



HB9 Conference Committee

February 13, 2020

**Testimony of Frank W. O’Linn, Ed.D. Superintendent of Schools for the Catholic Diocese of Cleveland**

Chairman Jones and members of the Conference Committee, thank you for the opportunity to speak on HB9. I am the Superintendent for the Catholic Diocese of Cleveland, which serves nearly 40,000 PK-12 students in 108 schools throughout Northeast Ohio. I am here today concerned with the effects of the current delay and possible proposed changes will have on the families of Ohio. I am not a lawmaker, and do not envy the pressures you must balance, but this process - 9 hearings in 10 days to consider proposals to dramatically rewrite 15 years of choice policy - give me cause for concern. On behalf of the families interested in being served by Catholic Education, I wish to speak a bit about the students directly affected, as well as the implications for this process on schools and the overall system.

This year, Catholic schools in our diocese currently serve about 3700 students on traditional EdChoice scholarships. None of these families can renew yet. And while HB9 has language to permit these students to continue through grade 12, rolling back the traditional list means that their fellow neighbors - identical in many ways save for slightly younger children - would be denied the same opportunity.

I asked Catholic schools in our diocese to provide me some numbers upon the announcement of these hearings, and with all but a handful of the EdChoice providers responding with data as of today, we know of 1791 newly eligible students whose families intend to use the Traditional EdChoice scholarship at one of our Catholic schools next year. These are not just theoretical possibilities, these are families who have come to the school, are in the enrollment process, and intend for their children to attend next year.

Because Catholic students’ high schools started accepting applications a month ago, and because the scholarships cover far less than the average cost to educate at Catholic high schools (or any high school for that matter), most high school families apply for additional financial aid, giving us valuable insight into their financial situation. Of the applicants for whom income data is known, less than a third would qualify under the House’s current proposal. The Senate’s competing proposal to award scholarships up to 300% of the federal poverty level captures only 41% of this pool. Increasing that to 400% of FPL would capture exactly 60% of this group according to our available data. In any scenario proposed thus far, families who understood their

access to choice as of its availability in November, and acted on it, now are at risk of having it ripped from them. Should the General Assembly change the EdChoice laws, the question is not “if” but “how many” will have the choice that is theirs under current law as we stand here on February 13 taken from them? And how much more disruptive will it be?

And while families should be our primary concern, the uncertainty is problematic for schools and teachers as well. The Catholic high schools operated by the Diocese of Cleveland have a union - a lay teacher’s association - which operates under a collective bargaining agreement for those who are not vowed religious. That collective bargaining agreement stipulates that contracts for teachers must be issued between March 15 and April 15 annually, yet with enrollment under a cloud of uncertainty, accurate predictions will be all but impossible. Two of these schools (Holy Name High School and Elyria Catholic High School) situated in or near large newly eligible populations could see swings of 100 students or more. With no alternative revenue or safety net, they will have no choice but to plan conservatively, triggering the process for the elimination of teaching positions, perhaps permanently depending on the outcome.

And while I am unfamiliar with the specifics of other area districts’ collective bargaining agreements, I have to imagine the uncertainty of enrollment and finance presents a similar difficulty to our public school counterparts.

That such dramatic changes to a 15-year legislative history of EdChoice, and now three decades of school choice, are being considered in this fashion leaves little room for the understanding of the potential effects on the system. Severe changes are proposed with no clear understanding of the demand; no models for who will choose and how, or how much funding under something other than the current model would be necessary.

The financing is complex and so is its effects. We know Ohio’s education funding has been found unconstitutional and should be reformed, but removing choices in a hastily political fashion does nothing to address the root cause of these problems. All of Ohio’s scholarship programs assist the state’s obligation for “thorough and efficient” schools. Last year the state reported average spending of \$9,724 per traditional public school pupil, while EdChoice scholarship awards averaged \$4,892. Claims of “scholarships diverting” local tax levy dollars are disingenuous as no district’s EdChoice allocations anywhere approach its net foundation funding. These optional scholarships are transferred directly to its citizens, who pay the local taxes, with the balance of available resources defaulting to the public school district.

There is a provision of the plan that would transfer unencumbered funds from the Cleveland Scholarship be directed to the Cleveland Municipal School District. Catholic schools are the largest provider of the Cleveland scholarship, and I do not object to spirit of this provision. We believe the funds should follow the student; if the student is not educated in a scholarship provider school such as ours, we have no claim to the funding. I do question why the funds would not go to some other choice program since, unlike EdChoice traditional districts, the Cleveland scholarship is not funded by a full deduct. In Cleveland, the state’s first scholarship program, scholarship funding is split between a state appropriation and the district’s foundation earmark - with the district’s portion at about 47%. So when a student leaves a Cleveland public school to attend Archbishop Lyke Elementary, for example, for the voucher of \$4650, just \$2190 was ever in the foundation formula for Cleveland. I suspect the lessons of this history are

important to understand such as the caps and guarantees, as well as its implications, including the recent request for this change. But I fear this compressed timeline makes such understanding impossible.

Senator Sandra Williams discussed this provision a few weeks ago, and while I disagree with how she counts what “belongs” to public schools, I found her other comments, during the senate session of January 31, prior to the senate’s vote on SB120, very compelling. She stated, on the eve of the scholarship window’s opening according the law, “It’s a shame this body didn’t find it important until these vouchers started showing up in outer-ring suburbs and rural areas.” As a citizen, this observation speaks to my conscience. Where there are 661 public schools in our 8 counties, the proposal reducing the traditional EdChoice to the lowest 20% all but ensures that the low performing schools will be limited to the urban cores of Cleveland, Akron, and Lorain, relieving all others from any potential positive benefits of competition initially intended by the policy.

The larger schools to come onto EdChoice eligibility in my area are high schools, and trends have long demonstrated older students to be more mobile in their choice of schools than the youngest pupils. But greater Cleveland in particular is a community that is highly segregated by race. Interestingly, the 12 Catholic high schools in Cuyahoga County are less racially isolated for white students, and more racially diverse, than the county’s newest public high schools to appear on the EdChoice list. The impact of the choice programs on racial and socioeconomic diversity in schools is no doubt complicated, but it has rarely been discussed, and it is deserving of closer scrutiny as a worthwhile aim of policy.

Resources are scarce throughout all of education, so the heart of this divide appears to be two differing worldviews. I hear voucher opponents using the language of students “belonging” to districts, districts “losing” their funding. We in Catholic education believe that students belong to families, and parents and guardians are best positioned to choose the right environment for children, including faith-based schools, a right the U.S. Supreme Court affirmed in *Zelman v. Simmons-Harris* (2002). This is the belief enshrined in current law, even with all of its limitations on eligibility and funding. Taking away or reducing the state’s support that efficient, effective choice provides without addressing underlying issues of the funding model does a disservice to the public, especially if done in haste without understanding of the potential consequences.

I am here to request that the committee continue the EdChoice program as-is, or if changes must occur, I implore you to first prioritize families who are caught in this situation, and second, maintain as much of the policy’s reform intent as possible. As I often state, school choice is not the enemy of public schools; rather, it is a component of “public education,” the ideal in the State Board of Education’s vision that all Ohioans “graduate from the PK-12 education system with the knowledge, skills and behaviors necessary to successfully continue their education and/or be workforce ready.” District schools are one delivery system, but they are not the exclusive solution. Ohio is strongest when parents are empowered with choices: traditional public, magnet, and charter schools as well as nonpublic, especially Catholic schools, which are indispensable to the future of Ohio. I implore the conference committee to be mindful of the good of the entire public, students and all taxpayers, in considering potential modifications.

Thank you for the opportunity to provide testimony. I am happy to answer any questions you may have.