

Private schools that receive tax support for auxiliary services, non-public administrative cost reimbursement and VOUCHERS should be required to follow the same rules as public schools.

During the past five decades, private schools have gone from no tax support to a significant dependence on tax support in terms of direct payments, transportation, and vouchers; and it appears there is more to come. The Senate President recently announced his campaign for public funding for private school facilities. Vouchers for homeschooling is also on the horizon.

Private school operators want more and more funding but resist transparency and accountability. They cannot have it both ways.

The level of tax funding for the privates is at the tipping point. The public will demand that private schools that take tax dollars must be held to the same standards as public schools. Teaching credentials, curriculum, public audit, enrollment criteria, student and employee due process, governance, and every other aspect of schooling will be on the table for policy discussions and formulation.

Denis Smith, a former consultant in the Ohio Department of Education charter school office recently wrote about a New York private school operation resisting all regulations and transparency. Smith writes:

Lessons From New York: What the Ohio Legislature Needs to Learn About Tax Support for Private and Religious Schools

Remember the old saying that timing, along with location, is everything? In the case of the Ohio legislature, its timing in policy formation is seriously flawed because it failed to learn from what happened recently in a certain location, the (other) heart of it all.

And with the legislature's failure to get so many things wrong, it's time to ask Senate President Matt Huffman if he reads a certain newspaper.

On June 30, at the very time the legislature was folding its tent after a tumultuous session where hundreds of millions of taxpayer dollars were committed to private and religious schools in the form of vouchers, the *New York Times* carried a story about the continued eligibility of eighteen religious schools to receive public funds.

The *Times* [framed the issue](#) in the clearest fashion:

Eighteen private schools run by the Hasidic Jewish community have been breaking the law by not providing their students with an adequate secular education ...

The findings were an extraordinary rebuke of the schools, known as yeshivas, which receive hundreds of millions of dollars in public money annually but have long resisted outside oversight.

The determinations about the schools, which offer intensive religious lessons in Yiddish but little instruction in English, math or other secular subjects, marked the first instance of the city concluding that private schools had failed to provide a sufficient education.

If anyone wanted to pick out the key words in the above passage that might be instructive for a legislature that just voted to authorize the transfer of hundreds of millions of dollars in scarce public funds to private and religious schools in Ohio, they might include the following:

Secular. Oversight. Public Money. Sufficient.

The lesson of the story is a tale of a group of religious schools in the nation's largest city that want things both ways, viz., the ability to receive lots of public money to operate their schools but fight efforts that result in strings attached with the receipt of those public funds.

Even if those strings include adequate English language instruction. Or the teaching of anything else of a secular nature.

And yes, for Republicans, strings are another word for regulations, a term they detest as much as they love tossing around that old chestnut -socialism - perhaps their favorite pejorative.

But whatever strings, rules, regulations, or other oversight measures might be called, there is still the constitutional question that Ohio lawmakers have blatantly ignored. Moreover, with the problems presented by the New York religious schools, one wonders if members of the Ohio legislative leadership even bother to read newspapers of record like the *New York Times*.

For years, those opposed to vouchers to partially offset tuition payments for private and religious school attendance have warned that such measures are blatantly unconstitutional in their support of untold thousands of non-public school *systems* (note the plural). Indeed, the language in the Ohio Constitution's Article VI, Section 2 is unambiguous:

"The General Assembly will secure a thorough and efficient "system of common schools throughout the state; but no religious or other sect, or sects, shall ever have any exclusive right to, or control of, any part of the school funds of this state."

Note the use of the singular for a *system* of common schools.

But even if the public might think that the blatant unconstitutional support of non-public schools at the expense of a system of common schools was enough of an issue, the key words *secular, public money, oversight, and sufficient* identified in the *Times* article must also be addressed when public funds for private and religious schools is the topic.

Well before the suspension of funds to the New York yeshivas, the schools were combative in fending off any attempts by public officials to apply accountability measures in the form of oversight and what secular subjects were being taught. That is the seeming contradiction in the Ohio legislature's unconstitutional actions in providing revenue for the very kind of schools that exist to proclaim their autonomy and relative freedom from the level of transparency and accountability required of public schools.

[The Ohio Coalition for Equity and Adequacy of School Funding](#), an organization founded 25 years ago for the purpose of ensuring that the Ohio legislature acts to fulfill its constitutional obligation in providing appropriate support for public schools, had this to say about the greatly increased spending in support of non-public schools that is found in the new budget bill:

“Every private school voucher student will be receiving a tax subsidy. Taxpayers will be paying for religious instruction since an overwhelming majority of private schools are connected with a religious institution. Government has the responsibility to protect the right of individuals to practice their religion but has no responsibility to financially support any religious institution.”

Sadly, the Republican gerrymandered supermajority in the legislature is hell-bent on appeasing their base, irrespective of any constraints imposed by the state constitution and by a civic tradition that says public schools are a public good, open to all, irrespective of religion, ability, and circumstance.

And then we’re back to that troubling constitutional language which Republicans ignored in the legislative session, and which is now under legal challenge by several organizations, including Ohio E&A: “... no religious or other sect, or sects, shall ever have any exclusive right to, or control of, any part of the school funds of this state.”

That group seems to, thus far, have the political clout to resist regulations, but will lose in the long run. The public will not forever agree to fund unaccountable and opaque, obscure schooling.