



OHIO CHRISTIAN EDUCATION NETWORK

A Network of Center for Christian Virtue

HB407 Interested Party Testimony
House Primary and Secondary Education Committee
Troy McIntosh, Executive Director
November 20, 2024

Good afternoon Chair Manning, Vice Chair Fowler Arthur, Ranking Member Robinson, and members of the House Primary and Secondary Education Committee. My name is Troy McIntosh and I serve as Executive Director of the Ohio Christian Education Network, a network of 185 Evangelical and Catholic schools across the state. Most of our schools are EdChoice providers and are committed to offering high quality educational options to students and families in their communities. We are testifying as an interested party in HB407

As you may recall, I testified in June in opposition to this bill. I would like to thank Chair Manning and Rep. Seitz for meeting with us afterward to hear in more detail our concerns. We appreciate their willingness to address three problems that we saw with the bill by removing them from the sub version. The removal of these provisions mitigates our opposition to the bill, however we still remain concerned about other provisions of the bill and the effects that they could have on the EdChoice program. While we do not advocate for passage of the bill, we recognize that the most harmful or impractical provisions have been removed. So while our initial review of the sub bill brings us today as an interested party, further review or changes to the bill could cause us to oppose it again because we firmly believe that EdChoice serves students best when the state does not overregulate providers. In particular, the bill's requirement that DEW create a report card for EdChoice providers is concerning, without knowing what the form of that would look like. We think this could be done in a manner that is either helpful to families or quite misleading to them.

We wish to remind the committee that the value of school choice programs like EdChoice is that it empowers parents to make the best decisions for the children, thereby providing a more proximate and effective accountability to schools than government regulations can provide. When the state begins to regulate private schools in similar ways to public schools, it ends up with schools that are, not surprisingly, all quite similar, defeating the purpose of school choice programs. We urge the General Assembly to avoid overregulation, leave some measure of accountability in the hands of the Ohio's families, and allow the innovation that free markets bring to education providers. Ohio students need real choices, not programmatically similar schools with little difference among them.

As the committee continues to review this bill, there are a few specific things we recommend you keep in mind.

1. **The EdChoice Program does not fund private schools.** On the contrary, it funds parents and the money goes directly to the parents in the form of a scholarship. Chartered non-public schools receive funds only in the form of tuition payments from parents, which may or may not include EdChoice scholarship money. Attempting to regulate an entity that is not a primary recipient of state funding is overreach. There is, in fact, legal precedent for this. Federal programs like Title I or II that flow through the state or LEAs do not cause schools to be designated as a recipients of



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federal funds, so they are not required to comply with federal regulations. In the same way, EdChoice funds that flow through parents and families should not cause EdChoice provider schools to be considered the recipient of state funds. Further, the US Supreme Court has ruled just this in the 2002 Zelman case that originated here in Ohio.

2. **Real accountability only takes place when parents have the freedom to take their child's education money and go elsewhere.** The power of Ohio's school choice program is that a dissatisfied parent can leave their school and find one that better serves their child, while taking funding with them. Real accountability best takes place at the level of subsidiarity, not at the bureaucratic level. If the state is going to collect any data on the effectiveness of the EdChoice program we recommend it use subsidiarity metrics like parent satisfaction levels.
3. **Every EdChoice provider school is already chartered by the state and, with just minor exceptions, already must comply with the same [Operating Standards for Ohio School's](#) to which each public school must comply,** including regulations on a) Purpose and Definitions, b) Governance, Leadership and Strategic Planning, c) Blended Learning, d) Student and Stakeholder Focus, e) Faculty and Staff Focus, f) Educational Programs and Support, and g) Data-Driven Improvement. All students graduating from EdChoice providing schools right now must complete the graduation requirements that public school students must complete, with the only difference that they may use alternative assessment rather than the state exams. But there are still criteria set by the state for scoring points on the alternate exams.

All to say, don't believe the rhetoric of anti-school choice folks who claim EdChoice schools are unregulated. That is simply not true.

Once again, thank you Chair Manning and Rep. Seitz for listening to and responding to our concerns in the initial bill. Our member schools value serving as EdChoice provider schools because they view it as part of their mission to serve the children in their community. And they are doing it extremely well. We simply encourage the committee to continue to provide an environment that allows them to best serve their students and families.