

History of school funding in Ohio: Education provisions in the 1802 Ohio Constitution

Article VIII—Bill of Rights—section 3, of the first Ohio Constitution included a near-duplicate of the education provision of the Northwest Ordinance of 1785. The last sentence of Article VIII, section 3 states, “But religion, morality and knowledge, being essentially necessary to good government and the happiness of mankind, schools and the means of instruction shall forever be encouraged by legislative provision, not inconsistent with the rights of conscience.” The 1802 Constitution added “by legislative provision” to the encouragement of education section of the Northwest Ordinance of 1787. Hence the legislature was assigned a responsibility.

Article VIII, section 25 states: “That no law shall be passed to prevent the poor in the several counties and townships within this state from an equal participation in the schools, academies, colleges and universities within this state, which are endowed, in whole or in part, from the revenue arising from donations made by the United States, for the support of schools and colleges; and the doors of the said schools, academies and universities, shall be open for the reception of scholars, students and teachers, of every grade, without any distinction or preference whatever, contrary to the intent for which said donations were made.”

From the very formation of statehood, it is apparent that the education to be encouraged would be government-sponsored and regulated. It is also apparent that schools were legislated to be open to all students. Discrimination against the “poor” was prohibited. The school privatization crowd, in a belittling manner and tone, refers to public schools “government” schools. Their intent is to defame the public common school system, suggesting that all private education is superior, which is clearly false.

The next post will show how Ohio handled education for the first quarter century of the 19th century.