

Ohio Federation of Teachers (OFT) challenges Auditor of State (AOS) for “investigating” school districts regarding their financial support of the EdChoice voucher lawsuit and requests the AOS to investigate the use of public money by KIPP (Columbus) charter school in union-busting activities.

The attached press release indicates OFT’s support for member school districts’ use of funds to help with the EdChoice voucher litigation and decries the State Auditor’s investigation of school districts for participating in the litigation. OFT also, by its letter to the AOS, is asking that KIPP Columbus and Menlo Park Academy be investigated for the use of public funds to engage in union-busting activities.

FOR IMMEDIATE RELEASE

June 1, 2023

Contact: Neil Bhaerman, 412-266-4899, nbhaerman@oft-aft.org

RELEASE: OFT Asks Auditor of State Keith Faber to Investigate Public Education Funds Used for Union-Busting

COLUMBUS — The Ohio Federation of Teachers sent the following letter to Ohio Auditor of State Keith Faber today, in response to his office's actions to investigate school district spending on voucher litigation. The union is asking Auditor Faber to instead investigate the use of public education dollars on union-busting at Ohio charter schools. [The letter is available as a pdf here.](#)

June 1, 2023

Dear Auditor Faber,

The Ohio Federation of Teachers represents teachers, counselors, school nurses, speech language therapists, paraprofessionals, bus drivers, and other staff in dozens of Ohio school districts, including nine districts that are involved in litigation over the state’s private school voucher system.

Our members have a long history of advocating for fair school funding so that kids have what they need to be effective students and teachers have what they need to be effective teachers. We wholeheartedly support the right of Ohio school districts to participate in litigation that can help define the state government’s responsibility regarding school funding. As you know, this has been a frequent topic of litigation, with Ohio’s Supreme Court issuing multiple opinions since the DeRolph case in 1997 stating that the state’s public school funding system doesn’t meet the requirements of the state constitution. Given this history, it is prudent for school districts to seek clarity and justice regarding school funding.

We believe that costs incurred on this lawsuit are appropriate and should not be a target of investigations, unless there is a specific reason to believe that malfeasance is involved.

However, since you are interested in investigating the use of public education dollars in legal manners, we request that you investigate Ohio charter schools who have used state funding on aggressive anti-union tactics, commonly known as “union avoidance” or “union-busting.” Union-busting practices are frequently seen when workers at a private company form their union. These practices though should be unacceptable for an entity that relies on public funding.

On November 15, 2022, educators at KIPP Columbus charter schools submitted a petition for union recognition with signed union cards for 78% of eligible employees. In response, the administration of KIPP Columbus orchestrated an expensive campaign of intimidation. This union-busting campaign started with a frivolous legal challenge that delayed a secret-ballot union election by months. KIPP Columbus used that delay to hold mandatory anti-union meetings, bring in out-of-state consultants who failed to follow federal compliance rules, and send a barrage of emails meant to confuse, dissuade, and demoralize. Several of the anti-union meetings were during instructional time, pulling teachers from their classes. In just the last three weeks before the union election vote on May 5, 2023, KIPP's administration sent 16 anti-union emails to staff. Based on a February response to a public records request, which does not encompass the full range of spending on anti-union efforts, KIPP Columbus has spent more than \$100,000.

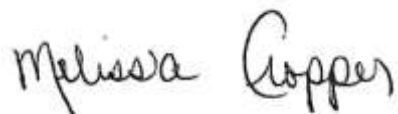
We understand that Ohio's charter schools occupy a unique space in public policy – they are publicly funded, they are considered public schools, but they can be privately managed and are not bound by many of the safeguards and accountability measures that fully public entities follow. However, since these schools are dependent on public funding (KIPP Columbus received \$15 million in public funding for the 2021-2022 school year), their funds should be spent to educate students, not to prevent their employees from forming a union.

We urge you to request information from KIPP Columbus and from Menlo Park Academy in Cleveland, another Ohio charter school that engaged in heavy union-busting when their staff organized a union in 2021-2022. These schools should provide information on how much money was spent on anti-union legal support and consultants.

Public education dollars should be used to benefit students and further their education.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Melissa Cropper". The signature is written in a cursive, flowing style.

Melissa Cropper, President
Ohio Federation of Teachers