

Denis Smith, retired school administrator and Ohio Department of Education consultant, in a December 8 column in the Ohio Capital Journal, notes the changing views of public school board members and school administrators regarding vouchers over the years.

[Ohio School Boards Association conference reveals growing reaction against vouchers and lawmakers](#)

[Denis Smith](#)

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Bob Dylan got it right years ago. “You don’t need a weatherman to know which way the wind blows,” the folk music icon opined, particularly when it comes to detecting the views of Ohio school board members.

Indeed, there wasn’t a meteorologist in sight when more than 6,500 school board members, superintendents, and district treasurers gathered at the Columbus Convention Center for the annual Capital Conference of the Ohio School Boards Association.

According to reports, attendees represented 89% of the state’s [607 school districts](#) and provide a good sample to gauge the level of current thinking among school boards and their administrative leadership about the major issues facing public education.

Ready for a surprise?

The top issue facing Ohio schools isn’t a shortage of bus drivers, scarce substitute teachers, or funding for aging school buses.

It’s the expanded universal private school voucher program that is devastating the long-range viability of public education and diverting more than \$1 billion annually from the state treasury to support private and religious schools.

That concern about dwindling state support for public education came through loud and clear from school board members who stopped by the Ohio Coalition for Equity & Adequacy of School Funding and Vouchers Hurt Ohio exhibit booth to offer their concerns about the expansion of vouchers and the harm they inflict on public schools.

As a volunteer at the conference for the last fourteen years, there is no question that the response from board members I spoke with last week about the Ohio legislature’s continued bad behavior directed at public education was the strongest during this time period.

A few examples:

“I’m a lifelong Republican,” a school board member from Southwest Ohio told me, “but the harm being done to public education by the legislature has to stop.”

He spoke to me as we stood in front of an easel that displayed the heart of the lawsuit against educational vouchers and the legislature’s unconstitutional support for religious schools.

Another board member, also from Southwest Ohio, stopped by the Ohio E&A/Vouchers Hurt Ohio exhibit booth to express her strong feelings about the voucher expansion and its support of religious schools.

As a board member, she related, “I’ve personally supported Catholic schools over the years, but vouchers are wrong and are harming public education.”

That board member’s words reflect the general mood of the attendees who represent a cross-section of Ohioans from rural, urban, and suburban areas.

This year, they are more forthcoming on how they feel about vouchers.

Here’s why.

On June 24, Franklin County Common Pleas Judge Jaiza Page ruled in a 47-page decision that [educational vouchers](#) are violative of the state constitution because they create multiple school systems rather than a common system open to all children, fail to adequately fund a thorough and efficient system, and transfer public funds to religious schools in violation of Article VI, Section 2.

The plaintiffs had argued that more than 90% of the private schools in the state are religious institutions, thus a clear constitutional violation.

The ruling supported the plaintiffs on three of the five counts in the lawsuit.

Judge Page's decision was appealed by the State Defendants and will be considered by the 10th District Court of Appeals.

Ultimately, the case will be decided by the Ohio Supreme Court.

An added incentive driving more districts to join the lawsuit was the inaction of the legislature to address the [Cupp-Patterson funding plan](#) that was introduced into the state budget in 2022.

William Phillis, a former deputy state superintendent of schools and executive director of the Ohio Coalition for Equity & Adequacy of School Funding, weighed in on the legislature's neglect of duty in maintaining the constitution's requirement to guarantee "a thorough and efficient system of common schools."

"There were high hopes that the Cupp-Patterson plan would be fully phased in for FY2026 and beyond, but the legislature scuttled the plan and punished school districts in a plethora of ways. Meanwhile, the trial court judge ruled EdChoice vouchers unconstitutional. The court decision and the legislature's failure to adopt a completely phased-in Cupp-Patterson plan turned many school district leaders toward the EdChoice voucher litigation. So interest in the litigation was at a higher level among school district leadership personnel than in previous years."

Phillis has led the fight for adequate school funding since the landmark 1997 [DeRolph v Ohio](#) decision, where the state Supreme Court found that reliance on local property taxes to fund schools created inherently unequal educational outcomes because of the varying level of assessed value among local school districts.

His role during the last quarter-century as a watchdog on the legislature to ensure that schools are properly funded has made him an eminent figure who inspired the formation of other groups to assist him in supporting public education.

Shortly after the conclusion of the OSBA conference, I spoke with Jeanne Melvin, President of Public Education Partners (Disclosure: I am also a PEP member) who, like me, also volunteered in the exhibit booth. She also saw a decided change in mood among board members, particularly those from rural districts, where their constituents don't have private schools to choose from but see larger school districts that have nearby private and religious schools benefiting from this decided imbalance.

"I have had the opportunity to speak with school board members, superintendents, and school treasurers in the Vouchers Hurt Ohio booth at the Ohio School Boards Conference for a few years," Melvin stated.

"In the past, I was disappointed at the number of education leaders that told me school vouchers were here to stay, and there was absolutely nothing they could do about it."

That was then. But things have changed among board members and school leaders.

Melvin has also seen a change in the prevailing wind direction.

"Ever since the judge ruled in June that Ohio's EdChoice voucher program is unconstitutional, opinion has changed. School district leaders and residents finally realize that the voucher agenda was created by

a legislature that seeks to privatize our system of public schools, and they are angry. The success of pro-public education board candidates and school levies this election cycle has ignited a passion to fight back.”

Indeed, school boards are fighting back, and with the recent election that saw a number of school board candidates defeat conservatives who were otherwise acquiescent on the voucher imbroglio, even more districts are expected to join the anti-voucher lawsuit.

“Parents are concerned about the long-term effects of district tax money being funneled to unaccountable private schools,” Jeanne Melvin thinks. “ Taxpayers are speaking up and demanding that their local public schools be protected.”

As the Voucher Hurt Ohio banner at the OSBA Capital Conference proclaimed, “We are winning!”

Those who support their community’s schools, the bedrock of so many zipcodes on the map, would agree.

Let’s hope that the Supreme Court will stand in support of defending the Ohio Constitution and its clear language in affirming that “no religious or other sect, or sects, shall ever have any exclusive right to, or control of, any parts of the school funds of this State.”

If the Supremes have trouble with comprehending these unambiguous words, they need to be enrolled in a [Science of Reading class](#).

The question about whether the universal voucher program is constitutional or not means that the Supreme Court must rise above politics and apply the law as it is clearly spelled out in Article VI, Sec. 2 of the Ohio Constitution.

Stay tuned. Lend your voice. [Click here](#) to see if your local school district has joined the Vouchers Hurt Ohio lawsuit to prohibit public funds being used for the support of private and religious schools.

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