

March 20, 2023

Chairman Adam Bird
Primary and Secondary Education Committee
Ohio House of Representatives

Dear Chairman Bird:

As a homeschool parent I am very concerned about current proposed changes to homeschooling regulations. This letter serves as my response to proposed legislative changes in HB 12 and SB 1.

I ask and encourage you to adopt the language as recommended by the Christian Home Educators of Ohio Association which clarifies that homeschooled students are “exempt” and not “excused” in the Ohio Revised Code. This organization speaks for and represents a vast number of homeschooling families in our state. I have attached their language recommendations to this letter. Although this may seem like an insignificant change, I assure you it is not. The implications of the word “excused” are great and I fear may carry unintended consequences.

It is my understanding that Sub. SB 1 has been reassigned to a different committee. If you are able to have any continued influence through conversations with Chairman Swearingen, please convey that it’s still important to remove the paragraph that subjects home educated students to the state truancy statute. This amendment added by the Senate is unnecessary and invalid. A child in the presence of a parent for the purposes of education is by definition not “truant”.

I appreciate your time and consideration regarding this critical issue.

Respectfully submitted,

Chris Farabaugh
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RC 3321.042 in substitution for lines 45173 through 45190 on p. 1554

(A)(1) Home education means the education of a child, between six and eighteen years of age, that is directed by the child’s parent, as defined by 3321.01 of the Revised Code. It does not include education provided to a child who is enrolled full time in a public or chartered nonpublic school.

(2) A child receiving home education in the subject areas of English language arts, mathematics, science, history, government, and social studies is exempt from the provisions of section 3321.04 of the Revised Code.

(3) Within 5 calendar days after the commencement of home education, or within 5 calendar days after moving into a new school district, or within 5 calendar days after withdrawal from public or chartered nonpublic school enrollment, and by August 30th

annually thereafter, the parent or guardian shall transmit a notice to the superintendent of the school district in which the child resides. The notice shall provide the parent's name and address, the child's name, and an assurance the child will receive education in the subjects required under this section. The exemption is effective immediately upon receipt of the notice. The superintendent shall acknowledge receipt of the notice to the parent in writing within 14 calendar days. The child exempt under this section shall not be required to be excused under section 3321.04 of the Revised Code.

(B) A child that is being enrolled in a public school following any period of home education shall be placed in the appropriate grade level, without discrimination or prejudice, based on the policies of the school district in which the child is being enrolled.

(C) This section shall not be subject to regulations promulgated pursuant to Chapter 119 of the Ohio Revised Code.

RC 3301.0712 (E)(1) line 10003, delete "has been excused" and insert "is exempt" on p. 348.

RC 3301.731 line 10967 after "with" insert "and shall be limited to" on p. 381

RC 3301.132 line 11525 on p. 400 at the end of the section insert "Administrative rules in for the issuance of excuses from compulsory attendance for the purpose of home education pursuant to 3321.04(A)(2) shall be repealed after the effective date of section 3321.042 of the Revised Code."

RC 3301.70 (B)(1) line 19475, delete "has been excused" and insert "is exempt" on p. 673.

RC 3301.70(E)(5) line 19551, delete "has been excused" and insert "is exempt" on p. 676.

RC 3313.5312(C) lines 22091 through 22102 on p. 762

Line 22091 delete everything after the comma and insert a period. Delete lines 22092 through 22097.

Line 22098 delete "(2)"

RC 3313.6110(A) line 24453, delete "instruction" and insert "education" on p. 843.

RC 3314.041 lines 31631 through 31634 on p. 1089

Line 31631 after "who" delete "have been" and insert "are"

Line 31632 delete "excused" and insert "exempt"

Line 31633 after "education" delete "as defined by the Administrative Code" and insert ", pursuant to section 3321.042 of the Revised Code,"

Line 31634 after "be" delete "excused" and insert "exempt"

RC 3321.03(C) line 45096, following "3321.04 or" insert "exempt pursuant to" on p. 1551.

RC 3321.13(B)(1) line 45261, following "residence" insert "or for the purpose of home education pursuant to section 3321.042 of the Revised Code" on p. 1557.

RC 3321.13(B)(2) line 45344, following "or" insert "exempt under" on p. 1559

RC 3331.02(A)(2) line 50379, following "child" delete "excused" and insert "exempt" on p. 1731.

In line 50381 on p. 1732, delete everything after “Code” and insert a period.
Delete lines 50382 and 50383.

RC 3331.04(B) line 50516 on page 1736 after “who” insert “is not exempt from enrollment pursuant to section 3321.042 of the Revised Code and who”
Insert a new paragraph (C) which states: “Beginning July 1, 2023 an age and schooling certificate may be issued by a parent of a child over sixteen years of age who is exempt from enrollment pursuant to section 3321.042 of the Revised Code.

In line 50525 on p. 1736 change the designation for paragraph (C) to (D).

RC 3331.08 line 50532, delete “or 3321.042” on p. 1737.

RC 3333.31(F)(1)(a) line 51282 after “of” delete “instruction” and insert “education” on p. 1762.

RC 3333.86 line 51715 delete “instructed” and insert “educated” on p. 1778.

RC 3345.06(B)(4) line 51870 delete “instruction” and insert “education” on p. 1783.

RC 3365.01(H) lines 52214 - 52215 delete “has been excused” and insert “is exempt” on p. 1795.

RC 3365.02(B) line 52318 after “who” delete “has been excused” and insert “is exempt” on p. 1798. On line 52326 after “home-” delete “instructed” and insert “educated” on p. 1799.

RC 3365.03(A) line 52342 delete “has been excused” and insert “is exempt” on p. 1799.

RC 3365.03(A)(2) line 52408 delete “instructed” and insert “educated” on p. 1801.

RC 3365.033(A) line 52570 after “who” delete “has been excused” and insert “is exempt” on p. 1807.

RC 3365.034(B)(2) line 52615 delete “instructed” and insert “educated” on p. 1808.

On line 52619 after “home-” delete “instructed” and insert “educated” on p. 1808.

RC 3365.035(C) line 52652 after “home-” delete “instructed” and insert “educated” on p. 1810.

RC 3365.07 line 52933 after “home-” delete “instructed” and insert “educated” on p. 1819.

RC 3365.07(D) line 53067 after “home-” delete “instructed” and insert “educated” on p. 1824.

RC 3365.07(F)(2) line 53130 after “home-” delete “instructed” and insert “educated” on p. 1826.

RC 3365.071(A) line 53149 after “home-” delete “instructed” and insert “educated” on p. 1827.

RC 5103.55 line 58628 delete underlined “or 3321.042”. Delete the period following “Code” and insert a comma. Insert “unless the child is exempt from compulsory attendance pursuant to RC 3321.042.” on p. 2015.

RC 5107.281(D) line 59415 after “or” insert “exempt under” on p. 2043.