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Opponent Testimony for H.B. 445
Primary and Secondary Education Committee
November __11_, 2024

Halle Ricard

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Chair Gayle Manning, Vice Chair Sarah Fowler Arthur, Ranking Member Phillip M. Robinson, Jr., and members of the Primary and Secondary Education Committee,

Thank you for carefully reading and considering my statement. My name is [insert your full name and pronouns]. I am a [insert the perspective you bring to the testimony/your role in your community and where you work/live]. I am writing to express my opposition to HB 445, which seeks to alter the well-established system of Released Time Religious Instruction (RTRI) by changing the permissive "may" to "shall" in Section 3313.6022 of the Ohio Revised Code. I believe this unnecessary bill threatens the autonomy of local school boards and undermines constitutional principles. I urge you to oppose this legislation for several key reasons:

The governing power over educational policies should remain with locally elected school boards. These boards are best positioned to understand and address the unique needs of their communities. School boards in Ohio derive their authority primarily from Ohio Revised Code Chapter 3313, which grants them the power to adopt policies for the governance of their schools. School boards have been granted significant governance powers over matters directly related to the management of their school districts. These powers allow the elected officials on local school boards to tailor their policies to the unique needs of their students and communities. Ohio courts have consistently upheld the importance of local control in public education decisions, reinforcing that state mandates should not undermine this principle, particularly in areas of policy and operations. These decisions have reinforced the governing power of local school boards.

The Ohio Department of Education and the Ohio School Boards Association, emphasize the critical role that local governance plays in ensuring that public education serves the best interests of students, free from unnecessary state mandates.

- "Each child deserves to be educated in a way that meets their unique needs. Local school boards, working in collaboration with educators and families, play a pivotal role in creating tailored educational experiences that reflect the values and priorities of their communities."[1]
- "Local control is essential to the success of Ohio's public schools. School boards are directly accountable to the communities they serve, giving them the flexibility and responsibility to create policies and allocate resources that address specific needs within

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[1] "Each Child, Our Future" (2018 Strategic Plan)

the district. Local governance ensures that decisions about education are made by those who know the students and families best."[2]

- "Local school boards are best suited to make decisions about the education of students in their districts. These boards understand the unique circumstances and challenges faced by their communities and are able to implement policies that reflect local priorities while meeting state requirements. Centralized decision-making undermines the ability of school boards to serve their students effectively."[3]

Additionally, in 1988 Ohio Attorney General Anthony J. Celebrezze Jr. put out guidance for RTRI in which he covered the issue of policy governance in depth and stressed the importance of local decision making in OH AG OPINION NO. 88-001 saying:

R.C. 3313.20 and R.C. 3313.47 confer authority upon a board of education, in the reasonable exercise of its discretion, to adopt whatever policies it deems necessary for the government of the pupils of its schools. Thus, whether a board of education should adopt a religious instruction released-time policy is a matter that must be resolved by the board itself, taking into account the particular circumstances of the school district in question and the need within the school district for such a policy."

Please consider my testimony and oppose H.B. 445. Please leave important decisions about when to adopt policy to the local school boards.

[2] "Guide to Boardmanship" OSBA
[3] "Legislative Platform" OSBA