



**Opponent Testimony of Ken Swink and Tamra Hurst
Ohio Council of Educational Purchasing Consortia (OCEPC)**

**Ohio Senate Local Government and Elections Committee
Senate Bill 260
November 15, 2022**

Chair Gavarone, Vice Chair O'Brien, Ranking Member Maharath, and Members of the Committee, thank you for the opportunity to provide testimony in opposition to SB260. My name is Ken Swink, and I am the Executive Director of the Southwestern Ohio Educational Purchasing Council, a Regional Council of Governments under Ohio Revised Code 167.081 representing 263 school districts and public entities. I am also the Chairperson of the Ohio Council of Educational Purchasing Consortia (OCEPC), representing the six Regional Council of Governments (COG) that legally bids and procures construction services in the state of Ohio. With me today is Tamra Hurst, who is the former Director of Cooperative Purchasing, Stark County Schools Council of Governments one of our member COGs, and a current Consultant to the OCEPC.

The Ohio Council of Educational Purchasing Consortia (OCEPC) collects administrative fees from vendors in the same way that out of state purchasing cooperatives do. But where we differ from the proponents of this bill is the fact that Ohio schools benefit from all administrative fees collected by OCEPC in the form of cash rebates or services and/or programs provided to schools at a reduced cost or at no direct cost to the school. These funds allow Ohio schools to keep general fund dollars in the classroom to help students.

My individual Council, the Southwestern Ohio EPC alone has given back over 8 million dollars directly to our member schools over the last 9 years. Dayton Public Schools has received \$455,000, Kettering City Schools \$322,000, Northmont City Schools \$295,000 and Springfield City Schools \$275,000. Each of our member COGs have similar stories as this. These investments would not be possible without the administrative fees that currently stay right here in Ohio. If SB260 is approved, these administrative fees will be taken away from Ohio Public Schools and sent to out-of-state for-profit co-ops in Minnesota, Tennessee and Texas where they will go unaudited by the Ohio Auditor of State.

We also have serious concerns about whether these out-of-state deals comply with Ohio competitive bid laws. If SB 260 passes, it will be up to school administrators to determine if contracts being offered follow Ohio's laws. In today's world, school board members and school administrators do not need more ambiguity, more risk, or more questions about whether a contract will meet state law.

Finally, proponents of this bill have been provided with the opportunity to participate in public construction related bids through the OCEPC and have chosen not to do so, preferring to operate through for-profit national cooperative purchasing entities located outside the State of Ohio.

We respectfully request that you reject SB260 and keep Ohio tax dollars in Ohio supporting Ohio Public Schools. Thank you for the opportunity to testify today and we are happy to answer any questions.

Sincerely,

Ken Swink

Executive Director, Southwestern Ohio Educational Purchasing Council
Chair, Ohio Council of Educational Purchasing Consortia (OCEPC)

Tamra Hurst

Former Director of Cooperative Purchasing, Stark County Schools Council of Governments (COG), and a current Consultant to the OCEPC