

Jan Resseger writes about the school district intimidation bill, HB671

Jan calls HB671 “extortion.” That it is!

[Ohio Legislator Proposes Law to Punish School Districts for Pursuing Anti-Voucher Lawsuit](#)

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Last week, an Ohio legislator introduced House Bill 671 to deprive roughly half of Ohio’s 609 public school districts of any state funding for their public schools unless the school districts drop out of a lawsuit challenging the constitutionality the state’s EdChoice private school tuition vouchers. In January of 2022, the school districts, the Ohio Coalition of Equity and Adequacy of School Funding, and several parent plaintiffs filed the lawsuit because the state’s growing voucher program continues to divert more and more of Ohio’s school foundation funds to private schools instead of the public schools that serve the mass of the state’s children.

The proposed law is a blatant example of extortion.

The *Plain Dealer’s* [Laura Hancock reports](#) that, last Tuesday, Rep. Jamie Callender (R-Lake County) introduced House Bill 671 to withhold state public school funding from the over 300 plaintiff school districts participating in the Vouchers Hurt Ohio lawsuit. Hancock explains: “Under HB 671, the money that would normally go to the school district would be held in an escrow fund: ‘The department of education and workforce shall release withheld funds to the school district only upon the termination of the legal action or the district’s withdrawal from the action.’ ”

Here is the current [status of the Vouchers Hurt Ohio lawsuit](#). At the District Court level, on July 24, 2025, Franklin County District Court Judge Jaiza Page found Ohio’s EdChoice statewide school voucher program unconstitutional on three counts. The lawsuit being pursued by more than half of the state’s school districts has been appealed to the 10th District Court of Appeals and is likely to be heard in 2026.

[Article VI, Section 2 of the 1851 Ohio Constitution defines](#) the legislature’s responsibility to fund the state’s public schools: “The General Assembly shall make such provisions, by taxation, or otherwise, as, with the income arising from the school trust fund, will secure a thorough and efficient system of common schools throughout the state; but no religious or other sect, or sects, shall ever have any exclusive right to, or control of, any part of the school funds of this state.”

[Judge Page found](#) that Ohio’s EdChoice voucher program violates the Ohio Constitution on three of five counts named in the lawsuit:

- Creation of one or more systems of uncommon schools in violation of the Ohio Constitution, Article VI, Section 2;
- Failure to secure a thorough and efficient system of common schools in violation of the Ohio Constitution, Article VI, Section 2; and
- Diversion of funding in violation of the “No Religious or Other Sect Shall Ever Have Any Exclusive Right To or Control Of, Any Part of the School Funds of the State” clause of Article VI.

Two of the plaintiffs, the [Vouchers Hurt Ohio Coalition and the Ohio Coalition for Equity and Adequacy of School Funding released](#) a statement responding to Rep. Callender’s attempt to intimidate school district plaintiffs and force them to quit pursuing the legal challenge. Eric Brown, former Ohio Supreme Court Chief Justice, and the Vouchers Hurt Ohio Coalition’s chair, describes HB 671 as an obviously unconstitutional attempt to violate school districts’ obligation to serve their students: “This appears to be another attempt to intimidate and bully... The school districts have a long-standing constitutional right to pursue legal action on behalf of their students... The Coalition stands behind its members and is

prepared to immediately challenge any legislation that withholds funding from districts that protect Ohioans' constitutional rights."

From the Richmond Heights School District near Cleveland, School Board President Nneka Slade Jackson defines the impact of vouchers on school district finances: "We have more than 330 school districts in our coalition, and it is growing as more and more superintendents, treasurers, and board members in public districts feel the harmful impact of the legislation siphoning away \$1.7 billion for private school vouchers that benefit primarily wealthy families and religious schools."

Jocelyn Rhynard, a member of Dayton's school board, explains: "Mr. Callender's proposal is dangerous because it is not just about vouchers. It would remove the ability for school districts to challenge unconstitutional legislation. It would open the door to block other public entities like cities and townships and counties that receive state funding from their constitutional right to appeal to the court system."

By introducing HB 671, Rep. Callender is blatantly attempting to distract the public from the very reason 330 of Ohio's school districts are suing the state to have EdChoice vouchers declared unconstitutional: As the legislature has diverted billions of dollars to the universal EdChoice voucher program, it has simultaneously reduced its investment in the public schools that serve 1.6 million children and adolescents.

The *Plain Dealer's* [Anna Staver traces](#) a persistent decline in the state's contribution to Ohio public school funding: "In fiscal year 1999, the state covered about 47% of the base cost of education, according to the Ohio Education Policy Institute. This fiscal year, the state will cover 38%. By FY 2027, that share is projected to drop to 32%. As the state steps back, more of the responsibility for funding schools shifts onto local homeowners—through their property tax bills."