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**Committees:**  
Education (Chair)  
Finance- Education Subcommittee  
Medicaid  
Health and Human Services  
Criminal Justice

## **Constitutional Modernization Commission Testimony** **February 11, 2016**

Thank you for the opportunity to share my thoughts on the governance structure of education policy in the State of Ohio.

Two experiences have shaped the observations and recommendations that I'm making today. First, as Chairman of the Senate Education Committee for the past four years, I have served as an ex officio member of Ohio's state school board. While I have not been able to attend every meeting of the Board, I have attended most of them. I have had an up-close view of how it functions. I should say at this point that my comments are strictly my own and do not represent the position of the Senate.

The second experience that informs my thinking is involvement with the National Conference of State Legislatures (NCSL) Study group on International Comparisons in Education. That group consists of about 26 veteran legislators and legislative staff who have been charged with identifying lessons learned from the top 10 highest performing education systems in the world. Incidentally, this is a list that the United States does not come even close to making.

When the Ohio Constitution was originally written in 1802 and when it was revised in 1851, education played a very different role in our society. Early in our history, we had an agricultural-based economy. Even after we moved into the industrial age, citizens could succeed in the workforce with limited education. Some occupations, like medicine and law, required substantially more training and skill, but most people could make a living and provide for their families if they could read and do basic math. Prior to World War II, the majority of students didn't even attend high school.

Our governance structures for education policy created back then were designed for a very different set of requirements than what is needed today. Nor were they designed with all Americans in mind regardless of race, gender or economic status.

In the 21<sup>st</sup> century, education is the backbone of our economy. *Good jobs, well-paying jobs, secure jobs* require education beyond high school – not always college, but at least a credential certifying that a young person or an adult worker has a skill.

Quite simply, the knowledge economy – the global economy – we now find ourselves in requires a workforce with a vast array of technical skills, problem-solving abilities and creativity.

It is more than reasonable to question whether the structures put in place in the 19<sup>th</sup> century and only amended once shortly after World War II will work in the far more complex world we compete in today.

My opinion is that they do not.

Clearly, many American schools – not just Ohio’s – are struggling to compete favorably with systems in other industrialized and even many developing countries.

Since 2000 when the Organization for Economic Coordination and Development (OECD) first began to survey the performance of students in 32 highly developed nations in reading, math and science, our students have fallen further and further behind.

In 2000, we averaged 16<sup>th</sup> in the world; in 2012 (with 64 countries included in the survey), we averaged 30<sup>th</sup> lagging behind such world powers as Poland, Vietnam and Estonia.

*Education Week* recently released its ranking of states educational performance. Ohio was ranked 23<sup>rd</sup>. By any measure it is evident that many of Ohio’s children are not getting the world-class education they deserve – and need – to succeed.

Some people dismiss international comparisons, arguing that we in the United States educate all of our kids, while many nations only educate their elite. Once that was indeed true, but it hasn’t been the case for almost half a century. Last year, the US managed to hit a high school graduation rate of 81%, while most of the nations that perform above us on the PISA have graduation rates of above 90%.

There are myriad reasons for the United States’ low performance, and there isn’t time to debate them all here. But based on the National Council on State Legislatures study, I believe that the governance structure for education is a significant factor.

Virtually all of the nations that are out-performing us have a single centralized form of government, something the United States does not have and does not desire. However, that sort of system does make it much easier to pivot and react in the face of a “new normal.”

Many nations have responded to the evolving – indeed the exploding – need to improve education in a **purposeful, strategic manner**. These are the nations that are passing us by.

The process of setting education policy could not be more different in those countries than it is in the United States. Here, three levels of government share a piece of the pie. Federal efforts to direct education policy have not only created a national uproar, but they have been remarkably unsuccessful. Meanwhile, state policy-making – and now I am referring to Ohio specifically – is a convoluted hodge-podge of competing interests. Two legislative chambers, a State Board of Education, a state school superintendent, a Department of Education, a chancellor, and last but not least the Governor, all compete to make their mark and impose their views.

Last, those who are actually on the ground, delivering education to children, also are mired in conflict. Administrators, local school boards, unions, educational service centers

and others are divided about difficult and divisive issues from school choice to unfunded mandates.

I am sure I have left out someone who officially has a say! But, given the chaos and conflict among our authorities and constituencies, it may be surprising that we are ranked as high as we are.

Something has to change. My only concern with bringing this critical issue to the modernization Commission is that change needs to happen sooner rather than later.

I don't have the answers, but I do have some recommendations for your consideration.

Number 1: I believe the Governor should appoint Ohio's school superintendent. I say this because even without the literal authority to make this decision, in practice, the Governor has considerable influence in the selection. That has been the case for at least the last three Governors. Recognizing that influence, rather than pretending it doesn't exist, is the honest and transparent approach. It also promotes accountability.

Education is too important, and is too central to the state's success, to not have the state school superintendent serving at a Cabinet-level position. However, a Governor should regard the selection of the superintendent in a manner very different from that of other cabinet positions.

Stability is critically important, and it would be desirable for the superintendent to not change with every administration. This might be more likely to occur if the Governor's nomination is followed by actual legislative hearings and confirmation.

Number 2: Currently, there is no entity that has the legal authority or depth of knowledge to create a long-term strategic plan for improving education in Ohio. The result is that new programs and policies are constantly being developed either through legislation or rule without clear objectives and without buy-in from our educators. Education policy changes with every new governor, shifts in the legislature and changes in Superintendents. This creates chaos and low morale in the field and our children are the losers.

The current school board is made up of people, whether elected or appointed, who are selected based on WHO they know rather than WHAT they know. The board is severely hampered by divisions that are clearly partisan. Most decisions are staff driven and reflect personal or departmental policies rather than any overarching state goals. While I am not suggesting we abolish the State Board of Education I would recommend changing its purpose and its composition.

The primary function of the board would be to set a clear vision for education in the state, develop a long term strategic plan to fulfill that vision and provide the oversight required to implement that plan. This plan should serve as the roadmap for the department, the legislature and the administration.

Key stakeholders such as teachers, administrators, as well as education thought leaders would hold positions on the council, but would be selected either by election or appointment of their peers to assure that they come to the Board with the required

expertise to engage in high level decision making. One key stakeholder would obviously be parents. These slots could be chosen via popular election.

I am not going to go so far as to suggest exactly how many members should serve or specifically what state holder groups would be included but the guiding principle on both issues would be small enough to be functional (current 19 members is too large) but inclusive enough to allow for broad representation of both expertise and philosophy.

It is pretty hard to steer a ship when you don't know where you are going. This is a problem that is pervasive in our current system. Merely striving to provide a high quality education for all children in Ohio is no longer adequate. From Pre-school to graduate school we need clear policies, aligned to a changing workforce and technologies that are appropriately funded if we are to indeed compete with our international peers.

I offer these suggestions merely as conversation-starters. I am certain there are people who will vigorously object. But I hope we can agree that the current structures are outdated and not designed for the complex challenges we now have. Our children deserve better, and our future depends on it.

Thank you for your time and attention.

A handwritten signature in black ink that reads "Peggy Lehner". The signature is written in a cursive style with a large, prominent "P" and "L".