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Development, and Natural Resources

Ohio General Assembly
Ohio House of Representatives
Representative Jim Hoops

December 2, 2020

Good Morning Chairman Jones, Vice Chairman Manchester, Ranking Member Robinson, and members of the House Primary and Secondary Committee, thank you for the opportunity to present sponsor testimony on HB 653 today along with our colleague, Representative Miller.

The purpose of this legislation is to right two wrongs that were incorporated, without notice or hearings, in the last budget bill, HB 166, passed by this General Assembly in June of 2019.

The first involves the eligibility of international students to participate in interscholastic athletics for Ohio schools that are members of the Ohio School Athletic Association (OHSAA). Most such students are in Ohio on what is known as a J-1 Visa and are either living here with their parents or are here for one year of academic study under the specific guidelines of the United States Department of State's Visitors Exchange Program. These exchange students, of which we have more than 600 each year, are placed randomly into both public and nonpublic schools in accordance with government standards that make sure the students are safe and free from exploitation.

F-1 Visa students, by contrast, are often recruited to the United States for their athletic prowess and once here, are often subject to exploitation, as has been documented throughout the country. F-1 Visa students are permitted by federal law to enroll in nonpublic schools for their entire secondary education, grades 7-12. Conversely, these same students can only attend a public high school for one year.

Section 3313.5315, inserted in HB 166, upsets the balance of competitive eligibility that the association had worked diligently to establish and maintain over the years, because it allows for as many as 5 years of eligibility

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for international students at nonpublic schools while it restricts those attending public schools to one year of eligibility.

HB 653 would limit that multi-year eligibility to students attending nonpublic schools that began operating a dormitory on campus prior to 2014 and would eliminate any such multiple year eligibility for F-1 Visa students at other nonpublic schools.

As a result, the balance of competitive eligibility that the OHSAA and its member schools had been able to establish over the years will be restored.

Language inserted into HB 166 and codified in ORC 3313.5315 mandates that transfer rules for interscholastic athletes in Ohio be the same for both public and nonpublic students. Practically speaking, this is a near impossibility. For example, eligibility for public school students begins with the right to attend school and compete in athletics in the school district in which that student resides. No such requirement applies to a student who attends a non public school. ORC 3313.5315 has created a loss of transfer of privileges for both public and nonpublic high schools. By repealing that code section in HB 653, the balance of eligibility upon transferring schools that has been developed through the democratic processes of OHSAA over the years will again be possible.

Thank you for this opportunity to explain the reason and foundation for HB 653, we would be happy to respond to your questions.