

David Pepper's view of the unconstitutional transfer of powers and duties of the State Board of Education to the Governor's office, the ECOT scandal, the universal voucher scheme, and the financial implications of the political debate over school curriculum.

David Pepper's recent [Pepperspective](#) reviews the politics that created the ECOT scandal, the universal voucher fiasco, the demise of the State Board of Education, and the emerging politicalization of school curriculum.

The idea of government, "of the people, by the people and for the people" is fading from reality in Ohio. Those holding political power seem to have no regard for the will of the people, the Ohio Constitution, or the public good.

UPDATE: Thuggish Takeover of Ohio School Board Continues

Another Attack on Democracy in Plain Sight; Kids, Communities Pay the Price

[DAVID PEPPER](#)

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One of the key ways that the far right is attacking democracy is through its relentless, multi-pronged attack on public education in America.

And over the past year, we've seen a case study of this with the **takeover** of the Ohio school board—an independent body with numerous members elected directly by the voters. With this power play in particular, not only are Ohio Republicans undermining public education, but they're working feverishly to remove voters from any direct say about the direction of Ohio schools and school policy, and defying the Constitution of the state as they do so.

We've seen a new round of thuggish maneuvers in recent weeks. Read on...

The Takeover:

As background, Ohio voters amended the state's Constitution in 1953 to create ***an independent state school board and Department of Education***. They did so to end prior practices of state politicians using schools to advance their own ideological and economic (and their donors' economic) agendas at the expense of schools and students. (Sounds familiar, doesn't it?)

That system of an independent board has been in place ever since. Which you'd expect...given that it's the law.

But in a move reminiscent of the Jim Crow South, after a November 2022 election election where voters **voted in** pro-public school candidates committed to changing the direction of a board that had moved far to the right, the Governor and statehouse passed legislation ***stripping that school board of almost all its powers***.

Since then, **Governor DeWine** and his **Lieutenant Governor, Jon Husted**, have waged an all-out disinformation campaign to justify why they made this change (blaming the new members for the old members', and their own appointees', failures).

Just read [this from DeWine](#): “You know, before that law was passed, that gave the governor the authority in regard to the Department of Education, we had kind of a strange situation when we think about it. I would sit down with my cabinet and I had the director of natural resources, I had the director of our highways, and all the other state agencies except one, and that was the most important and that’s the Department of Education.” ***Well, Governor, the reason for all that was....the Ohio Constitution (just like the provisions against gerrymandering you violated)!***

Why the Takeover?

Now why would **DeWine, Husted** and the **Ohio GOP** *be so eager* to 1) strip the state school board of its powers, 2) eliminate voters from having a direct say in state public education policy, and 3) move major state education decisions behind closed doors (as opposed to monthly, public state school board meetings)?

Well....I’ve got a few hunches:

1. One of the largest scandals in Ohio history occurred only a few years ago when a **for-profit online school** (called ECOT) turned out to be a massive scam — one in which the politicians *now* pushing for the school board takeover were deeply involved. Husted [led the effort](#) to remove oversight for just this type of school years ago (and ECOT thanked him with an honorary degree):

ECOT’s big thank you for killing oversight

while DeWine was Attorney General who never got around to seeking accountability for the scam until it was far too late. True to form for the nation’s most corrupt statehouse, that scam school and its founder also emerged as the Ohio GOP’s largest donor for years. (Basically, the tax dollars we pay to support public schools were converted, via ECOT, into an avalanche of political donations).

2. A second huge issue in Ohio politics has been the rapid transformation of **private school vouchers** from a narrowly targeted program for kids in poverty in struggling districts (that was the initial sales pitch, at least), to a “universal” voucher with no restrictions—[which data already shows](#) has created a massive taxpayer-funded subsidy to families who *already can afford* and *are already sending* their kids to private schools. The costs are exploding as a result.
3. The latest big debate to emerge is over **school curriculum** issues. And as with most else, there are major financial implications to decisions made in this area. Suddenly, Ohio politicians have [very strong opinions](#) on these issues. (Without weighing in on the strength of various curricula, whenever I see numerous Ohio politicians with no education expertise but an egregious history of pay-to-play all diving headlong into an issue (as they did ECOT and online education), my experience tells me that big money is lurking nearby).
4. Mind you, all these politician/donor-driven policies have taken a state school system that was ranked in the top 5 in its quality as recently as 2010, and driven it down to the mid-20s.

Now why get rid of most of the powers of the state school board?

Let me give you a hint: the new Department of Education and Workforce (now directly under the Governor) [will have](#) the following oversight: “learning standards, **model curricula**...as well as over

testing and **administering school funding to traditional public, charter and private schools that use vouchers**. These tasks formerly were overseen by the state school board and carried out by the employees at the...Ohio Department of Education.”

Go back and look again at the first three issues I listed above.

That’s right: they are seizing direct control and getting rid of any independent check or **oversight of the very issues that have been the hottest topics on their agenda, and for which they have built a troubling track record of pay to play and terrible outcomes**. In the process, they are also eliminating any direct check by the voters (who may at some point get tired of those poor outcomes). And the change also means that all these policies will be **decided behind closed doors** by politicians who, again, have an egregious history of pay to play on just these (and other) very issues.

Think about it: after ECOT and First Energy, do you trust Jon Husted to make decisions about school policy without any transparency or checks? Behind closed doors? I sure as hell don’t.

Imagine the next ECOT, but **even more hidden behind closed doors**. Future voucher decisions, behind closed doors. Major curriculum decisions, behind closed doors. No independent oversight on any of it. Lobbyists circling all around *behind those closed doors*, at the table—representing all those private interests, giving money to the politicians. But those elected by the voters to direct school policy nowhere near it.

This is what they accomplish by stripping away the power of the independent school board. ***It’s a recipe for abuse and giveaway—the precise conditions the voters voted to avoid way ack in 1953!***

And no coincidence, they did this **at the very moment** school board candidates who vowed to change Ohio’s failing directions won a majority of the elected membership of that school board. The very moment where former teachers dedicated to strong public schools got themselves elected to provide even more needed oversight.

So you see why this is such an attack on democracy?

The Latest: Truly Thuggish Behavior

The bad news at the moment is that while there’s a lawsuit challenging the decision as a violation of the Ohio Constitution, like too much else in Ohio, the court system is moving incredibly slowly in deciding the case and stopping a power grab. (At one point, [DeWine moved forward on the takeover](#) even when there was a temporary injunction to keep him from moving forward. And the court allowed it to happen with no accountability. True lawlessness.)

The trial is now scheduled for October 2024.

So what are those stripping those powers doing as the issue wallows in court?

Taking full advantage of the delay to **destroy what’s left of the people’s voice in and window into public education**.

We are talking truly petty and thuggish tactics:

First, they are **defunding** what's left of the State School Board and the superintendent. The new superintendent recently told the board that the state is defunding the Board to the point that by June, [“we’ll probably not be able to make payroll.”](#)

Funny, they have so much money to spend on other things, like vouchers to families who don't need them. Why the budget cuts here?

Long-time board member (and even longer-time teacher and public school advocate) Meryl Johnson made it clear—the defunding is because they “want to put us out of business.” Yep—that's clearly the goal.

Second, the Superintendent and State School Board were just notified that their **offices are being moved miles away from where they've met and worked for years**—to be housed within the Department of Agriculture(?!), as opposed to co-located with other education-related agencies, where they are now.

As one member summed up: [“For us to be located out there is the Gulag, frankly, and I'm strenuously opposed to it.”](#)

The Opportunity: Ohioans Hate the Idea

There's no good short-term answer to this, I'm afraid.

The only hope is that Ohio courts finally step up and restore the rule of law in this state, by respecting and upholding the clear intent of the 1953 Constitutional Amendment—and stopping this entire takeover in its tracks. If there are ways folks can help in this case, I will let you know.

Longer term, the best opportunity comes from the fact that the people of Ohio clearly understand how terrible this idea is. Believe it or not, among a number of hot topics being bandied around in Ohio politics, ***none is as toxic as the idea of the Governor stripping power from the state school board***. In [a recent poll](#), Ohio voters opposed the idea **by 74%-13%** (no other idea tested was anywhere close to that unpopular), and it was under water with every demographic:

- **Democrats** oppose it, 85%-9%
- **Independents** oppose it, 75%-11%
- **Republicans** oppose it, 64%-19%
- **Men** oppose it (69-15) *and* **women** oppose it (79-11)
- **2020 Trump voters** oppose it (64-16) *and* **2020 Biden voters** oppose it (84-10)
- **White voters** oppose it (73-13) *and* **Black voters** oppose it (76-20)
- All age groups oppose it to almost the exact same degree

These are stunningly bad numbers. And rare bipartisan agreement.

It also turns out that the voters trust the state school board to handle these matters far more than the Governor:

CC3711 1.31.24 Wednesday

[Read online to view the statistics]

In short, the issue is a third rail...**for them.**

We've got to keep it that way, by talking about it more than ever.

How?

If **you're running for the statehouse**, or helping someone who is, **make it a central issue in the campaign.** That polling makes clear it could be one of the worst votes an incumbent has taken.

The media should ask candidates about it at every turn. Where does Frank LaRose stand on it? Moreno? GOP candidates for Governor already in a primary.

If you run a political or activist group, invite state school board members to your meetings to talk about it. They will get you fired up, I promise! (I can help with that).

Write letters to the editor about it.

Post about it.

Share this!

They want this thuggish takeover—a direct attack on voters as well as an invitation for more corruption in a state with a pattern of hopeless corruption—to get lost in delays and bureaucratic moves..

Don't let it!

As I just showed with this post, I sure won't!

Keep this issue on the front burner.

Don't let this issue die. Spread the word widely...