

October 11, 2015

The Honorable David Yost
Auditor of State
88 East Broad Street, Fifth Floor
Columbus, OH 43215

RE: Ohio Department of Education

Dear Mr. Yost:

Like many Ohio residents, I have been following the developments of the charter school cheating scandal at the Ohio Department of Education for the last three months and am appalled about the scale of ethical deterioration at the very agency where I served for four years. Press reports indicate that David Hansen, the former director of the state charter school office and husband of one of Gov. Kasich's top aides, took it upon himself to alter performance data that by law should have been calculated into the state report card, the supposed agreed-upon standard for evaluating school performance.

The assertion that Hansen acted alone, amplified by the president of the State Board of Education, is counter to what employees know about the culture of the state education agency.

In that regard, and as a former member of the staff of the Ohio Department of Education's charter school office, I write you yet again about systemic wrongdoing in the charter school sector. Your office might recall my detailed correspondence addressed to you on February 18, 2014, in which I suggested areas where the state auditor could provide avenues of inquiry to better serve the public. That correspondence is enclosed for your information and use.

When I retired from the state agency four years ago, I left energized by the knowledge, scholarship, creativity and talent displayed by members of the department's staff. There is no question that I grew professionally from working with such dedicated, talented people and devoted public servants. Now, just four years later, that staff has been totally demoralized as a result of the politicization of the department. The top-down nature of ODE's processes, and the corruption demonstrated by the data-rigging scandal, now also known as chartergate, needs to be thoroughly investigated.

As you continue your own review of this data-rigging, please know there are indications that Hansen, a director at the department, met frequently with the state superintendent, sometimes twice a week, and according to other sources, was careful to review charter school operations and developments with senior leadership in ODE, prior to initiating many actions.

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It is therefore essential that appointment calendars are examined very carefully, and, absent electronic mail, any other records kept by administrative assistants that might shed further light on the interactions of Hansen with the most senior of the agency's leadership – including the state superintendent himself.

For the media, state board president, and any other person to assert that this wrongdoing began and ended with David Hansen, is contradicted by the operational behavior of mid-level managers as they defer to senior leadership. Meetings are usually scheduled for the purpose of reviewing and signing-off on issues, procedures, and applications, and for anyone to make the claim that somehow the director of school choice and options operated on his own, without first briefing senior leadership, is absurd.

The citizens of Ohio therefore urge you to exert the same type of leadership and discretion that you exercised in the recent case of Columbus City Schools, where a number of people were also shown to be involved in data-rigging – thanks to your investigative tenacity.

That's where the comparison should end. For a state education official(s) to break the law and cheat to favor political donors is beyond the pale. Since we should always lead by example, your fellow citizens are counting on you to lead by ensuring that this bad example is not sanctioned by inaction. Such seemingly criminal behavior - perpetrated by those who are and have been in leadership in the very agency which supposedly exists to ensure our society's future through the education of our youth so they become skilled, productive and ethical citizens - cannot be ignored.

Yes, education is about the future. Our system of public education is charged with producing skilled, productive and ethical citizens. It is our hope that you lead by example to ensure that the corruption and wrongdoing at the Ohio Department of Education – the very agency that exists to ensure that our society produces ethical citizens – is addressed.

It is our further hope that your initiative and leadership in investigating this scandal will help to reassure the public that wrongdoing will be investigated and dealt with, wherever the trail of evidence might lead.

Sincerely,

Denis D. Smith

Enclosure: February 18, 2014 Correspondence.