



1108 City Park Avenue, Suite 200
Columbus, OH 43206
614.827.0549
ohiopoveritylawcenter.org

Testimony in Support of HB 111
Tim Johnson, Policy Advocate
Ohio Poverty Law Center
Ohio House Primary & Secondary Education Committee
November 12, 2019

Chairman Jones, Vice Chair Manchester, Ranking Member Robinson and members of the Ohio House Primary & Secondary Education Committee, my name is Tim Johnson and I am a policy advocate for the Ohio Poverty Law Center. The Ohio Poverty Law Center's mission is to reduce poverty and increase justice by protecting and expanding the legal rights of Ohioans living, working, and raising their families in poverty. Thank you for allowing me to provide testimony in support of House Bill 111 which would require schools to transfer records within five days of receiving a request.

There are over 1.7 million students currently enrolled in public schools in Ohio, and over half of those students are classified as economically disadvantaged according to the Fordham Institute. Many of these students are in situations out of their control; some may be experiencing homelessness, others may have been placed in foster care, while others may be facing food insecurity. Highly mobile students are disproportionately more likely to be poor or black. Students bring these issues into the classroom, and teachers and school administrators are tasked with providing them with a quality education and a stable learning environment. Unfortunately, that ability is hampered when educators do not have access to a student's school record.

When school records are not transferred in a timely manner, teachers and school administrators are unable to provide students with the most appropriate education possible. Students may spend weeks in an inappropriate classroom setting or the school may be failing to address certain needs of a student because they do not know that need exists. Parents are often left without any recourse and in some cases, have had to involve legal aid attorneys to try to get a student record transferred. You will hear from one of those legal aid attorneys today and her experience trying to get a school to transfer records, but several legal aid programs throughout the state have encountered this issue. I would like to offer two brief examples:

A student in Northeast Ohio returned to his old school district after being in an alternative placement due to previous behavioral incidents. While in his alternative placement the student had an Individualized Education Program (IEP) along with a corresponding Evaluation Team Report (ETR) that had information regarding his behavioral issues, contained a behavior goal, and advocated for the use of de-escalation techniques. The record was never transferred however, and the student was suspended six times before legal aid got involved and had the records transferred.

Another student had an intellectual disability with a specialized IEP. When the student's father fell ill, she was sent to live with her grandmother who resided in another school district. Due to his medical condition, the father was unable to give the grandmother a copy of the records and the student's

previous school never sent them to the new school. The student was not placed in a special education class nor was she provided speech and occupational therapy in accordance with her IEP. The student spent weeks in a regular classroom until her records were finally sent over and she placed in an appropriate classroom setting and begun receiving services.

Not having a student's records is frustrating for parents and educators alike but ultimately it is the student who suffers. Students are the ones who deal with the consequences and are further subjected to circumstances that are beyond their ability to control. It is not unreasonable to require schools to transfer records in a timely manner. Passing HB 111 will ensure that records are transferred in a timely manner so that teachers can offer the best education possible and students are placed in the best possible position to succeed. We ask you to support HB 111 to ensure a student's education is not disrupted when they change schools or school districts.

Thank you for allowing me to testify and I'll be happy to take any questions you have.