

# 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
- Joseph 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 – Cleveland Heights
- Ruffing Montessori – Rocky River
- The Schilling School
- The Seven Hills School
- Summit Country Day School
- University School
- Urban Community School
- Wellington School
- Welsh Hills School
- Western Reserve Academy

## Senate Education Committee

### HB 96 Testimony of Dan Dodd, Executive Director

Chairman Brenner, Vice Chair Blessing, and Ranking Member Ingram, thank you for the opportunity to present testimony on House Bill 96.

The Ohio Alliance of Independent Schools is Ohio's most distinct school organization. We are Catholic schools, Christian schools, Jewish schools, secular schools, learning-differences focused schools, single-gender schools, boarding schools, Montessori schools, K-12 schools, grade schools and high schools. We care about changes to Ohio law threatening private school educational freedom and the implementation of unnecessary obstacles restricting our schools from offering innovative and market-driven educational options.

Budget bills typically contain policy changes regarding the operations of chartered nonpublic schools and affiliate organizations. OAIS would recommend the following changes in this budget bill to help private schools and benefit taxpayers.

**Scholarship Granting Organizations (SGOs):** Four years ago, the budget bill contained language creating a tax credit for contributing to SGOs. The enabling language was broad in terms of requirements for SGOs and we recommend tightening this language to encourage greater use of this valuable option for schools, ensure more accountability and transparency, and prevent potential abuse.

Our recommendations include:

- Increasing the individual credit limit to \$1,500 for single tax filers and \$3,000 for joint filers.
- Institute a minimum percentage so that at least 90% of expenditures must be spent on scholarships after one year of operation.
- Require SGOs to receive donations and give scholarships to students at multiple schools.

**Nonchartered, Non-Tax Education Savings Account (ESA) Program:** The House-created ESA program for students attending nonchartered, non-tax schools is problematic for a couple of reasons.

First, the setup of the program is unquestionably unconstitutional in its current form. Under current Ohio law, a school is required under Ohio Revised Code 3301.0732 (A) to have "truly held religious beliefs" in order to operate without a charter from the state. Other entities, including secular schools and religious schools that do not have a religious belief preventing them from receiving a charter, cannot qualify for this status. Even with a Supreme Court that strongly supports religious freedom, establishing a program in which only certain kinds of religious schools exclusively qualify for a status and receive funding and privileges that other private schools may not access is highly unlikely to withstand the court's scrutiny, especially when considering nonchartered, non-tax status also allows the school to be exempt from virtually all state educational mandates.

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Second, nonchartered, non-tax schools have operated since the 1970's with the expectation they do not receive tax dollars for tuition and operations, hence the description as "non-tax" schools. It now seems many of these schools value their operational and curricular freedom, which is understandable, but also want to help themselves to state tax dollars. If nonchartered, non-tax schools seek to maintain their freedom, they should maintain their willingness to forego state funding. If they choose to receive state funding, they should have do to what secular and other religious schools have to do, which is receive a charter from the state.

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Thank you for the opportunity to testify. I'd be happy to answer any questions you may have.