

Beginning with the Northwest Land Ordinance of 1785, the foundation governing documents in Ohio have directed state government to restrict school tax funds to only public school entities. Part V of a series

The Constitutional Convention of 1850-1851 gave the state the continuing responsibility to secure a “thorough and efficient system of common schools.”

The proceedings in the record of the Constitutional Convention reveal that a majority of delegates to the Constitutional Convention of 1850/1851 were not pleased with the progress of the General Assembly in developing a system of public common schools in the early 1800s.

In 1825 the legislature enacted a law to establish a common school system. Not until 1837 did the legislature establish a state education office. In that year, Samuel Lewis was engaged as the Superintendent of Common Schools. Lewis did a splendid job of assessing the status and needs of the common school system. In 1838 the legislature, at the behest of Lewis, passed some much-needed education reforms; however, after three years in office, Lewis resigned. The legislature then abolished the office of Superintendent of Common Schools.

The Convention delegates decided to give the General Assembly an assignment—secure a thorough and efficient system of common schools and forbid the draining of public school funds into private religious schools. (Article VI, section 2, of the Ohio Constitution)

Twenty years later, in 1873-1874, during another Constitutional Convention, the delegates took up the issue of education. The only attempt to alter Article VI, section 2, was by a delegate that proposed to remove the clause in Article VI, section 2 that prohibited the flow of public school funds to religious schools. That proposal was vociferously shot down by other delegates.

During the Constitutional Convention of 1912, the delegates made no attempt to alter the “thorough and efficient system of common schools” provision.

There has never been a serious attempt by citizens of Ohio to change Article VI, section 2, to permit private religious school funding. Unfortunately, over the years, beginning in the 1960s, Ohio legislators have, in violation of the Ohio Constitution, opened the tax funds spigot to drain public tax funds into private religious school coffers. The universal voucher program is the latest state policy: forcing the public to fund religious education.

Do you wonder why a large group of school districts are challenging the state for offering EdChoice vouchers to every K-12 student in Ohio? The answer is simple. Subsidization of religion is a violation of the Ohio Constitution. Additionally, it is a dangerous policy to the detriment of both the Church and State.