

Update on the harassment and attempted intimidation of school district treasurers by the Auditor of State (AOS)

On May 22 the AOS sent a “survey” to school districts regarding the funds they have spent in the EdChoice voucher lawsuit. The AOS asked the districts to reply by June 4. Those districts that didn’t reply received a follow-up request dated June 6. The June 6 request states in pertinent part:

Ohio Rev. Code §117.11(B) authorizes the Auditor of State to conduct an audit of a public office at any time when requested by a public office or upon the Auditor of State's own initiative if the Auditor of State has reasonable cause to believe that an additional audit is in the public interest. Additionally, the Auditor of State has broad authority to compel production of and examine records. See Ohio Rev. Code §§117.09 and 117.18. Furthermore, the information our office requested in this survey is a public record as defined in Ohio Rev. Code §149.43(A) (1) and must promptly be made available upon request.

The information the AOS is seeking is available at the Coalition’s treasurer’s office; however the AOS, on behalf of the Senate President, is attempting to intimidate school districts rather than collect the information. This is contrary to Section 2921.03 ORC.

The EdChoice voucher litigation legal team is in the process of determining the legal strategy to respond to this travesty of justice.