

SCPD Issue Paper

"The Ohio Education Amendment: Information and Ongoing Discussion" 2007

Ohio Education Amendment: Getting It Right! For Ohio's Future Consortium, Campaign for Ohio PAC

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Issues & Education Subcommittee: Pat Simons, Denny Brinton, Scott Piepho, Susan Vogelsang, Denise Woods

After ten years of ignored Supreme Court rulings stating Ohio's system of funding public education is unconstitutional in its over-reliance on property tax, a consortium of education organizations have proposed a public education amendment that would enforce a constitutional remedy. It is an attempt to once and for all propose a system of funding education that provides a fundamental right for every student to have a high quality basic education, regardless of geographical location or financial environment.

The amendment has passed all agencies for approval and is now in petition form. The initial distribution and education for petitions is being executed through individual school districts. Each have campaign guidelines and suggested petition signature goals. The petition signature gathering deadline is August 8. The legal requirement is 400,000+ signatures, but will require at least another 50% to make sure all are legal.

The main points of the amendment taken from Getting It Right! website, www.rightforohio.org :

- Amend the Ohio Constitution to establish that a high quality education is a fundamental right for every Ohio child
- Determine levels of funding based on student need for all types of students, including special education, vocational education, gifted or economically disadvantaged
- Eliminate "phantom revenue" of untaxed property value calculations by the state, thereby reducing the need for local tax levies
- Exempt Ohio seniors and disabled citizens from property taxes on the first \$40,000 of the market value of their homes
- Create an independent commission appointed by Ohio's top elected leaders - the governor, speaker of the House and Senate president - that monitors districts to ensure that high quality educational opportunities are available to students in a cost-effective manner
- Direct the independent commission to report annually to the governor, General Assembly, State Board of Education and the public
- Create and maintain a permanent local government fund to support police and fire departments, libraries and other local government services that support Ohio schools, our citizens and Ohio's ability to compete for jobs
- Establish a system that ensures total state funding for Ohio's public institutions of higher education receive no less than the amount provided in 2007 and increases annually based on the state's personal income percentage.

Full Text of Proposed Amendment http://www.rightforohio.org/documents/PetitionLanguage_000.pdf

SCPD has a position statement to support a strong and equitable system of public education in Ohio. The previous Education Funding in Ohio Issue Paper, found on the SCPD website, contains basic funding information that remains relevant for this topic. The sub-committee used that information as a foundation for our findings. Upon review of multiple sources and a sentence by sentence analysis of the amendment the committee concluded there are weak points in the amendment that need further investigation, particularly as this is a constitutional amendment.

Wyoming and Maryland are two states that have similar programs but they are legislative not constitutional. Ohio would be the first to do this. Also in light of our new Democratic Governor's budget announcement as it relates to public education there are some inroads being proposed. Governor Strickland is under pressure to not only bring public education reforms in funding and academics, he is having to do this with significant budget tightening measures and reduced state revenues. In spite of belt tightening he has pledged to raise state public education funding to 54% by 2009.

Amendment Campaign:

- PR not complete
- local districts already overwhelmed with levy duties
- limited petition distribution
- no non-partisan reviews available that would consider governance, taxation, impact on voters
- no talking points that anticipate detractors or con statements are available
- no large amount of funds available to run the campaign

Amendment Content:

- expanded powers for State Board of Education, down-ticket office with little voter attention, 11 elected/8 appointed structure that could end up mirroring the General Assembly especially with additional appointees, potential bog down. SBE is a constitutional entity whose powers, duties and selection are determined by law (legislators). Having a body external to the legislature give a mandate to the legislature on how much it must spend on any one area (in this case education) could create many problems. If the roles were reversed and the legislature had a Democratic majority, we would likely resist the Republicans creating a mandate from an external group to fund business development and commerce in the state budget at a specific level of dollars. We would probably say that it interferes with the legislature's ability to assess all needs and address them collectively.
- no mention of Charter Schools or Vouchers, allows funding to follow student as a fundamental right which could enable expansion of Charters et al. and increase migration of funds from districts.
- proponents of amendment should develop a model or simulation to at least partially demonstrate the effects of the amendment for each district. There are phase-in and formula proposals that are complicated to understand.
- constitutional amendment is difficult to change if problems develop that were not foreseen.
- clarity needed on effect on taxation now and in the future, social agencies fear funding competition;
- Washington State University, Human Services Policy Center, 2/07 report: Ohio should be spending \$1.2 - \$2.4 billion more on education, given the current 47% state share. It suggests that 53% local share would be around \$1.3 - \$2.70 billion. Doubt it will come from more property tax, more likely have to be more state funding. Need a careful study and modeling of the impact of various spending and revenue alternatives.
- Governor Strickland and both house minority leaders have stated no support for the amendment. Senator Fedor is a teacher. Anticipate alternative remedies coming from multiple sources in the coming months.

Recommendations:

- March 15, 2007, SCPD Issues and Education Committee have voted to suspend taking a position on the amendment until further information and discussion occurs.
- I & E provides full amendment language, website information, general meeting updates, and possible forum for membership education
- I & E encourages individual members who have taken a support position on the amendment to take action with their local districts.

Resources:

- March 1, 2007 meeting with Rep. Brian Williams and Jim Betts – PAC representative
- Review of Akron Board of Education DVD
- Getting It Right! For Ohio' Future and Campaign for Ohio PAC website www.rightforohio.org;
- Achieve, Inc Feb. 2007 report measuring Ohio's education progress www.achieve.org;
- USEP-Ohio's education updates with volunteer lobbyist Joan Platz usepohio@usepohio.com;
- Quinnipiac University Poll Feb. 2007 on the pub ed amendment <http://phosnorkapages.blogspot.com/>, found on Piepho blog site;
- Review of full amendment language;
- ABJ editorials and articles;
- SCPD Education Funding Issues paper, found on SCPD website;
- Education Policy and financing project for Ohio: Investments to Improve Student Performance Human Services Policy Center University of Washington Feb. 2007;
- US Chamber of Commerce National Report Card, 2/07
http://www.americanprogress.org/issues/2007/02/education_scorecard.html;
- Review of 2005 Flannery Amendment, Educate Ohio
- Governor's State of the State, March 13, 2007 and Governor's budget proposal for public education