

Dear Senator Dembrow and the Senate Committee on Education -

You will soon be hearing testimony regarding SB 223... and I urge you to give a DO NOT PASS recommendation for this bill.

In short, this bill introduces the "option" for a private school to register with the State Board of Education. It's technically optional, but of course, there are penalties if a private school chooses not to do so. The first penalty (so far) would be that a school could no longer participate in interscholastic activities if they don't decide to become "Registered". This restriction basically forces Private Schools to "choose" to be registered... because private school participation in these interscholastic activities are so beneficial for all students in the state (both public and private).

And of course, that may just be the beginning. If the concept of a "Registered" Private School becomes a reality, it would open up the door to even more restrictions being placed on "non-registered" private schools.

There are a few specific problems with this bill.

1. Why is it needed!?

Many of the requirements to become a Registered Private School are already managed by existing processes. Some of these requirements include:

- ensuring teachers are qualified and fit to teach
- ensuring any buildings are safe
- ensuring curricula is comprehensive, both for ongoing schooling as well as for college admission
- ensuring kids spend enough time in class, commensurate with what they're learning

Every single one of the items above is already being achieved through other laws and accreditation standards. There simply isn't a benefit to requiring yet more bureaucracy, cost, and overhead to accomplish something that is already being done. Especially at a time where all schools are working so hard to provide an amazing education for all our students.

2. It is a slippery slope

This is just the beginning of ODE trying to have influence and control over Private Schools. In addition to the requirements listed above, there are a few worrisome provisions in this bill that show a very real threat of government overreach. Those items are:

Section 2, Part 4, Item g

The private school (must comply) with the criteria of sections 1 to 5 of this 2021 Act and any rules adopted by the State Board of Education pursuant to sections 1 to 5 of this 2021 Act.

Section 4, Part 2, Item h

A registered private school is required to comply with... any statutes or rules (involving the health, safety, and well-being, as) identified by the State Board of Education by rule;

These 2 items basically give an unhindered power to the State Board of Education... allowing them to create any rule they want for Private Schools, with little or no checks and balances!

In Section 2, the bill "promises" that the State Board of Education will look at 2 factors when deciding on new rules:

1. the unique qualities of private education while seeking to further the educational opportunities of students enrolled in private schools
2. The recommendations of advisory committee

Not only can these factors be "loosely interpreted", but the State Board of Education still has complete autonomy to create any rule it wants. It can simply say it considered the above factors... but do what it wants anyway.

Conclusion

With this bill, there is much to lose and little to gain. This bill is not advocating for our K-12 Private School students in this great state. It isn't making them safer... it is simply creating more bureaucracy and potential for government overreach.

I thank you for considering this testimony,

Lisa Shepard