CC4411 9.10.26 Thursday

Coalition Steering Committee member, Dan Heintz' presentation to the Wilmington Board of Education regarding the EdChoice voucher litigation.

Dan Heintz' presentation attached below needs no elaboration.

Advocate asks Wilmington school board to join legal challenge to state voucher program

September 7, 2026

WILMINGTON, Ohio — The Wilmington City School Board heard a guest presentation urging the district to challenge Ohio's EdChoice private school voucher program during its Aug. 24 meeting.

Dan Heintz presented on behalf of Vouchers Hurt Ohio, a coalition of public school districts and education advocates suing the state over the voucher system. Heintz, a member of the Cleveland Heights-University Heights school board and a teacher in Chardon Local Schools, outlined the history of vouchers in Ohio and argued that the program harms public school funding.

According to Heintz, more than 330 of Ohio's 610 public school districts participate in the lawsuit, with the coalition's website listing 333 participating districts. He emphasized that the legal challenge is nonpartisan and does not oppose private schools or the families who use them.

"This is a nonpartisan issue, and I think that it's critical to start there because we live in such a polarized world that we tend to sort of think everything is blue or red and this simply is not true," Heintz said. "This crosses every spectrum that you can imagine. I also want to say that the adversary here is not private schools or the families who use private schools. The adversary here is the Ohio Legislature."

History and Expansion

During his presentation, Heintz reviewed the origins of vouchers, tracing the concept back to Virginia following the U.S. Supreme Court's 1954 Brown v. Board of Education ruling, where state-funded tuitions supported private "segregation academies."

Ohio's program began differently in the 1990s as the "Cleveland Plan," a pilot program backed by then-Gov. George Voinovich and Cleveland Bishop Anthony Pilla. Heintz cited a ProPublica report on Voinovich's records indicating the Catholic diocese sought state funds during a period of declining enrollment and financial strain.

The program expanded statewide over the following decades. In 2023, state lawmakers removed income caps, making the program universal for the 2023-24 school year and allowing any family to qualify for private school tuition subsidies regardless of household income.

Statewide and Local Funding

"Today, Ohio funds more private schools than public school districts," Heintz said. "And in 2026, it is actually north of $1.7 billion statewide. The overwhelming majority of these vouchers are used in the 11 biggest counties of the state of Ohio, but all 88 counties are paying for them."

According to the Ohio Capital Journal, the state spent $1.174 billion on private school voucher programs for the 2025-26 academic year.

Data from the Ohio Department of Education and Workforce indicates individual vouchers provide up to $6,166 annually for a K-8 student and up to $8,408 for a high school student for the 2025-26 school year. By comparison, Wilmington City Schools receives roughly $5,300 per pupil in state funding, matching the Ohio Legislative Service Commission's projected $5,308 per student for 2025.

Heintz used enrollment figures from Wilmington Christian Academy to illustrate the local dynamic, stating that the example was intended to explain funding mechanics rather than criticize the school.

Department of Education and Workforce data presented by Heintz showed Wilmington Christian Academy received nearly $2 million in voucher funding in fiscal year 2025 across 330 of its 334 enrolled students. He added that the academy also receives more than $900 per pupil through Ohio's Auxiliary Services program, which directs separate state money to chartered nonpublic schools.

Since 2018, the school has received more than $6.8 million in voucher funding and an additional $600,000 in auxiliary services support, paid through state tax revenues, Heintz said.

He noted that enrollment at schools like Wilmington Christian did not surge in proportion to the increase in vouchers following the 2023 universal expansion, suggesting that many vouchers subsidized students already enrolled in private institutions rather than new transfers from public schools.

Constitutional Arguments

Heintz outlined the constitutional foundation of the coalition's case, centering on Article VI, Section 2 of the Ohio Constitution. The 52-word clause mandates that the General Assembly maintain a "thorough and efficient system of common schools throughout the state" and bars any "religious or other sect" from having exclusive control or rights to state school funds.

Heintz stressed his personal support for school choice options, noting that he holds two degrees from private religious institutions and that his sister attended Catholic school.

"So, you know, I really celebrate private schools. I think that private schools are an important part of the educational, sort of, selection," Heintz said, adding that his effort is aimed at honoring his oath of office to defend public resources. "Ohio taxpayers are being abused with the EdChoice voucher system."

Legal Status and Board Response

The lawsuit, filed in Franklin County Common Pleas Court in January 2022, raised five constitutional claims. Judge Jaiza Page previously ruled in the plaintiffs' favor on key claims, concluding that the program establishes an unconstitutional dual school system and violates prohibitions on religious control of school funds. Page ruled in favor of the state on a claim requiring a constitutional amendment, while another claim regarding segregation impacts remains unresolved and would require a trial.

Both parties appealed, and the 10th District Court of Appeals heard oral arguments May 12. Heintz projected the lawsuit will ultimately reach the Ohio Supreme Court.

"If the public school districts win, vouchers end," Heintz said. "My hope is that they would stay the ruling until the start of the next school year, because we've got families who have made plans."

During board discussion, Heintz clarified that local property tax revenues remain with Wilmington City Schools, while the vouchers are drawn from state-level appropriations.

Board President Bill Davis, who serves as head of school at Wilmington Christian Academy, addressed the dual interests during the discussion.

"I'm here because I believe that we need, in our community, great public schools," Davis said. "Hence why I put the time and effort into this district. And we need a good private school in our community also."

The board took no action following the presentation. Joining Vouchers Hurt Ohio would require a formal board resolution and an annual contribution of $2 per pupil.

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