



House Ways and Means Committee
House Bill 126 – Opposition Testimony
March 9, 2021

Ryan Pendleton, CFO/Treasurer, Akron Public Schools
The Ohio 8 Coalition

Chairman Merrin, Vice Chair Riedel, Ranking Member Sobecki, Members of the Ways and Means Committee, thank you for giving me the opportunity to provide written opponent testimony on H.B. 126.

My name is Ryan Pendleton, CFO/Treasurer of Akron Public Schools (APS). We are the fifth largest urban district in Ohio with approximately 21,000 students enrolled. Joining me in this testimony is [The Ohio 8 Coalition](#) -- a strategic alliance composed of the superintendents and teacher union presidents from Ohio's eight urban school districts – Akron, Canton, Cincinnati, Cleveland, Columbus, Dayton, Toledo and Youngstown serving nearly 200,000 students across Ohio. The Ohio 8 Coalition's mission is to work with policy makers to improve academic performance, increase graduation rates and close the achievement gap for urban children throughout Ohio. The Coalition carries out its mission by working closely with legislators, educators, parents, labor and community officials. The Coalition brings a shared administrator-teacher voice to help shape state education policy.

Akron Public Schools files increase complaints as to commercial property to make up the loss of revenue from decrease complaints. APS files counter-complaints to protect existing revenue. Over an economic cycle, the loss and gain of revenue from commercial decrease and increase complaints offset each other. Our ability to manage local property taxes directly impacts our funding and the need to secure additional resources from the voters and the General Assembly.

H.B. 126 is **NOT** the compromise Bill passed by the Senate at the end of December, 2020, with H.B. 75 through the leadership of Senator Manning. H.B. 126 is **NOT** the compromise Bill agreed to on December 7, 2018, at an Interested Parties meeting at the Statehouse on H.B. 343. Senator John Eklund, the Chair of the Senate Ways & Means Committee lead the meeting attended by the Bill's sponsor Rep. Derek Merrin along with lobbyists and attorneys from various educational, governmental and business groups. There was an open discussion among the parties with compromises among the participants. Rep. Merrin conveyed to the participants his interest in a compromise Bill. Senator Eklund ascertained Rep. Merrin's approval for any changes in the Bill. On December 13, 2018, the Senate Ways and Means Committee passed H.B. 343 based on the compromises agreed to by the sponsor and Interested Parties.

The compromise legislation addresses the concerns of the proponents that the elected board of education is aware of and approved the filing of increase complaints.

H.B. 126 largely reverts to the original H.B. 343 and H.B. 75 introduced in the two prior House sessions yet later amended by the Senate.

First, there is a requirement in H.B. 126 which was not included in both compromise Bills for a board of education to approve the filing of a counter-complaint filed in response to a taxpayer-initiated decrease complaint. A board of education filing a counter-complaint is responding to the taxpayer initiated complaint to request the Board of Revision to retain the existing value and attend the hearing. H.B. 126 creates unnecessary requirements for a board of education to file a counter-complaint. In the 30 day time period provided under law to file a counter-complaint, a board of education must receive the complaints, review the complaints, prepare a notice letter to the taxpayer for each complaint, serve by certified mail the notice letter at least 14 days in advance of a Board meeting to approve the filing of a counter-complaint, and prepare and file counter-complaint. Second, H.B. 126 include notice requirements to taxpayers for increase and counter-complaints removed in the compromise legislation. The notice requirements for increase complaints duplicate the notice provided by the Board of Revision. Further, a board of education meeting is not the forum to discuss the merits of a tax complaint. While intended to ensure a board of education is aware and approves the filing of complaints, H.B. 126 creates a cumbersome process for our school board to protect revenue.

We request that the Committee amend H.B.126 or incorporate the compromises agreed to by all parties, including Rep. Merrin, and approved by the Senate Ways & Means Committee, Senate Local Government Committee, and the Senate in the prior two sessions.

We appreciate your consideration of our objections and look forward to working with interested parties, the sponsor, and the committee for additional discussions.

Thank you,

A handwritten signature in black ink that reads "Ryan Pendleton". The signature is written in a cursive, flowing style.

Ryan Pendleton, CFO/Treasurer

The Ohio 8 Coalition