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Senate Finance Committee

K-12 Education

Agudath Israel of America (Ohio)
Rabbi Eric "Yitz" Frank, Ohio Director

May 17th, 2021

Chairman Dolan, Vice Chair Gavarone, Ranking Member Sykes and esteemed members of the committee, we greatly appreciate your service and the opportunity to testify today. Ohio's biennial budget, as passed by the House in HB 110, has a number of positive provisions. We also have some suggestions for improvement. I make my comments today as a representative of schools in the Jewish community, as well as in the broader context of recognizing that Ohio has made a historical commitment to families in the context of K-12 education.

Auxiliary Services and Administrative Cost Reimbursement

Two of the ways that Ohio supports chartered nonpublic school students is through the Auxiliary Services Fund and through the Administrative Cost Reimbursement. We appreciate the continued funding for auxiliary services and administrative cost reimbursement. These funds provide instructional services and secular resources to students and reimburse our schools for some of the costs associated with complying with government mandates.

Governor DeWine has proposed increases in both line items. We support that request. In addition, we strongly support one change to the auxiliary services component that has been recommended by Governor DeWine and retained by the House. Current law sends auxiliary services funds through school districts to provide services to religious non-public schools. Secular schools are provided these funds directly. Considering the United States Supreme Court's decision in "Espinoza," it is unconstitutional to continue this disparate treatment. We commend Governor DeWine for proposing this change. In addition to the fairness inherent in this recommendation, this change would also likely lower the costs of the services that this important program provides, and thereby increase the level of services students can receive. In addition, the quality of personnel and service will be increased through the likely involvement of additional providers that can be selected competitively by the chartered non-public school.

EdChoice

Ohio has historically invested in strengthening the education provided by chartered nonpublic schools. Separately, but importantly, we have invested in affording families the ability to choose the school of their choice. In theory, "school choice" is available to all Ohioans, except that for most families, when their assigned public school does not meet their child's needs, they're stuck. They can't afford to move to a different district or pay for a private education. To the parent of the child who is being bullied or who feels their child isn't a good fit in the local public school, it doesn't matter what the district is rated on a report card. All that matters to that parent is that their child is not in the most appropriate setting for their learning needs. Continuing to enable parents to make that choice is good for kids and good policy. Last General Assembly, this body supported and enacted important steps to strengthen these scholarship programs.

We appreciate the work done by the Ohio House to improve funding levels for education. However, the House Passed version of H.B. 110 failed to address a needed increase in the



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value of scholarships. The current scholarship values for the EdChoice, Cleveland, Autism, and Jon Peterson scholarships have been locked in at the same levels since 2015. **We recommend that these amounts be increased and indexed to future funding increases.**

As Ohio recovers from the Covid-19 Pandemic, Ohio families need more options and empowerment than ever before. **We should strongly consider allowing more middle-class families to access this scholarship by raising the income limits to our EdChoice Income Based Scholarship, which is currently capped at 2.5 times the poverty level.**

Furthermore, the language the House passed that would directly fund scholarships is not completely protected from a line-item veto. This should be rectified by the Senate. Should the Senate fund choice programs directly, the Income Based Scholarship program must be funded via the same line item as the other programs of choice. If the Income Based Program does remain with an independent line item, the line item should be funded at the amount appropriated for FY 21 (approx. \$120 million) in order to accommodate eligible families seeking to participate in this popular and growing program.

Security

We strongly support the language that was included by the House providing security funding for at risk nonprofit organizations, including nonpublic schools. This program has been approved in successive General Assemblies with bipartisan support and we urge its retention by the Senate.

Transportation

Ohio has provided transportation to all students in Ohio regardless of whether they attend public, non-public, or charter school since 1967. This past year has laid bare the reality that the law which has always worked well and has generally led to collaboration between nonpublic schools and their district counterparts has created situations where students have not been effectively served. The Governor's proposal to strengthen the transportation provisions should be strongly supported. We would also recommend an increase to the "payment-in-lieu" provisions to ensure that families have safe options to send their children to school.

We thank you for your time and would be happy to answer any follow up questions.

Agudath Israel serves as a liaison between government and the entire spectrum of Orthodox Jewish educational institutions including more than 250,000 students attending Jewish nonpublic schools across the country. Rabbi Frank serves on the State Superintendent's nonpublic school advisory committee