



# OHIO CHRISTIAN EDUCATION NETWORK

*A Network of Center for Christian Virtue*

HB11 Proponent Testimony  
House Primary and Secondary Education Committee  
Troy McIntosh, Executive Director  
June 4, 2024

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Good afternoon Chair Manning, Vice Chair Fowler Arthur, Ranking Member Robinson, and members of the House Primary and Secondary Education Committee. My name is Troy McIntosh and I serve as Executive Director of the Ohio Christian Education Network, a network of 177 Evangelical and Catholic schools across the state. Most of our schools are EdChoice providers and are committed to offering high quality educational options to students and families in their communities. We are here in opposition to HB4078.

This bill is an unnecessary and corrosive intrusion on the fundamental right of a private entity to operate without governmental interference. The value of school choice programs like Ohio's EdChoice Scholarship Program is that it empowers parents to make the best decisions for the children, thereby providing a more proximate and effective accountability to schools than government regulations can provide. When the state begins to regulate private schools in similar ways to public schools, it ends up with schools that are, not surprisingly, all quite similar, defeating the purpose of school choice programs. We urge the General Assembly to avoid overregulation, leave some measure of accountability mechanisms in the hands of the Ohio's families, and allow the innovation that free markets bring to education providers. Ohio students need real choices, not programmatically similar schools with little difference among them.

There are a few important considerations the GA must take while hearing this bill:

1. **The EdChoice Program does not fund private schools.** On the contrary, it funds parents and the money goes directly to the parents in the form of a scholarship. Chartered non-public schools receive funds only in the form of tuition payments from parents, which may or may not include EdChoice scholarship money. Attempting to regulate an entity that is not a primary recipient of state funding is a gross overreach. There is, in fact, legal precedent for this. Federal programs like Title I or II that flow through the state or LEAs do not cause schools to be designated as recipients of federal funds, so they are not required to comply with federal regulations. In the same way, EdChoice funds that flow through parents and families should not cause non-public schools to be considered the recipient of state funds.
2. **Real accountability only takes place when parents have the freedom to take their child's education money and go elsewhere.** The regulations in this bill accomplish nothing of real value. The power of Ohio's school choice program is that a dissatisfied parent can leave their school and find one that better serves their child, while taking funding with them. Real accountability best takes place at the micro level, not at the bureaucratic level. If the state is going to collect any data it should be on micro-level metrics like parent satisfaction levels.



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3. All of the new regulatory metrics in HB407 ignore the most common reason families are choosing to take an EdChoice scholarship, which is **that they have fundamental disagreements with their public school on education philosophies or ideologies that the school is teaching their children**. If the state is going to compel education (and it does) then it should not also exclusively control the content and form of that education because it takes too much power away from parents and places it in the hands of the state. HB407 ignores this and instead focuses on making standardized testing uniform for every student, even though nearly every educator in the country recognizes that is bad policy.
4. **Every EdChoice provider school is chartered by the state and already must comply with the same [Operating Standards for Ohio School's](#) to which each public school must comply**, including regulations on a) Purpose and Definitions, b) Governance, Leadership and Strategic Planning, c) Blended Learning, d) Student and Stakeholder Focus, e) Faculty and Staff Focus, f) Educational Programs and Support, and g) data-Driven Improvement. Students graduating from our chartered non-public schools are already required to regularly assess students with state-approved nationally norm-referenced assessments and they make these available to parents. Our chartered non-public students must meet the same graduation requirements. It is excessively pedantic to assume that parents need scores from identical assessments in order to make valid comparisons between schools. It's just not necessary. As Representative Williams noted in an earlier hearing, what we have with the current assessments may not be an apples to oranges comparison, but it is a Granny Smith apple to a Red Delicious apple comparison, which is more than sufficient for parents to compare and preserves the freedom for a school to select the best assessment for their students. HB407 is just another unnecessary layer of regulation and bureaucracy that accomplishes nothing but added cost and reduced innovation that would otherwise benefit students.

A few final thoughts on actual provisions in the bill.

1. **Lines 414ff in the bill would eliminate the availability of alternate standardized assessments**. Each EdChoice provider school must already comply with the requirement that the school assess students using either the state-provided assessments or a nationally-normed and approved alternative such as MAP or TerraNova. By eliminating the availability of the alternate assessments, it begins to standardize the curriculum of every chartered non-public school by requiring the same assessment. **This greatly reduces one of the primary benefits of the EdChoice program, namely that parents would have access to a wide variety of school types and curricula**. Heavy-handed standardization by way of a singular mandated assessment wipes out that benefit.
2. **Lines 721ff would require that EdChoice provider schools report any and all expenditures made using "state funds received under a [EdChoice] scholarship in that school year."** As already mentioned, the school does not receive state funds, parents do. Schools receive funds in the form of tuition from parents and attempting to disaggregate tuition payments from scholarship funds and tuition payments from non-scholarship funds would be painstakingly difficult for schools. So the question becomes, at what value to the state?



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3. Lines 741ff would require schools to report to the state its criteria for determining admissions of students. **These schools are already required by law to have non-discriminatory admissions procedures as part of their charter so what benefit could the state possibly have from acquiring this information** except to regulate it? This should be a non-starter.
4. Lines 1060ff require schools to report the income of families that receive a scholarship from a certified scholarship granting organization. **This requirement cannot be complied with because schools don't have access to family's income levels.** They have no mechanism to do this. Certified SGOs submit an annual report as to the percentage of scholarships that go to low-income students so the state already has this information. The new provision would simply create unnecessary bureaucracy.

There are other issues with this bill that impose regulation on private entities that should not be regulated in a fair and free market. **We strongly urge you to reject HB407 on these grounds and appreciate your support.**