES 1.0 with OTES 2.0), <https://sites.google.com/view/sesc-otes2-resources/home/focus-for-learning>.

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<sup>23</sup> "Teacher Development and Evaluation System: Guidance for Educators," Cleveland Teachers Union, July 2019, <http://www.ctu279.org/docs/TDES%20Guidebook%20Final%2D2.pdf>.

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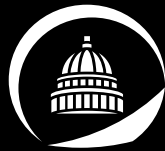
<sup>25</sup> Ohio Revised Code Section 3319.16.

<sup>26</sup> See, e.g., “Agreement Between the Board of Education of the Cleveland Metropolitan School District and Cleveland Teachers Union Local No. 279, American Federation of Teachers, AFL-CIO, effective July 1, 2021, through June 30, 2024,” <https://www.clevelandmetroschools.org/cms/lib/OH01915844/Centricity/Domain/160/Cleveland%20Teachers%20Union%20Contract%202021-2024.pdf>. Article 18, Section 1, subsection F, states: “[T]he employee shall be entitled to a fact-finding hearing to determine if termination or disciplinary suspension without pay is warranted. The hearing shall be held before an administrator designated by the Chief Executive Officer (CEO). Prior to the hearing, the administrator designated by the CEO shall provide the employee with written notice of the allegations and of the right to request representation by the CTU, and copies of any written evidence related to the allegations. The hearing shall be held within a reasonable period of time following the employee’s receipt of the written notice of the allegations. The employee may have a representative of the CTU present at the hearing.”

<sup>27</sup> *Ibid.*, Article 18. See also “Columbus Education Association Master Agreement 2022–2025,” page 49, “Termination shall be according to Section 3319.16 and related provisions of the Ohio Revised Code and applicable provisions of this Agreement,” <http://www.ceaohio.org/wp-content/uploads/2023/01/CEA-Master-Agreement-2022-2025.pdf>.

<sup>28</sup> O’Donnell, “Cleveland Teachers.”

<sup>29</sup> Ohio Revised Code Section 3311.82.



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