

HB 290—“The Backpack Bill”
Talking Points

OVERVIEW OF THE LEGISLATION

- Overseen by the Treasurer of State (TOS) which provides an Education Savings Account (ESA) for any Ohio student.
 - \$7,500 for 9 through 12 students
 - \$6,500 for K through 8 students
 - These amounts grow at the same rate as the statewide per pupil funding amount
- Can be used to purchase educational goods and services, including tuition at participating chartered and non-chartered nonpublic schools
 - non-chartered nonpublic—think “Bishop Sycamore”
 - can be used for homeschooling expenses
- The TOS shall employ necessary personnel and engage the services of:
 - private consultants
 - actuaries
 - auditors
 - counsel
 - managers
 - trustees
 - “any other contractor or professional needed for rendering professional and technical assistance and advice”
- Autism Scholarship and Jon Peterson Scholarship holders can also apply for this Educational Savings Account—they can receive funding from both programs
- Academic accountability:
 - Students in grades 1 through 8 take a “nationally recognized measure of achievement” in reading, math, and history at least every-other-year
 - Students are not subject to the Third Grade Reading Guarantee
 - Students in grades 9 through 12 enjoy the same assessment flexibility they have now
- Financial accountability:
 - There is no mention of financial accountability for the schools accepting these students as far as audits, etc.
- The schools who accept these voucher students “are autonomous and not an agent of the state or federal governments. Therefore, all of the following shall apply:”

- “The treasurer of state shall not regulate the educational or instructional program of a chartered nonpublic or nonchartered nonpublic school or other educational provider that accepts funds under the program.”
- “Chartered nonpublic and nonchartered nonpublic schools that elect to participate in the program shall be given maximum freedom to provide for the educational needs of their students.”

OVERALL THOUGHTS

•Heats & Souls—The focus of this meeting is the Backpack Bill, but the goal should be to get Rep. John into your schools. Work to get a commitment from her to visit each of the Richland County Schools before the end of the school year. Try to “lock-in” a date with her to visit at least one of the districts before the end of the meeting. It’s difficult to say no in front of an audience. If her aide is not with her, get the number or email you can use to contact her aide directly to set up visits.

•Unique Programming—Highlight/explain the unique programming your districts have. The bill sponsors (John and McClain) made statements about meeting the unique needs of each child. Our districts provide differentiated instruction/programming to meet the unique needs of student every day. Private and parochial schools have no legal obligation to provide a Free and Appropriate Public Education (FAPE) or Least Restrictive Environment (LRE) for students with disabilities.

- The bill is silent about private/parochial schools’ obligation to accept all students who apply through the Backpack bill, meaning they can continue to “pick and choose” their students and dismiss students from their schools at will.

•Fair School Funding Plan—Our school leaders and communities are thrilled to finally have a funding formula that is objective, justifiable, transparent, and fair (the same cannot be said of HB 290).

- Explain that the funding is based on objective inputs into a formula that produces a unique/objective base cost for each district. You can go into the level of detail you feel is appropriate, but the bottom line is, districts do not receive the full per-pupil amount of \$[insert district’s base cost].
 - The base cost for the district is shared between the state and local district. The district does NOT receive the full base cost amount. The amount is adjusted based on a community’s ability to raise funds locally (a combination of property and income wealth).
 - A final, and very important point, would be to explain the phase-in. So, not only do districts receive only a portion of the base cost amount due to the state and local share, the amount districts receive from the state is NOT the full amount of their state funding, it is 16% of that number for this fiscal year and 33% for the next fiscal year because the Fair School Funding Plan is only being partially phased in during this two-year budget. The formula needs to be fully phased in

before a district will receive its full amount from the state. Even then, it will only be a percentage of the statewide base cost because of the state and local share calculation.

QUESTIONS

- How did the sponsors arrive at \$5,500 for a K-8 student and \$7,500 per pupil for a high school student? Funding amounts should be objective as they are in the Fair School Funding Plan.
 - As noted above, the group may be able to address this point by explaining how the FSFP works.
- How will the state pay for HB 290?
 - The sponsors have said the Backpack bill will not cost the state any additional money. Our calculation is that if every student who is currently enrolled in a private school or homeschooled took a voucher, the plan would cost over \$1 billion dollars out of the gate.
 - This does not take into account all the additional personnel the Treasurer of State office would have to hire to implement and oversee the program.
 - This is where the district could stress the point that the FSFP is NOT fully phased in. We need to ensure there is funding to fully phase-in the formula or it will not work as designed and we will be back to where we started, with a broken, unconstitutional formula.
- How do we create a truly competitive system among schools in Ohio—public and private—when there are not parallel academic accountability requirements nor parallel financial accountability requirements?
 - Many private schools already receive more per-pupil funding than public schools.
 - State revenue for some private schools exceeds 50% of their total revenue (which is not true for many public schools), yet these private schools continue to maintain their “private” status and are not beholden to the same mandates as public school districts.
 - How can parents make an informed decision about what is best for their child when there is not parallel information available to them?
- Do private and parochial schools who take part in this program have to accept all students who apply?
- Would the public schools still be required to provide services such as bussing and school psych services?
- How do we know taxpayer dollars are being spent appropriately? Will private and parochial schools taking part in this program be subject to annual audits?
 - Our school district treasurers take their roles as stewards of public funds very seriously.
 - They must undergo an annual audit with the state and submit a five-year

forecast.

- Transparency tools such as these work to ensure that our taxpayer dollars are being spent appropriately and to hold our districts accountable for spending those dollars appropriately.
- Without these transparency tools there is great concern that taxpayer money is not being put to appropriate use.