

# **Ohio House Finance Committee** **Subcommittee on Higher Education**

## **Testimony of Dan Dodd** **Ohio Association of Independent Schools – Executive Director**

Chairman Duffey, Ranking Member Ramos and members of the Subcommittee on Higher Education, thank you for the opportunity to offer interested party testimony regarding House Bill 474, the Higher Ed MBR.

OAIS is made up of 45 member schools throughout Ohio, representing over 17,000 students and a variety of types of schools from across Ohio. Our member schools value their independence and curricular freedom. Our school administrators feel having the freedom to develop and teach students a curriculum that is unique in the community is vital to continuing to have private, independent schools. It is keeping in this philosophy that OAIS continues to object to the Department of Higher Education's mandate that all chartered nonpublic schools participate in College Credit Plus, even if it against the wishes of a private school's administration and board.

### **College Credit Plus – Right to Choose Participation**

A brief history might be helpful to understanding our position. Under the Post Secondary Enrollment Program (PSEOP), private schools could choose whether or not to participate in the program and accept the college credits for compliance with the school's graduation requirements. Some OAIS member schools chose to participate and others did not; it was up to the school. When College Credit Plus was created, there was language retained from PSEOP that specified that nonpublic schools still had the choice to participate (ORC 3365.02(C) – "Any nonpublic school that chooses to participate in the program shall also be subject to the requirements of this chapter."). However, the Department of Higher Education has chosen to interpret a student's eligibility to participate in the program, found in ORC 33065.02(B), as trumping the school's ability to choose to participate, making the rights of the school subservient to the choice of a student.

In House Bill 64, the House and Senate restored the curricular freedom of private schools by specifying that a private school is not subject to the rules and statutes of the College Credit Plus program if the private school chooses not to participate:

"If a nonpublic school chooses not to participate in the program, the school shall not be subject to the requirements of this chapter. Additionally, the school shall not be subject to any rule adopted by the chancellor of higher

education or the state board of education for purposes of the college credit plus program.”

Governor Kasich vetoed this language from the budget, claiming that the provision would deny some students the opportunity to participate in College Credit Plus and that the program should be available to all Ohio students.

There is nothing in the vetoed language, however, that would deny this opportunity to students. The parents and students at private schools would have the opportunity to leverage their power in the marketplace by choosing to go to either a public high school or participating private school to participate in the program. If a school chooses not to participate in the program and students leave the school to attend a participating school, I believe the school will end up changing its mind. It should be the decision of the school’s administration and board to make that decision, not the state government’s mandate.

To ensure parents and students enter into an educational situation cognizant of the ramifications of a decision to attend one school over another, a provision could be added to the vetoed language requiring each school to notify each family, as part of an enrollment or re-enrollment agreement, that a school does not participate in the College Credit Plus program. This way, the parents and students are making an informed decision about the student’s education while continuing to give private schools the freedom to determine what classes will count as part of their curriculum.

### **College Credit Plus – Auxiliary Services / Textbook Funding**

ORC 3317.06 provides funding to private schools for, among other things, the purchase of secular textbooks. With the creation of the College Credit Plus program, the Department of Education has interpreted this to mean that College Credit Plus course textbooks may also be purchased with auxiliary services funds.

While this interpretation is beneficial to private schools, it is contradictory to statute. Textbooks that may be purchased are those “approved by the superintendent of public instruction for use in public schools in the state,” [ORC 3317.06(A)]. To my knowledge, College Credit Plus books do not meet that definition as being approved. Even if they were, the definition of textbook is “any book or book substitute that a pupil uses as a consumable or nonconsumable text, text substitute, or text supplement in a particular class or program in the school the pupil regularly attends,” [ORC 3317.06(B)]. This means that any College Credit Plus class attended at a college would not be covered, as it is not “in the school the pupil regularly attends.” The Department of Higher Education was notified of this discrepancy some several months ago and it was our hope that it would be included in HB 474. We would ask that the Subcommittee recommend that such textbook purchases be eligible for auxiliary services funding.

### **Office of Workforce Transformation – Simultaneous Credit**

On Tuesday, the Office of Workforce Transformation mentioned a simultaneous credit program that would allow “public and private school students to earn academic credit in multiple subjects through cross-disciplinary curriculum integration.” Although we have not seen the proposed language, I would expect our schools to be proposed to such a proposal if a student could force a private school to recognize career-technical instruction as being functionally equivalent to the college preparatory curricula that our schools offer to students.

Chairman, thank you for the opportunity to testify. I’d be happy to answer any questions.