



## **State Representatives Adam C. Miller**

### **Representative's Sponsor Testimony on Behalf of HB 403 Regarding Teacher Background Check Loophole Before House Primary and Secondary Education Committee (As Prepared)**

Thank you members of the committee, Chair Manning, Vice Chair Bird, and Ranking Member Robinson for allowing us to testify on behalf of HB 403. I also want to thank my friend and Joint Sponsor, an expert on these issues, Representative Fowler Arthur.

This bill would require a school district superintendent or administrator of a public or chartered nonpublic school to file a report with the ODE regarding a teacher that *retired* under threat of disciplinary investigation.

Under current law (ORC 3319.313), schools are only required to report when a teacher *resigns* under threat of termination or nonrenewal of a contract while under investigation.

Thus, a teacher can retire while under investigation for disciplinary action and then apply to work for another school or school district, while a teacher who resigned under the same circumstances would be reported to the Department of Education and any school district or school would be on notice.

Recently, an Ohio school district had five teachers resign and one retire while under investigation into alleged inappropriate behavior involving pictures and text messages about a student. Closing the loophole would mandate all six teachers be treated the same and reported to the ODE.

Closing the Background Check Retirement Loophole protects students and parents. It also protects school districts.

A teacher who retires while under investigation would still have all their rights under law, but would be reported to ODE like other similarly situated teachers.

Thank you for your time. We will be happy to answer any questions.