

School District Membership in the Ohio Coalition for Equity and Adequacy of School Funding Should be Maintained

Origin and Growth

The Ohio Coalition for Equity & Adequacy of School Funding was organized as a council of governments in 1990 to reform school funding. Since that time, over 570 boards of education have adopted resolutions of joinder. Annual membership averaged more than 500 boards of education for several years.

Relentless mission

The mission of the Coalition—to secure high quality educational opportunities for all students without diminishing opportunities for those students residing in high capacity school districts—has never changed or been compromised. Regardless of the venue of labors—litigation, legislation, public engagement—the Coalition efforts have been consistent with the mission. Future activities and actions will likewise remain true to the mission.

The mission has its roots in Article VI, section 2 of the Ohio Constitution:

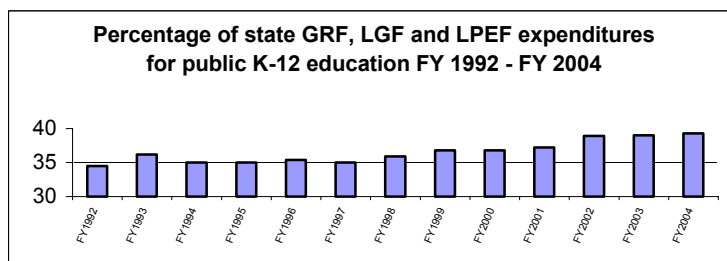
The General Assembly shall make such provisions, by taxation, or otherwise, as, ..., will secure a thorough and efficient system of common schools throughout the state;...

Focus of Activities and Actions from 1990 to 2004

The Coalition had two primary thrusts during the period between 1990 and 2004—to inform the public about the unjust and inadequate system and to challenge the constitutionality of the system. Both thrusts resulted in success. The court ruled in the *DeRolph* case four times in favor of the Coalition plaintiffs. A random sample opinion poll conducted after the first *DeRolph* decision indicated that approximately three-fourths of Ohioans supported the court's ruling that the system is unconstitutional and must be fixed. The Coalition has sponsored more than a dozen statewide meetings and hundreds of regional meetings to keep the education community and the public abreast of the status of the litigation and school funding issues. In an attempt to become more effective in public engagement, the Coalition established the Ohio Public School Dialogue, an independent, non-profit organization.

Success

The state responded to the *DeRolph* litigation by establishing a \$23 billion school facilities rebuilding program and increasing the percentage of the state budget appropriated to public K-12 education from 34.5% in FY92 to 39.3% in FY04 as shown in the graph below:



The case law established by the court via *DeRolph* clarifies that the state is completely responsible for securing a high quality, thorough and efficient system of public common schools. This case law will bode well in future school funding reform efforts. At some future date, state officials with integrity and respect for the rule of law will follow the Court orders.

Status of the *DeRolph* Case

The current governor and legislature refuse to implement the court orders. The current membership of the court refuses to enforce the right of students to high quality educational opportunities. Future elections will eventually correct this gross violation of the rule of law.

Focus of Coalition Activities and Actions Since 2003

The November 2002 election changed the membership of the Court. A majority of the Court seated in 2003 favored the state's position in *DeRolph*. On May 16, 2003, the Ohio Supreme Court denied the Coalition Plaintiffs the right to pursue a *DeRolph* remedy in court. A petition to the U. S. Supreme Court asking the court to review the denial of due process and equal protection of law was denied.

After the November 2004 election, it became apparent that the court membership would be inclined further toward the state's position in *DeRolph*. Therefore, the Coalition joined an effort to put a school funding law on the ballot. That effort fell short of gaining sufficient signatures by the December 21, 2004 deadline. In January 2005 the Coalition worked with several attorneys, board members, superintendents and other interested parties to craft the Educate Ohio constitutional amendment proposal.

Other statewide education organizations failed to support Educate Ohio; therefore, in January 2006 the Coalition initiated a series

of facilitated discussions with eleven of the major statewide education organizations that typically deal with school funding issues. The purpose of the discussions is to reach consensus on a constitutional amendment that does not retreat from the *DeRolph* decisions, will solve the school funding dilemma and will gain the support of a majority of Ohioans.

Unprecedented Progress in Crafting an Agreed-Upon Proposal

The eleven statewide education organizations have reached consensus on nearly all of the components of a constitutional amendment to once and for all time solve the ongoing school-funding problem. The good faith efforts, under the guidance of a very competent federal mediator, have produced a nearly completed set of concepts that will form the basis of a constitutional amendment. The amendment is planned for the November 2007 ballot.

Next Steps

The Coalition is committed to fulfilling its mission. Since the current political circumstances belie the implementation of a remedy true to the principles of the *DeRolph* case law, the Coalition will continue its efforts, in concert with other education organizations and local school leaders, to amend the constitution in ways to guarantee high quality educational opportunities for all school children. The Coalition will help lead the campaign to promote and pass such a constitutional amendment.

Every Ohio Student is Entitled to High Quality Educational Opportunities

Nathan DeRolph—then and now

