

Dan Heintz (teacher in one district and board member in another district): Two Generations Neglected by Ohio's General Assembly.

Dan Heintz sent his article—Two Generations Neglected by Ohio's State Legislature—with his permission to publish it in this post. His article was recently published in the [Columbus Dispatch](#). Dan Heintz goes to the heart of the quagmire of school funding and the EdChoice voucher scheme.

Two Generations Neglected by Ohio's State Legislature

While we normally recognize cultural milestones along easily digestible divisions of a century, it makes sense to take a single step away from that familiar pattern this week. It was March 24, 1997, twenty-six years ago, when Ohio's Supreme Court declared the state's method of funding public education unconstitutional.

Why pause to acknowledge the 26th anniversary of *DeRolph v. State of Ohio*? Because the duration of a standard K-12 education is 13 years, so this week we mark the second complete generation of students who have been educated since our Supreme Court ordered Ohio's legislature to fulfill their constitutional mandate of funding a *"thorough and efficient system of common schools."* They have not.

Imagine five-year-old Blake started Kindergarten in September 1997, just six months after the *DeRolph* decision. Blake would have earned his High School diploma thirteen springs later as a member of the class of 2010. In September, 2010, Amanda started kindergarten. Amanda's senior prom is right around the corner, as she is a member of this year's Class of 2023. I am ashamed to share that despite a crystal clear decision directing our General Assembly to fix the problem, neither Amanda nor Blake have been provided a *"thorough and efficient system of common schools."* This is not an accident or an oversight. This is the willfully negligent behavior of multiple legislatures flaunting their contempt for the authority of our Supreme Court and the birthright of our children.

Soon after Amanda returned from winter break as a kindergartener, Gov. John Kasich was sworn into office. By the time Amanda left for spring break, the governor had forced Ohio's superintendent, Deb Deslile to resign; an odd decision since Ohio was ranked 11th in the country for the quality of K-12 Education. Apparently, Gov. Kasich wanted to go a different direction. In fact, they both ended up going different directions. She rose to become an assistant secretary at the US Department of Education, and Ohio's rank dropped to 26th.

Going different directions is a theme of the educational policy passed by Ohio's ruling party. In the decades since the *DeRolph* decision, the biggest education policy initiative they have pursued is to send public tax dollars to private schools in the form of vouchers. Initially marketed as a way of improving outcomes by inserting competition into the "educational marketplace" these leaders (one of whom was recently convicted of racketeering) have failed at both. Not that they care.

In 2014, when Amanda was in third grade, our state legislature sent \$70.5 million public tax dollars to private schools in the form of tuition vouchers. By 2022 EdChoice surpassed \$315 million. As of last year we will have sent more than a billion taxpayer dollars to private schools. Private schools who have zero

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financial accountability to taxpayers; private schools who can deny admission to students with special needs and private schools who can discriminate based on gender, religion, sexuality, and/or academic ability. If the legislature's GOP supermajority has their way, that first billion dollars will be remembered as practice with a voucher bill working its way through committee hearings that would cost Ohio taxpayers more than that every year.

Every spring, Amanda and Blake have gone through the ritual of state mandated testing. Interestingly, students who have used the billion dollars of taxpayer supported vouchers have been required to take the same tests. Guess what? Voucher students routinely underperform public school students. A study looking at the 2009-2010 performance of voucher students from Cleveland found they performed lower on nine of the 14 state-mandated tests than did the students at their home public school. A Cincinnati Enquirer study looking at statewide data from the 2017-2018 and 2018-2019 showed similar results: "The analysis found that in 88 percent of the cities in the analysis, a public district achieved better state testing results than those private schools with an address in the same city." So, instead of funding a *"thorough and efficient system of common schools"* our legislature has spent a billion of our tax dollars to prop up underperforming private schools.

Not only has this hijacking of a billion dollars of taxpayer money been squandered on underperforming private schools, it has re-segregated the public schools many of those voucher users have left. The student body of the Richmond Heights Schools was 26 percent white before vouchers. Today, the white student enrollment has fallen to 3 percent. In the Cleveland Heights - University Heights School district, 89 percent of voucher users are white, leaving behind a student body that is now only 17.2 percent white. As Amanda, Blake, and every other public school student learns in their junior year government class, separate is not equal.

A funding system sending just \$1,938.36 per student to the Cleveland Heights - University Heights Schools, while sending a voucher for \$5,500 (grades K-8) or \$7,500 (grades 9-12) for the same children to attend private schools does not create a *"thorough and efficient system of common schools"*. Yet this is the law of our land under the current biennial budget. Yes, a high school voucher sent nearly four times as much taxpayer money to private schools as the state sent to my public school district in 2022. No wonder there are so many school levies on every ballot!

Last January, a group of more than 100 public school districts filed the *Vouchers Hurt Ohio* lawsuit claiming the EdChoice voucher program violates the Ohio Constitution in five different ways. This coalition now has the support of roughly a third of the state's 611 school districts.

On Dec. 16, Franklin County Common Pleas Judge Jaiza Page rejected all five of the state's motions to dismiss. Judge Page expects to begin hearing the case this year. Hopefully, Ohio's taxpayers and school districts will receive the verdict they deserve, so this fall's kindergarteners can receive the education they deserve.

Dan Heintz is an Ohio public school teacher, member of the Cleveland Heights - University Heights Board of Education and steering committee member for the *Vouchers Hurt Ohio* lawsuit.

