

Ohio Senate Education Committee
February 21, 2023
Senate Bill 1

Chairman Brenner, Vice-Chairwoman O'Brien, Ranking Member Ingram, and Members of the Committee:

Thank you for the opportunity to provide testimony in opposition to Senate Bill (S.B.) 1. My name is Kyle Garrett; I come from Union County in Senator Bill Reineke's district.

This is now the third time the General Assembly has attempted a massive overhaul of the education system in Ohio. The first time was in 2018 under House Bill 512, the second time was 2022 under S.B. 178, and now the General Assembly has reintroduced the plan to "reform" of Ohio's education system at the state level.

In short, I oppose S.B. 1 because it centralizes regulatory power in Ohio's bureaucracy. This centralization of power has three effects as follows:

- Perverts the purpose of the Executive Branch of government,
- Reflects primarily the input of organizations and businesses, and
- Worst of all, strips parents of their right to oversee the education of their children.

The Perversion of Purpose

Civics 101 says that the Executive Branch of government—whether it is at the federal, state, or local level—is ideally meant to enforce the just laws enacted by the Legislature. In other words, it is the express duty of the Executive Branch to wield the sword according to the rules dictated by the General Assembly.

A sword is not a plow to pave the way to prosperity nor is it a pen by which the roadmap to prosperity is created. It is a sword; it guards the way to prosperity as shown by the roadmap. To use a sword, which functions only as a tool for destruction, for any other purpose would result in—at best—unintended destruction or—at worst—uncontrolled destruction.

This centralization of regulatory power in the Executive Branch is an outright perversion of its purpose and an overt dereliction of duty on the part of the General Assembly. Let me be clear, it is your duty, as members of the General Assembly, to do the regulating, not the Governor's. While it is true that several departments under the Governor's oversight have regulatory power, why should he have unilateral authority—through a partisan-appointed director—over education policy for Ohio public schools?

If the answer is that we need to quickly solve the festering issues that plague our education system, then the tyrant's rise is justified, and our republican form of government was for naught. Of course, the problems identified by the bill's Sponsor, Co-sponsors, and Proponents must be resolved quickly. But if the answer is to strip people of their ability to govern themselves, then the problem is not with the existing system but with those who run it. That is one reason why we have elections.

One-sided Input

As I watched the Proponents testify in the past 2 hearings, I was struck by how S.B. 1 seemed to be a strictly business solution for a governance issue. I do not blame businesses or organizations for supporting the bill. After all, one of the goals of business is speed and efficiency in the pursuit of profit—and some of the organizations that have testified favorable likely would profit in some way in the long and/or short run from this bill's enactment. But a business is not a democracy. In fact, the application of business principles in the realm of policymaking is commonly called an exercise of tyrannical power.

Please understand that I am not condemning business practices or principles; I am warning against using tools that are not meant for certain problems. Generally, business decisions are ultimately unilaterally made. It is useful for business, because that is how businesses are designed, but it is oppressive for policymaking in governing a society. Ideally, the General Assembly exists as it does—with its many members and bi-cameral structure—to level the playing field so that the majority and minority have a respectable chance at crafting laws without ignoring input from any side of an issue. A singular person making policy will make his policy according to whichever side of an issue he falls on, often ignoring the opponents' input entirely.

Therefore, the Opposition has said that the proposed Department of Education Workforce (DEW) would see a new director at its head each time there is a new party in the Governor's Mansion. Likely, the turnover would initially be infrequent, whether because of a string of Governors of the same party or of how political assessments work out. Eventually, just as we see with the Secretary of Education at the federal level, each Governor will inevitably bring with him a new DEW director who will promote whatever priorities the incumbent Governor has in mind for public education regulation.

Additionally, S.B. 1 seems to have input from primarily the educators, career centers, and other Ohio businesspeople and organizations. Yes, there have been some changes to the bill based on input from homeschoolers—and I am very pleased to see it. But what about the input from parents of public school students? After all, it is their children who are in the schools that will primarily feel the impact of this bill. So, should not their input primarily influence this bill? As it stands, S.B. 1 does not have sufficient input from parents to be even remotely ready for passage on the Senate floor.

Power Stripping

Because of the insufficiency of influence parental input has on its creation, S.B. 1 strips parents of their right to oversee the education of their children. That oversight is not reserved for merely the local level. Public education in Ohio is a service unfortunately provided by the State of Ohio, which is overseen by the people of Ohio who vote and/or testify to ensure that Ohio is governed as they see fit. It follows that public education is overseen in Ohio at a local and state level by Ohioans (not politicians, organizations, or businesses) so that Ohio public schools educate students as Ohioans see fit.

S.B. 1 strips Ohioans of that oversight by giving the regulatory powers of the State Board of Education to an unelected bureaucrat. How is that democracy, as some Proponents claim? According to the bill, the State Board would become the enforcer of some education policies coming down from a bureaucrat, who is insulated from direct public reaction and input to his

decisions. Why not make the proposed department the enforcer of policies from the State Board to allow the people of Ohio maximum oversight of education policymaking?

Conclusion

S.B. 1 does not now and will not later live up to the favorable promises made about it. It shifts responsibility from the people's elected education policymakers and ultimately gives it to an unelected bureaucrat, further perverting the purpose of the Executive Branch of the State of Ohio. It reflects primarily the input of businesses and organizations that have money at stake in this issue and generally ignores the far more important input of Ohio parents. Finally, it strips Ohioans of their ability to directly govern themselves in education, harming democracy and threatening both the right to school choice and parental rights in general.

Members of the Committee, do not pass Senate Bill 1.