



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

Hannah K. Wann

S.B. 241

132nd General Assembly
(As Introduced)

Sens. Terhar and Thomas, Hottinger, Hoagland

BILL SUMMARY

- Establishes a category of nonpublic schools called "accredited nonpublic schools" for private schools that are accredited by the Independent Schools Association of the Central States.
 - Requires accredited nonpublic schools to comply with minimum education standards adopted by the State Board of Education, but prohibits the State Board from prescribing additional operating standards for them.
 - Exempts accredited nonpublic schools from the state minimum high school curriculum and chartering requirements.
 - Creates a joint committee of the General Assembly to study the effects of the creation of accredited nonpublic schools and submit a report to the General Assembly not later than two years after the bill's effective date.
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CONTENT AND OPERATION

Accredited nonpublic schools

The bill establishes a category of nonpublic schools called "accredited nonpublic schools" for private schools that are accredited by the Independent Schools Association of the Central States (ISACS). These schools must comply with minimum education standards adopted by the State Board of Education, as under current law, but the bill

prohibits the State Board from prescribing additional operating standards for them.¹ The bill does not affect the requirements for other chartered nonpublic schools.²

The bill requires accredited nonpublic schools to continue to comply with most provisions of law that apply to chartered nonpublic schools. Those include requirements to participate in the Ed Choice and Cleveland Scholarship programs³ and criminal records checks for school employees.⁴ Accredited nonpublic schools also continue to qualify for administrative cost reimbursement, Auxiliary Services funding, and transportation services, as under continuing law.⁵ However, the bill specifically exempts such schools from the state minimum high school curriculum and chartering requirements.⁶

Under current law, the State Board charters all public and chartered nonpublic schools and, in doing so, establishes operating standards for them. The bill exempts accredited schools from the requirement to attain a State Board charter. Instead, accredited nonpublic schools attain their charters to operate by meeting the standards of and being accredited by ISACS.⁷

The bill permits the Department of Education to exercise some oversight over accreditation by ISACS by allowing the Department to: (1) send a representative to accompany an ISACS accrediting team on any site visit to observe the activities and report of the team, and (2) to request a copy of the ISACS report issued as part of the accreditation cycle of a school.⁸ Moreover, accredited nonpublic schools must cooperate with the Department in its oversight, and the Department may revoke a school's designation if it fails to do so. However, the school still may operate as a chartered nonpublic school so long as it complies with operating standards for schools established by the State Board or maintains accreditation from a State Board-approved association

¹ R.C. 3301.07.

² See R.C. 3301.165(A).

³ R.C. 3310.01 and 3313.976.

⁴ R.C. 3319.39 and 3319.391.

⁵ R.C. 3317.06, 3317.062, 3317.063, and 3327.01, the last section not in the bill.

⁶ R.C. 3301.16 and 3313.603.

⁷ R.C. 3301.16 and 3301.165(A)(3).

⁸ R.C. 3301.165(C).

other than ISACS.⁹ Also, schools that lose full accreditation from ISACS may operate as chartered nonpublic schools so long as they meet applicable requirements.¹⁰

Finally, the bill prohibits the Department from creating ratings or any type of report card for accredited nonpublic schools.¹¹ Under current law, nonpublic schools are not included in the state report card system.

Requirements from which accredited nonpublic schools are exempt

Under the bill, accredited nonpublic schools must comply with the minimum education standards adopted by the State Board under current law. These are not the same as operating standards which are more detailed. Rather, they are minimum standards, such as subjects that must be included in the curriculum (not the content of courses) and the minimum school year, that apply to all schools, chartered or nonchartered.¹²

On the other hand, the bill prohibits the State Board from prescribing additional operating standards for accredited nonpublic schools. The bill also states that they are exempt from any requirement to which a chartered nonpublic school is subject unless otherwise specifically prescribed for them. While most of the chartered nonpublic school requirements still apply to accredited nonpublic schools,¹³ the bill expressly exempts them from, certain provisions as discussed in further detail below.

High school curriculum

The bill exempts accredited nonpublic schools from the state minimum high school curriculum.¹⁴ Current law prescribes 20 units of study in specified subject areas as the minimum high school curriculum for a diploma from a public school or a

⁹ R.C. 3301.165(D).

¹⁰ R.C. 3301.165(E).

¹¹ R.C. 3301.165(F).

¹² Ohio Administrative Code 3301-35-08.

¹³ R.C. 3301.0165(B); conforming changes in R.C. 921.06, 955.43, 3301.0711, 3301.162, 3301.52, 3301.541, 3302.07, 3302.41, 3310.01, 3312.01, 3312.04, 3312.05, 3312.09, 3313.206, 3313.41, 3313.48, 3313.481, 3313.482, 3313.536, 3313.539, 3313.5311, 3313.62, 3313.716, 3313.717, 3313.718, 3313.719, 3313.7111, 3313.7112, 3313.7114, 3313.813, 3313.86, 3313.976, 3317.024, 3317.03, 3317.06, 3317.062, 3317.063, 3317.13, 3319.311, 3319.313, 3319.314, 3319.317, 3319.39, 3319.391, 3319.392, 3319.40, 3319.52, 3321.01, 3326.01, 3326.03, 3326.032, 3326.04, 3326.09, 3327.07, 3327.10, 3365.01, 3701.133, 3781.106, 3781.11, 4729.513, 4729.541, 5104.01, 5104.02, and 5139.18

¹⁴ R.C. 3313.603(N).



chartered nonpublic school. (Each unit is a minimum of 120 hours of instruction, except a laboratory course for which one unit is a minimum of 150 hours of instruction.) This includes: 4 units in English Language Arts, 3 units in math, one-half unit each in health and physical education, 3 units in science, 1 unit in American history and government, 2 units in social studies, and 6 units in electives.¹⁵

Testing

The bill maintains current law exemptions from state achievement testing for non-state scholarship high school students attending ISACS-accredited schools ("accredited nonpublic schools"), and an exemption for state scholarship students attending such schools from the testing requirements if such students take an approved alternative assessment or have received remediation-free scores on nationally standardized assessments.¹⁶

Teacher licenses

Chartered nonpublic teachers must comply with the requirements of state law in order to receive a license to teach. Essentially, current law requires a person to have a bachelor's degree to teach in subjects other than a foreign language, music, religion, computer technology, or fine arts. Instead, accredited nonpublic school teachers must meet the standards set by ISACS for educator qualifications.¹⁷ Nonetheless, teachers of accredited nonpublic schools still are subject to the criminal records checks.¹⁸

College Credit Plus

While chartered nonpublic schools may choose to participate in the College Credit Plus program (CCP), the bill specifically exempts accredited nonpublic schools from the College Credit Plus program as long as parents are notified at enrollment (or re-enrollment) that the school does not participate. If an accredited nonpublic school so notifies the enrolled student's parents, the bill states that the school is not subject to any law or rule governing CCP.¹⁹

¹⁵ R.C. 3313.603.

¹⁶ R.C. 3301.0711(L).

¹⁷ R.C. 3301.071.

¹⁸ R.C. 3319.39.

¹⁹ R.C. 3365.02.



Requirement to post information on school website

The bill exempts an accredited nonpublic school from the requirement to post on its website the number of students enrolled in the school and the school's policy regarding background checks for teaching and nonteaching employees and for volunteers who have direct contact with students.²⁰

Joint study committee

The bill creates a joint committee to study the effects of the creation of accredited nonpublic schools. The committee consists of six members as follows:

(1) The chairpersons of the standing committees of the House of Representatives and the Senate principally responsible for primary and secondary education policy;

(2) Two members of the House of Representatives, appointed by the Speaker, one each from the majority and minority parties; and

(3) Two members of the Senate, appointed by the President, one each from the majority and minority parties.²¹

The study committee must compare data from accredited nonpublic schools from before and after the bill's effective date. The committee also must compare data from accredited nonpublic schools to data from public schools and private school associations as available. The bill specifically requires the committee to compare aggregate data on remediation rates, SAT and ACT test scores, college acceptance and attendance rates, and results of other standardized tests for lower grade levels.²²

The study committee must submit a report to the General Assembly not later than two years after the bill's effective date. The report must include recommendations on expanding the designation of "accredited nonpublic schools" to chartered nonpublic schools not accredited by ISACS and the criteria that should be used to qualify such schools for that designation.²³

²⁰ R.C. 3301.164.

²¹ Section 3(A) of the bill.

²² Section 3(B) of the bill.

²³ Section 3(C) of the bill.



Background – Independent Schools Association of the Central States

According to its website, "the Independent Schools Association of the Central States (ISACS) is a membership organization of more than 230 independent schools from 13 states of the Midwest region."²⁴ Its goal is to support independent education and provides services such as accreditation of schools and professional development. The accreditation process requires compliance with ISACS standards that range from safety, administration and governance, personnel, and programs, activities, and student services.²⁵

HISTORY

ACTION	DATE
Introduced	12-12-17

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²⁴ http://www.isacs.org/page/47212_Mission.asp, last visited February 22, 2018.

²⁵ <http://www.isacs.org/uploads/file/Standards%20for%20Membership.pdf>, last visited February 22, 2018.

