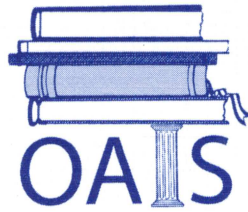


- Agnon School
- Andrews Osborne Academy
- Birchwood School
- Canton Country Day
- Cincinnati Country Day
- Cincinnati Hills Christian Academy
- Columbus Academy
- Columbus Jewish Day School
- Columbus School for Girls
- Columbus Torah Academy
- Gilmour Academy
- Grand River Academy
- Hathaway Brown School
- Hawken School
- Hershey Montessori School
- Hudson Montessori School
- Lake Ridge Academy
- Laurel School
- Lawrence School
- Linden Grove School
- Lippman Day School
- Mansion Day School
- Marburn Academy
- Maumee Valley Country Day
- McGuffey Foundation School
- Miami Valley School
- The New School
- Old Trail School
- Olney Friends School
- Ratner School
- Ridgewood School
- Ruffing Montessori School - Cleveland Heights
- Ruffing Montessori School - Rocky River
- Schilling School for Gifted Children
- Seven Hills School
- Spring Garden Waldorf School
- Springer School and Center
- Summit Country Day
- University School
- Village Academy Schools
- Wellington School
- Welsh Hills School
- Western Reserve Academy



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March 9, 2017

House Finance Committee **Primary & Secondary Education Subcommittee**

Ohio Association of Independent Schools **Dan Dodd, Executive Director**

Chairman Cupp, Ranking Member Miller and members of the committee, thank you for the opportunity to present testimony on behalf of the Ohio Association of Independent Schools regarding House Bill 49. OAIS believes HB 49 contains provisions beneficial to member schools but would ask the House to approve additional measures that, if added, would improve the educational climate for our member schools.

Auxiliary Services Funding Reform for Secular Private Schools

One priority for OAIS in this legislative session is a slight alteration to the current law regarding state funding for auxiliary services. OAIS believes the current law should be adjusted to allow secular private schools to receive auxiliary services funding directly from the state, rather than using a school district as a go-between. A school district's involvement may be appropriate for religious schools, which are forbidden by the Ohio Constitution from receiving school funds directly from the state, but such a prohibition is not necessary for schools that are not religious in nature.

There are some clarifications about this proposed change that are important to note. First, it would not change the statutory purposes for which a nonpublic school can use auxiliary funds. Second, it would relieve school districts of the burden of processing the many invoices submitted by schools. Third, by sending the money directly to the school, it reduces the likelihood that a school will have unused funds at the end of a biennium, which often happens now because school districts do not provide regular updates of the amount of money remaining and do not process invoices by the June 30th cutoff. Fourth, and perhaps most important, any money received directly by a secular private school would be subject to a regular audit by ODE.

The fundamental effect of this proposed change would mean fewer bureaucratic costs, more money spent directly in classrooms, and more effective use of tax dollars.

Private School Deregulation

Education deregulation became a high priority last session with Senate Bill 3. Absent in that discussion was significant regulatory relief for private schools. OAIS believes HB 49 is an opportunity to provide relief for OAIS member schools that are accredited by the Independent Schools Association of the Central States (ISACS). Such relief, provided on a two-year pilot project basis, could help more schools in the future.

In both 2013 and 2015, each house of the General Assembly approved a graduation test exemption for schools accredited by the Independent Schools Association of the Central States (ISACS). ISACS-accredited schools are members of OAIS and this exemption is part of the long-term goal of OAIS to receive greater operational and curricular freedom from burdensome state mandates. OAIS requests that ISACS-accredited schools receive additional relief from statutory and regulatory burdens through the creation of a division of Accredited Nonpublic Schools. The Ohio Department of Education (ODE) would retain some jurisdiction and oversight over these private schools, but the curricular and operational requirements found in state statute and rules would be limited in favor of the standards found within the ISACS accreditation process. Under the proposal, Ohio would still regulate independent schools more than most states, but the proposal from OAIS would bring Ohio more in line with other states that have significantly less state regulation of private schools.

We are aware that other nonpublic school associations believe their schools should receive similar treatment. OAIS believes those associations ought to present realistic criteria that make sense for the state. It is unrealistic and even ill advised to attempt to extend such deregulation to every school accredited by all of these accrediting associations, regardless of the school's documented performance, especially when considering the extensive use of EdChoice and Cleveland scholarships by most of these schools. By using ISACS-accredited schools as the first group of schools in a pilot program, both the General Assembly and ODE can gauge the effects of such deregulation at high-performing schools before determining if such freedom should be extended to more schools.

High School Athletics Reform

OAIS continues to advocate for the General Assembly to take a more active role in the governance of high school athletics on behalf of private schools. It is a promoted belief of the Ohio High School Athletic Association (OHSAA) that athletic participation by high school students is an integral part of a student's academic experience. Unfortunately, OHSAA continues to promote rules and by-laws that specifically prohibit some students attending private schools from playing any sports based on their national origin, while allowing other public and private school students from other countries to play. OHSAA also continues to enforce marketing restrictions and transfer policies on private schools that inhibit a school's basic freedom of speech and marketing efforts, even if those efforts are completely unrelated to athletics, thereby limiting the ability of school choice to thrive in Ohio.

The OHSAA's current bylaws specifically prohibit "non-resident" foreign or out-of-state students enrolled at a school in Ohio from participating in any OHSAA-sanctioned events or any club teams in sports sanctioned by the OHSAA. The OHSAA bylaws do allow an exception for exchange students. This means that students attending a private school since the 6th grade may not play any sports in grades 9-12, yet a student who is here for one year may participate. The current bylaw is designed to discriminate against private schools, which often enroll foreign students for multiple years, as opposed to exchange students who may attend public schools for one year.

According to OHSAA rules, the principals or administrators of member schools vote for the approval or disapproval of OHSAA bylaws. The overwhelming majority of OHSAA members are taxpayer-funded public schools, with those principals (paid with taxpayer dollars) voting in their official capacity as public school principals. While the OHSAA claims to be a private organization, it would essentially cease to exist without the participation and dues paid by taxpayer-funded public schools, yet the organization continues to promote policies that are contradictory to Ohio's position on private school choice. As a result, OAIS proposes that the Joint Education Oversight Committee (JEOC) be given oversight of high school athletics by-laws and be granted authority to make recommendations regarding OHSAA by-law changes to the General Assembly for adoption. Additionally, OAIS requests that all international students who are legally attending high school in Ohio under a valid visa be allowed to participate in athletics for the duration of their legal high school attendance.

Thank you for the opportunity to present testimony on behalf of OAIS. I'd be happy to answer any questions you may have.