



**House Primary & Secondary Education Committee**  
**HB 170 Proponent Testimony**  
**March 16, 2021**

Chair Manning, Vice Chair Bird, Ranking Member Robinson, and members of the House Primary & Secondary Education Committee, thank you for the opportunity to provide testimony in support of HB 170, which, in part, appropriates federal dollars to the Ohio Department of Education for distribution to local education agencies. I am Dr. Erik Roush, and I handle policy and government affairs for Columbus City Schools.

I would first like to thank Reps. Richardson and Bird for introducing this important legislation. I appreciate their prompt attention to ensuring that local education agencies have access to these critical funds as we navigate the current pandemic and its aftermath.

As has been previously indicated, the bill before you is largely a technical exercise. While the federal funds received via the CARES Act and the CRRSAA are designed as pass-through dollars to local education agencies, Ohio law requires that these funds still need to go through the appropriations process. While the Controlling Board is most often used to authorize such expenditures outside the typical biennial appropriations process, the sheer amount of support being provided exceeds the statutory limitations placed upon it. Thus, we have the bill before you today.

By way of background, once the Ohio Department of Education determines the allocations for each local education agency, an application is provided to inform the Department how the funds will be expended pursuant to federal law. The process developed is essentially an Excel workbook – easy to use and aligned with those allowable uses. Federal law places limitations upon how local education agencies may expend these dollars. Specifically, schools and districts are limited in using these funds for the following purposes:

- Any activity authorized by ESEA, IDEA, the Adult Education and Family Literacy Act, the Perkins Act, or the McKinney-Vento Homeless Assistance Act.
- Coordination of preparedness and response efforts of local educational agencies (LEAs) with State and local public health departments, and other relevant agencies, to improve coordinated responses to prevent, prepare for, and respond to coronavirus.
- Providing principals and others school leaders with the resources necessary to address the needs of their individual schools.
- Activities to address the unique needs of low-income students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population.
- Developing and implementing procedures and systems to improve the preparedness and response efforts of LEAs.
- Training and professional development for staff on sanitation and minimizing the spread of infectious diseases.
- Purchasing supplies to sanitize and clean the facilities of an LEA.
- Planning for, coordinating, and implementing activities during long-term closures, including providing meals to eligible students, providing technology for online learning to all students,

- providing guidance for carrying out requirements under the IDEA and ensuring other educational services can continue to be provided consistent with all Federal, State, and local requirements.
- Purchasing educational technology (including hardware, software, and connectivity) for students that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and children with disabilities, which may include assistive technology or adaptive equipment.
  - Providing mental health services and supports.
  - Planning and implementing activities related to summer learning and supplemental afterschool programs, including providing classroom instruction or online learning during the summer months and addressing the needs of low-income students, children with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.
  - Addressing learning loss among students, including low-income students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care, including by—
    - Administering and using high-quality assessments that are valid and reliable, to accurately assess students' academic progress and assist educators in meeting students' academic needs, including through differentiating instruction.
    - Implementing evidence-based activities to meet the comprehensive needs of students.
    - Providing information and assistance to parents and families on how they can effectively support students, including in a distance learning environment.
    - Tracking student attendance and improving student engagement in distance education.
  - School facility repairs and improvements to enable operation of schools to reduce risk of virus transmission and exposure to environmental health hazards, and to support student health needs.
  - Inspection, testing, maintenance, repair, replacement, and upgrade projects to improve the indoor air quality in school facilities, including mechanical and non-mechanical heating, ventilation, and air conditioning systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement.
  - Other activities that are necessary to maintain the operation of and continuity of services in local educational agencies and continuing to employ existing staff of the local educational agency.

In summary, it is critical for the General Assembly to swiftly pass HB 170 in order to ensure that we have continued access to these critical resources. While it certainly is outside the typical process, the last year has been anything but typical. We need action via legislation pursuant to Ohio law – without this action, federal funds will sit unused and unavailable until such time that the General Assembly chooses to appropriate the dollars through regular appropriations, which will not conclude until late June. I urge you to pass the legislation before you today.

Thank you.