

**The Ohio legislature is out of control with regard to spending for school privatization.**

Do some legislators not know that when they took the oath of office they are swearing to or affirming to support the Ohio Constitution? Do they not know that it is the General Assembly's responsibility to secure a thorough and efficient system of common schools? Do they not know that the EdChoice voucher system is without basis in the Ohio Constitution? Are they oblivious to the Ohio Constitution and thus, the will of the citizens of Ohio?

If legislators (the legislature) want school vouchers, they need to secure permission of Ohioans via a constitutional amendment. (All political power is inherent in the people (Article 1, section2)). The legislature can propose a constitutional amendment asking voters to authorize the use of tax funds for private school vouchers for both secular and religious private schools.

The 1851 constitutional provision mandating the state to secure a thorough and efficient system of common schools prohibits either religious or secular sects to have any control over any part of public funds for schools.

A proposal to remove the prohibition was offered by a delegate during the 1873-1874 Constitutional Convention. It was sharply rejected. During the 1912 Constitutional Convention state responsibility for the public common school system was enhanced by the addition of Section 3 of Article VI: "Provision shall be made by law for the organization, administration and control of the public school system of the state supported by public funds: provided, that each school district embraced wholly or in part within any city shall have the power by referendum vote to determine for itself the number of members and the organization of the district board of education, and provision shall be made by law for the exercise of this power by such school districts." There was no mention of releasing public funds to private schools of any ilk.

In 1953 Ohio voters further enhanced the public (only) system by establishing a state board of education. The State Board of Education was recently neutered by the legislature illegally returning the control of education at the state level to the governor's office.

In 1969 the 108<sup>th</sup> Ohio General Assembly adopted HB240 to establish a commission to make recommendations to amend the Constitution—no recommendation regarding funding of private schools was considered or recommended.

The Ohio Constitution Modernization Commission was established by the 129<sup>th</sup> General Assembly via HB188—no recommendation regarding funding of private schools.

In spite of no constitutional authorization, state officials since the mid 1990's have opened the state treasury to fund private school vouchers contrary to the Constitution.

If state officials want to fund a private system of education, they should have the integrity to seek permission from the citizens via constitutional amendment.

As the Senate President has said, "We kind of do what we want...." Clearly a breakdown in the rule of law.