

Philip Green
Forest Unschool
Proponent Testimony
HB 602
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Ohio House Public Health Policy Committee – HB 602 – Proponent Testimony

Chairman Mathews, Vice Chair Brian Stewart, Ranking Member Liston, and members of the House Public Health Policy Committee, thank you for the opportunity to speak to you today in support of House Bill 602. My name is Philip Green, I run Forest Unschool, a homeschool co-op in Batavia, Ohio. I was homeschooled and hope to make homeschooling as accessible and diverse as possible for future generations.

I am here today on behalf of Forest Unschool. On February 20th, 2024, we were contacted by the Ohio Department of Children and Youth (ODCY) regarding a complaint that we were operating an unlicensed daycare out of a home. On March 1st 2024, we were informed that we were not exempt from licensing and could have no more than six children dropped off. At the time, we typically had approximately ten children dropped off, plus several more with parents or relatives who stayed, some under school age. Due to the restriction, during the spring, we had one family drop out, paused recruitment of new members and had to ask more parents to stay.

During this time, I sought legal advice from Mike Donnelly of Yes! Every Kid Foundation. We contested the ruling and in early May we were again informed we were not exempt. However, we continued to fight and finally, on May 17th, we were informed that we are indeed exempt and the ODCY closed the case. I hope HB 602 prevents other homeschool groups from going through the same process as us, perhaps with worse results.

Providing clear protection from regulation and zoning for homeschooling groups would reduce barriers for starting them and protect those currently operating. Starting a homeschool group is a significant undertaking, determining and complying with legal code is one major obstacle. I personally know someone who decided not to start a home co-op due to concerns about regulations and zoning.

Recent research by Michael McShane, part of EdChoice, indicates that parents are looking for microschoools and learning pods, more so than even private schools. We are concerned that HB602 does not do enough to protect all alternative education options for homeschoolers in Ohio. We suggest including exemptions for microschoools and new language for (V)(3), which currently reads, “at least one parent of any of the children participating in the pod must be on the premises while the pod is meeting”.

I know of many situations where a parent or guardian shares the responsibility for homeschooling a child. Grandparents, aunts/uncles, adult siblings, step-parents, or nannies are just a few examples of other people who help homeschool a child, including taking them to co-ops. My niece and nephew attend Forest Unschool while their parents work, we meet at my mom’s (their grandma’s) house, she watches them and helps run the group. However, since neither of us is a parent to a kid in the group, the current language would not protect us. Luckily, we have two other parents who stay on site, but illnesses, vacations, or other events sometimes keep them home. We would meet the definition of a learning pod as written in HB 602 the majority of the time, but not always. Other learning pods may have more difficulty than we do in complying with the “one parent on site” requirement.

We'd like to suggest adopting the language from Texas's definition of a Learning Pod: "means a group of children who, based on the voluntary association of the children's parents, meet together at various times and places to participate in or enhance the children's primary or secondary academic studies, including participation in an activity or service provided to the children in exchange for payment".

We would also like to call the committee's attention to the need for legal and zoning protection for microschools – typically defined as schools that serve fewer than 100 students. In Ohio, microschools are limited to mostly commercial districts because of zoning law and building regulations. However, commercial districts don't work well for many groups; ours spends a lot of time outdoors, in nature, which is not an option in many commercial districts. While HB 602 as written would exempt learning pods, microschools would continue to face large barriers in Ohio.

Microschools are becoming popular in alternative education and most include or are designed as part-week options for homeschoolers. A growing trend is former teachers – retired or disillusioned with the school system – creating microschools or learning pods as a way to continue working in education, but outside the public school system. Such groups – run by a dedicated teacher – provide more continuity and options for working parents. The language in HB 602 does not account for this education option.

In Ohio, a microschool registered as a non-charter, non-public school must comply with Group E (educational) building codes if more than five children attend. It's not a safety issue – type-A-child care homes can have up to 12 kids in a home – but an issue of poorly written (or interpreted) legal code. We hope to eventually transition Forest Unschool into a home based microschool – modeled after one room schoolhouses of old – but that is essentially impossible to do legally in Ohio at this time.

For language on microschools, we'd suggest looking towards Utah's recently passed S.B. 13 Education Entity Amendments. In short it defines a micro-education entity as having up to 100 students, allows a maximum of 16 students at a home-based microschool and excludes both from zoning and building code designed for large public schools.

On the subject of the Utah S.B. 13, Jon England, an Education Policy Analyst at Libertas Institute was quoted as saying, "Zoning and building occupancy laws have been one of the biggest governmental hurdles for microschool founders. Founders have been relegated to busy highways, business parks, or strip malls. Once there, they usually had to renovate their building to meet the outdated standards that were designed for high-density public schools...Microschools now have the same access to residential and agricultural zones as public schools. They are also allowed to be in the same types of buildings as dance studios, karate classes, and tutoring centers without needing to make costly changes. By removing these barriers, Utah continues to grow its thriving and diverse learning environment. Teachers and parents are now free to create the education that works best for their children."

Ohio faces more restrictions on microschools than Utah did before their passage of S.B. 13 and we hope the committee will consider following in Utah's footsteps by protecting learning pods and microschools, providing Ohio students and parents with more diverse options for learning environments.

Thank you for your time and careful consideration. I would be happy to take any questions the committee may have.