

The message the Ohio legislature sent to Ohioans via the State Budget: Ohio can afford the universal EdChoice voucher scheme but then cannot afford to fund a constitutional system of public school districts.

A couple state budgets ago the Ohio legislature enacted the Cupp/Patterson Fair School Funding program with some stipulations. The funding formula as adopted would be phased-in over a 6-year period and the cost of categorical programs, such as students with disabilities, would be determined and funded as part of the phase-in process. Hence the state adopted a formula and a process for ultimately achieving a constitutional system of funding a thorough and efficient system of public common schools.

Thus, the legislature established a framework and process for achieving the 1850/1851 constitutional mandate to perfect a thorough and efficient system of common schools throughout the state.

Some state officials and the public education community were thrilled with this colossal Cupp/Patterson achievement. Hopes however began to dim for a successful phase-in of the program. The universal EdChoice voucher scheme was legislated during that phase-in timeframe. A powerful legislative leader, who has spent his career as a legislator, strong-armed colleagues to support his education privatization efforts and announced strategically that the Cupp/Patterson Fair School Funding Plan was unsustainable. Simultaneously, he was hijacking education funds for his EdChoice voucher unfettered passion to replace the public school system with private voucher schemes.

Currently the public common school system remains unconstitutional while the unconstitutional EdChoice private school system is flourishing.

The public common school personnel and advocates should challenge the state in court. They already have done so but not all school district leaders are supporting the effort to preserve the public common school system.

The trial court has ruled the EdChoice voucher scheme unconstitutional. The hearing before the 10th District Court of Appeals made conspicuous that the State Defendants had no viable defense for the EdChoice voucher boondoggle.