







# Ohio

<b>Law Analyzed</b>	HB 153, Revised Code 3317, 3319.111, 3319.112, SB 316
<b>Date Passed</b>	2010, 2012
<b>Overall Rating</b>	5.5





In March 2011, the Republican-controlled Ohio legislature passed, and Governor John Kasich (R) signed, SB5, a bill that significantly limited collective bargaining rights of Ohio public employees and required public employees to contribute at least 15 percent of healthcare plan costs. The legislation also included provisions that required performance-based teacher evaluations and teacher compensation based on performance, and required performance, rather than seniority, to be the principal factor in layoff decisions. The controversial legislation spurred a veto referendum to block SB 5 from taking effect, and in November 2011, Ohio voters rejected SB 5.

Key components of SB 5 related to teacher evaluation and performance were also included in HB 153, a state budget bill that passed in June 2011 and was not struck down by the referendum. Components that remain in effect include the requirement for annual teacher evaluations, a requirement that the State Board of Education establish a framework for evaluation that includes four levels of performance and student growth as 50 percent of the total rating, and a prohibition on seniority-based teacher layoffs or recalls. In 2012, the legislature passed SB 316, which holds teacher preparation programs accountable for the performance of their graduates. Current Ohio law does not require transparent reporting to parents and the public on teacher performance, condition award of tenure on teacher effectiveness, require teacher hiring and placement by mutual consent, or protect children from being consecutively taught by ineffective teachers. These are all areas for potential improvement in future policy or legislation. The law requires performance-based teacher compensation in districts that participate in Race to the Top only. It also requires school boards to adopt policies regarding use of evaluation data for teacher promotion, retention, and removal of poorly-performing teachers, but leaves the details to the discretion of districts.

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Criteria	Explanation	Score
Are teachers evaluated at least annually?	Generally, yes. Each teacher must be evaluated at least once each school year, and teachers on limited contracts must be evaluated at least twice. A school board may elect to evaluate teachers who receive a rating of accomplished in the last evaluation once every two school years.	
Are principals, as well as teachers, evaluated?	Yes. Procedures for evaluating principals shall be comparable to the teacher evaluation policy.	
Is evidence of student learning a factor in teacher evaluations?	Student academic growth shall account for 50 percent of each evaluation.	
Do evaluations differentiate between multiple levels of educator performance?	Yes. Four-level rating system: accomplished, proficient, developing, ineffective.	
Are parents and the public provided clear information about teacher effectiveness?	Each board of education must annually report to the Department of Education the number of teachers for whom an evaluation was conducted and the number receiving each rating. These guidelines shall not permit or require the name or any other personally identifiable information about any teacher to be reported. Law does not require aggregated public reporting.	
Are educator preparation programs accountable for graduates' effectiveness?	SB 316 requires boards of education to report to the Department of Education data on the number of teachers for whom an evaluation was conducted and their ratings disaggregated by preparation program, and requires the Ohio Board of Regents to report for each preparation program the percentage of graduates receiving each rating.	

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Is tenure linked to effectiveness?	The law does not address.	
Does state provide clear authority to dismiss ineffective teachers and a reasonable process for doing so?	3319.111 requires each school board to include in its evaluation policy procedures for using evaluation results for retention and promotion and for removal of poorly performing teachers, but does not specify a level or duration of poor performance that can trigger dismissal, or provide a streamlined process for dismissal of ineffective teachers.	
Is effectiveness, rather than seniority, the primary consideration in reductions in force?	Yes. The law prohibits reduction in force decisions from using seniority-based preferences, except when deciding between two teachers who have comparable evaluations. Law gives teachers who are laid off a right to restoration when a position becomes vacant or is created, and states that seniority shall not be the basis for rehiring a teacher (although it is unclear what the basis should be).	
In cases of teacher excessing, is there a process for teachers to secure new positions through mutual consent, and for those who cannot do so to eventually be discharged from employment?	Law does not address excessing or provide a process for the discharge from district employment of excessed teachers who fail to obtain positions through mutual consent.	

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Do principals have authority to decide who teaches in their schools?	The law does not require mutual consent hiring.	<input type="radio"/>
Does the law protect students from being consecutively assigned to ineffective teachers?	No.	<input type="radio"/>
Are effective teachers rewarded with increased compensation?	The law requires school boards in Race to the Top participating districts to adopt a salary schedule for teachers based on performance that includes the level of licensing, whether the teacher is highly-qualified, and teacher performance evaluation ratings, and that provides annual salary adjustments based on performance ratings such that teachers rated accomplished receive larger adjustments than those rated proficient.	<input checked="" type="radio"/>