



State Board of Education

Paul LaRue, President

Martha Manchester, Vice President

TESTIMONY ON HOUSE BILL 33

SENATE FINANCE COMMITTEE

Chairman Dolan, Vice Chair Cirino, Ranking Member Sykes, and Members of the Finance Committee, on behalf of the State Board of Education, thank you for the opportunity to express the Board's opposition to the inclusion of Senate Bill 1 in the Senate's substitute budget bill. My name is Jennifer Stump, and I am the Director of Policy and Legislative Affairs at the Ohio Department of Education.

The State Board of Education is established by the Ohio Constitution, with its power and duties determined by the General Assembly. The Board consists of 11 elected members and 8 members appointed by the Governor. With a majority of elected members, the Board serves a critical role in representing citizens' diverse perspectives on matters affecting the education of Ohio's children.

I have previously shared with the Members of the General Assembly a copy of the resolution adopted by the Board at its April 2023 meeting. The resolution is attached and is entitled "Resolution to Preserve Transparency and Public Participation in Ohio K-12 Education." The Board adopted this resolution, in part, to reassert its commitment to transparency and public participation in Ohio K-12 education, to minimize rather than expand government bureaucracy, and to continue to improve its policies and procedures in the service to all Ohio students and the future of Ohio.

The resolution expresses the Board's position that the State Board of Education should retain the voice of Ohioans and transparency in all facets of public education through the Board's public meetings, public decision-making, and public input. It also urges the General Assembly to:

- Retain completely the Board's rulemaking authority under Title 33 of the Revised Code;
- Involve State Board of Education leadership in the policymaking process to avoid delays between the enactment and implementation of legislation;
- Contact Board members should communication problems arise with the Ohio Department of Education;
- Include the Superintendent of Public Instruction on the Governor's Workforce Transformation Board, if the General Assembly restructures the State Board of Education and the Department of Education.



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Thank you for the opportunity to convey the Board's position on this matter. My team and I are available to meet with Committee Members to discuss the Board's resolution and opposition to the education governance changes proposed in House Bill 33. My team and I will also be reaching out through the Chair to discuss potential amendments to the legislation.



Resolution

20. RESOLUTION TO PRESERVE TRANSPARENCY AND PUBLIC PARTICIPATION IN OHIO K-12 EDUCATION

The members of the State Board of Education (“the Board”) affirm their constitutional charge to provide general supervision of the system of public education in Ohio. Based on Ohio’s Constitution, oversight of education is a responsibility shared by the General Assembly, Governor, State Board of Education, Superintendent of Public Instruction, and education leaders throughout Ohio to ensure all students are well-prepared for success. To preserve transparency and public participation in Ohio K-12 education, the Board hereby **ADOPTS** the following:

WHEREAS, Article IV, Section 4 of the Constitution of the United States of America says “The United States shall guarantee to every State in this Union a Republican [*Representative*] Form of Government”; and

WHEREAS, in 1953, the citizens of Ohio voted to amend Article VI, Section 4 of the Ohio Constitution by removing the Department of Education from the executive office of the Governor and creating the State Board of Education. Section 4 states that the Board shall appoint a Superintendent of Public Instruction and that the respective powers and duties of the Superintendent and the Board shall be prescribed by law, for which the General Assembly has provided enabling language for nearly 70 years; and

WHEREAS, the General Assembly, pursuant to Ohio Revised Code Section 3301.07, has granted the State Board of Education policy forming, rulemaking, planning and evaluative functions for all public schools of the State of Ohio, duties which the Board performs transparently and with public and stakeholder input; and

WHEREAS, the Board provides the proper balance between state-mandated policy and local education autonomy, thereby contributing to Ohio’s proud tradition of local control in education; and

WHEREAS, members of the Board stay in frequent communication with constituents, parents, teachers, administrators, students, and stakeholders, bringing their input and concerns into the rulemaking process and to the Department of Education; and

WHEREAS, a system that includes duly-elected representatives in the direct oversight of the Superintendent of Public Instruction, of the Ohio Department of Education, and of the most important aspects of education, including state standards and model curriculum, provides the greatest assurance that the will of the public will be well represented;

NOW, THEREFORE, BE IT RESOLVED, that the State Board of Education should retain the voice of Ohioans and transparency in all facets of public education through its public meetings, public decision-making, and public input; and be it

FURTHER RESOLVED, that the State Board of Education should retain complete rulemaking authority under Title 33 of the Ohio Revised Code; and be it

FURTHER RESOLVED, that the State Board of Education urges legislators to involve State Board of Education leadership in the policymaking process to avoid delays between the enactment and implementation of legislation; and be it



Resolution

Item 20 continued

FURTHER RESOLVED, that the State Board of Education urges legislators to contact their State Board of Education member should communication problems arise with the Ohio Department of Education; and be it

FURTHER RESOLVED, that if the General Assembly restructures the State Board of Education and the Department of Education, it should require that the Superintendent of Public Instruction be a member of the Board of the Governor's Office of Workforce Transformation; and be it

FURTHER RESOLVED, that the State Board of Education directs the Interim Superintendent of Public Instruction to send a copy of this resolution to each member of the General Assembly; and be it

FURTHER RESOLVED, that the Interim Superintendent of Public Instruction and Department of Education staff are authorized to advocate on behalf of the Board's work and its constitutional role in educational oversight in Ohio; and be it

FURTHER RESOLVED, that with this action the Board reasserts its commitment to transparency and public participation in Ohio K-12 education, to minimizing rather than expanding government bureaucracy, and to continue improving its policies and procedures in the service of all Ohio students and the future of our state.

I certify that the above is a true and correct copy of the action taken by the State Board of Education at its meeting on April 11, 2023.

A handwritten signature in black ink that reads "Stephanie K. Siddens".

Columbus, Ohio
April 12, 2023

Dr. Stephanie K. Siddens
Interim Superintendent of Public Instruction