

Ohio Alliance of Independent Schools

- Andrews Osborne Academy
- Bethany School
- Birchwood School of Hawken
- Canton Country Day School
- Central Montessori Academy
- Cincinnati Country Day School
- Cincinnati Hills
Christian Academy
- Columbus Academy
- Columbus Jewish Day School
- Columbus School for Girls
- Columbus Torah Academy
- Gilmour Academy
- Grand River Academy
- Hathaway Brown
- Hawken School
- Hershey Montessori School
- Hudson Montessori School
- Jos. and Florence Mandel Jewish Day School
- Lake Ridge Academy
- Laurel School
- The Lawrence School
- The Lillian and Betty Ratner School
- Linden Grove School
- The Lippman School
- Mansion Day School
- Marburn Academy
- Maumee Valley Country Day School
- McGuffey Montessori School
- The Miami Valley School
- The New School
- Old Trail School
- Olney Friends School
- Ridgewood School
- Rockwern Academy
- Ruffing Montessori - Cleve. Heights
- Ruffing Montessori - Rocky River
- The Schilling School for Gifted Children
- The Seven Hills School
- Summit Country Day School
- University School
- Urban Community School
- Wellington School
- Welsh Hills School
- Western Reserve Academy

November 20, 2024

House Primary and Secondary Education Committee

House Bill 407 – Opponent Testimony
Dan Dodd – Executive Director
Ohio Alliance of Independent Schools

Thank you for the opportunity to submit testimony regarding HB 407. My name is Dan Dodd and I serve as Executive Director for the Ohio Alliance of Independent Schools

Testimony I previously submitted for the As Introduced version of HB 407 focused on changes made to testing for chartered nonpublic schools. While we are pleased many of those changes are not in the substitute bill, several provisions regarding chartered nonpublic school operations are still in the bill and are cause for concern.

Admissions criteria (lines 26-33): The information requested adds an administrative burden to schools as part of an EdChoice process that has no shortage of burdens. It is information that will be collected by DEW and will sit there. Every time that process or those criteria change, it has to be reported to DEW and the information serves no discernible purpose. We would recommend not adding more red tape to the process.

Prior enrollment data (lines 34-55): Again, the bill requires each chartered nonpublic school to individually report all of this data to DEW every single year, adding yet another burden. Unlike the admissions criteria, though, all students are filling out the same EdChoice application with DEW. Instead of hundreds of schools collecting this information and sending it to DEW, why not make it a part of the EdChoice application and have DEW collect it when the families fill out the application?

Disciplinary records (lines 245-253, 617-640): Unlike public schools, private schools have no liability protection under sovereign immunity or other state statutes. Once disciplinary records are sent to another party, they are considered published and the school is exposed to a potential libel action if the parents of the student disagree with the assertions made within the records. By including disciplinary record in the definition of “school records” in ORC 3319.324, you are exposing schools to lawsuits. As you know, such lawsuits are rarely successful but are often settled and end up increasing insurance premiums for the school.

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Scholarship granting organization (SGO) provision (lines 167-180):

These lines are problematic for both SGOs and schools. First, the provision has a requirement posting aggregate data regarding all scholarship recipients but is silent on who reports the data to DEW. Currently, SGOs do not interact with DEW as they are overseen by the Attorney General. Second, SGOs are not required by law to send scholarship awards directly to the school and it is possible for schools to not know who is a recipient of an SGO award. If the school is not aware of a family that received an award, they are certainly not able to report it to DEW.

The data published by DEW would also be functionally useless. There are so many variables that go into calculating who receives awards from SGOs that trying to discern anything from aggregate data statewide would be impossible. Even doing it at the SGO level fails to account for the specific circumstances of participating families and schools that make a SGO award needed.

OAIS member schools believe significant improvements could be made to the burgeoning SGO program to enhance accountability. The SGO-related provisions in HB 407, however, do not add anything for accountability but do add bureaucracy. We believe the General Assembly should focus more on these structural improvements and should avoid adding more layers of compliance requirements.

Thank you for the opportunity to testify regarding HB 407. I would be happy to answer any questions you may have.