

Gongwer's article about the committee passage of SB 178.

Revised Education Department Overhaul Advances

The Senate appears ready to bring a proposal redesigning the state's Department of Education to the floor after the plan earned a committee's approval Tuesday.

The [Senate Primary & Secondary Education](#) Committee reported the measure ([SB 178](#)) after adopting an amendment [Sen. Louis Blessing](#) (R-Colerain Twp.) said would change the bill's effective date from July 1, 2023, to 90 days after it is signed.

Sen. Blessing said the change was requested by ODE "to allow for implementation of changes in the bill to occur leading up to the new school year."

The legislation would replace the existing Department of Education with a new Department of Education and Workforce headed by a gubernatorial appointee. Many current responsibilities of the [State Board of Education](#) and state superintendent of public instruction also would be reassigned to agency staff under the plan.

Senate [President Matt Huffman](#) (R-Lima) has said he expects the upper chamber to vote on the bill at its Wednesday session.

[Speaker Bob Cupp](#) (R-Lima) was noncommittal when asked about the proposal Tuesday.

"The idea of course is not new. It's been bouncing around for several years," he said. "I think the fact that the Board of Education has had difficulty finding a superintendent – taking nothing away from the acting superintendent – the department is probably a bit in need of direction."

"And the question is, you know, has the education bureaucracy gotten worse or slowed down?" he continued. "So, those are all questions, and I'm not sure what the answer is but they are on the minds of our members."

[Sen. Vernon Sykes](#) (D-Akron), the lone committee member to vote against the measure, said K-12 groups have "not had adequate opportunity ... to give input" on the extensive proposal.

Debate at the bill's fourth hearing focused on whether the legislation would increase accountability within the agency as proponents argue, or shield discussions and decisions on education-related regulations from the public, as opponents contend.

Support for the package at the hearing largely came from business backed groups, including the Advanced Manufacturing Consortium, Ohio Excels and the Ohio Home Builders Association.

Ohio Excels President Lisa Gray said SB178 would overhaul what she called "a broken system" of state oversight of K-12 education.

"We believe that a new education governance structure for Ohio should be about accountability, responsiveness, and relevance in today's world," she said. "It should have clear lines of authority from policymaking, budget-setting, legislative intent, and executive coordination with other arms of government."

Asked whether the legislature should take additional time to review the proposal, Ms. Gray said the state of education in Ohio calls for immediate action.

"I would argue that we are at an absolutely critical juncture," she said.

Michael Tisovic, vice president of the AMC, said currently only 7% of the state's high school students graduate with technical credentials, something he hopes the legislation would address.

"Bill 178 would give our legislature the control needed to create and hold accountable programs that target these underserved graduating seniors," he said.

The bill is opposed by a wide variety of education and advocacy groups, including the Buckeye Christian School Organization, the Ohio Federation of Teachers, the League of Women Voters of Ohio and Policy Matters Ohio.

OFT President Melissa Cropper said if the legislature decides to restructure the state's K-12 department it should follow a "thorough conversation" among lawmakers and stakeholders.

"This just seems to be very rushed," she said.

Chair [Sen. Andy Brenner](#) (R-Delaware) said he does not see urgency within the BOE or ODE to address declining test scores amid the coronavirus pandemic.

"There's nobody really at the top being held accountable," he said.

Ms. Cropper said conversations and efforts aimed at addressing pandemic-related learning losses are occurring constantly throughout the state and beyond.

"This is an issue not just in Ohio but across the whole country," she said.

Melanie Eley, legislative liaison for Christian Home Educators of Ohio, said students and parents have meaningful access to education policy discussions through their elected state board members.

"Shifting the authority to a single appointed director will not change the system. It will only diminish the consent of the governed," she said.

Sen. Brenner said "hardly anybody" in Ohio knows who their elected school board member is.

"How is that democratic?" he said.

Ms. Eley said Ohioans who have an education-related problem can research their BOE member and figure out how to contact them, adding that many people also would not know their legislative representatives.

"And we don't speak of changing the role of the legislative branch," she said.

Interested parties included the Alliance for High Quality Education, the Ohio School Boards Association and the Ohio Workforce Association.

Anthony Podojil, executive director of the AHQE, said the group's members appreciate provisions in SB178 intended to bolster career-tech education but have a "considerable amount of concern" about changes to the administrative rule review process if the BOE's responsibilities change.

"What mechanism will be in place and what assurances will exist to ensure the new director and their deputies meaningfully engage with the field and stakeholders?" he said.

Mr. Podojil said if the legislature is concerned the BOE has been spending too much time discussing social issues, it could limit the panel to addressing items directly mentioned in statute instead of reassigning most of the board's current responsibilities.

Sen. Brenner asked who on the board or in the department currently is leading efforts to address myriad problems in education, ranging from falling test scores to transportation issues.

Mr. Podojil said he agrees the lack of a permanent state superintendent "makes things difficult."

Sen. Brenner said under the existing structure "nobody that seems to be held accountable" when policies passed by the legislature are not effectively implemented by ODE.

OSBA lobbyist Nicole Piscitani said while the group could support legislation renaming ODE and splitting it into two divisions, it would like to see the BOE's role in reviewing and approving regulations continue.

"These opportunities for public input and participation will be lost if rulemaking is moved outside of the [State Board of Education](#) as proposed in substitute SB178," she said.

Ms. Piscitani said OSBA would support a compromise in which the BOE continues to select the superintendent, who would join the governor's cabinet, but the legislature has a vote on the appointment.

Sen. Brenner questioned whether that change would be constitutional, given the state's founding document gives the BOE the sole power to appoint the superintendent.

Ann Converse Shelly

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