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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
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Legislative Budget  
Office

H.B. 407  
135<sup>th</sup> General Assembly

## Bill Analysis

[Click here for H.B. 407's Fiscal Note](#)

**Version:** As Reported by House Primary and Secondary Education

**Primary Sponsors:** Reps. Manning and Seitz

Rachel Larsen, Research Analyst

### SUMMARY

- Requires the Department of Education and Workforce to annually post for each chartered nonpublic school the school's total enrollment, the number of scholarship students enrolled in the school, what kind of school each scholarship student attended in the prior school year, and the amount of state support the school received.
- Requires the Department to post on its website the number of students participating in a state scholarship program, disaggregated by family income.
- Requires the Department to establish a system to permit an individual to compare the performance data of scholarship students enrolled in a chartered nonpublic school with the performance data of similar students enrolled in nearby schools.
- Requires the Department, in consultation with the state advisory committee on chartered nonpublic schools, to issue a state report card that measures the performance of students enrolled in chartered nonpublic schools under a state scholarship program.
- Requires the Department to require each EdChoice scholarship applicant to include the school, and if applicable the district, in which the applicant was enrolled for the school year prior to the one for which the applicant is submitting an application.

### DETAILED ANALYSIS

#### Chartered nonpublic schools and state scholarships

The bill establishes new responsibilities for the Department of Education and Workforce regarding chartered nonpublic schools, including new reporting requirements and a state report card for chartered nonpublic schools that enroll students participating in a state scholarship program. Under the bill, a "state scholarship program" is the EdChoice Scholarship Program, the

Autism Scholarship Program, the Jon Peterson Special Needs Scholarship Program, or the Cleveland Scholarship Program.<sup>1</sup>

## **Reporting**

### **Total enrollment, prior school year attendance, and state support**

The bill requires the Department to annually post on its publicly accessible website all of the following for each chartered nonpublic school:

1. The school's total enrollment;
2. The number of state scholarship students enrolled in the school, disaggregated by whether, in the prior school year, the students were enrolled in:
  - a. That school;
  - b. A different chartered nonpublic school;
  - c. A nonchartered nonpublic school;
  - d. A city, local, or exempted village school district;
  - e. A community school;
  - f. A STEM school; or
  - g. If the student was not enrolled in a district or school, whether the student was homeschooled or if, in the current school year, the student is enrolling in an Ohio school for the first time.
3. The total amount of state support received by the school through:
  - a. State scholarship programs;
  - b. Auxiliary services payments; and
  - c. Administrative cost reimbursements.<sup>2</sup>

### **Family adjusted gross income categories**

Under the bill, annually the Department must post on its publicly accessible website the number of students participating in a state scholarship program, disaggregated according to the following categories:

1. Students with a family adjusted gross income (AGI) at or below 450% of the federal poverty level (FPL);
2. Students with a family AGI above 450% FPL, but at or below 500% FPL;
3. Students with a family AGI above 500% FPL, but at or below 550% FPL;

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<sup>1</sup> R.C. 3301.0711(P), not in the bill.

<sup>2</sup> R.C. 3301.165(D).

4. Students with a family AGI above 550% FPL, but at or below 600% FPL;
5. Students with a family AGI above 600% FPL, but at or below 650% FPL;
6. Students with a family AGI above 650% FPL, but at or below 700% FPL;
7. Students with a family AGI above 700% FPL, but at or below 750% FPL; and
8. Students with a family AGI above 750% FPL.

The bill permits the Department to disaggregate the data according to other categories as the Department determines appropriate. It also requires the Department of Education and Workforce to request from the Department of Taxation any data necessary to compute and post that data.<sup>3</sup>

Under continuing law, tax return information is confidential and cannot be disclosed by an employee of the Department of Taxation or any other individual. However, the Department of Taxation has a general authorization to share information with any state or federal agency when disclosure is necessary to ensure compliance with state or federal law. The receiving agency is prohibited from disclosing any of this shared information, except as otherwise authorized by state or federal law.<sup>4</sup>

### **Student performance data reporting deadline**

Current law requires the Department to post student performance data for EdChoice scholarship students on its website and distribute the data to the parents of eligible students by February 1. The bill changes that deadline to September 15.<sup>5</sup>

### **System to compare student performance data**

The bill requires the Department to establish a system where an individual may compare the performance data of students enrolled in a chartered nonpublic school and participating in a state scholarship program with the performance data of similar students enrolled in the district in which the school is located or a community school, STEM school, or other chartered nonpublic school in that district. The Department must make the system available on its publicly accessible website.

In calculating the performance of similar students, the Department must consider age, grade, race and ethnicity, gender, and socioeconomic status.<sup>6</sup>

### **State report card**

The bill requires the Department, in consultation with the state advisory committee on chartered nonpublic schools, to establish a state report card that measures the performance of students enrolled in chartered nonpublic schools under a state scholarship program. To the

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<sup>3</sup> R.C. 3301.165(C).

<sup>4</sup> R.C. 5703.21, not in the bill.

<sup>5</sup> R.C. 3310.15(C).

<sup>6</sup> R.C. 3301.165(B).

extent practicable, the Department must make that report card similar to the state report card issued for public schools. The Department must issue the chartered nonpublic school report card by September 15 each year, or by the preceding Friday when that day falls on Saturday or Sunday.<sup>7</sup>

### **EdChoice scholarship applications**

The bill requires the Department to require each EdChoice scholarship applicant to include the school, and if applicable the school district, in which the applicant is enrolled, or that the student is receiving home education, for the school year prior to the one for which the applicant is submitting an application.<sup>8</sup>

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## **HISTORY**

Action	Date
Introduced	02-12-24
Reported, H. Primary & Secondary Education	12-04-24

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<sup>7</sup> R.C. 3302.0311.

<sup>8</sup> R.C. 3310.16(E).