

Governance of Ohio's Public Education: Who makes decisions about our schools?



The Players

The Governor

In Ohio, the governor has less direct control over education than over other aspects of state governance. Unlike with other government departments such as transportation and health, the governor does not have the authority to appoint the head of the Department of Education. Instead, the superintendent is appointed by and reports to the State Board of Education.

The only direct power the governor holds is the ability to appoint eight members of the 19-member State Board of Education.

That doesn't mean the governor can't influence education policy or funding, though. The governor includes budget recommendations for education in budget proposals to the legislature, recommendations that serve as a starting point for the state budgeting process. The governor also wields considerable influence with legislators and policy makers that helps determine the direction of public education.

The Legislature

The General Assembly enacts laws that govern education funding, making the larger policy decisions on education priorities. This includes setting the school funding formula, determining taxation methods, prioritizing education approaches such as Science, Technology, Engineering and Math schools and setting funding for alternative forms of public education (vouchers and charters). To arrive at its funding priorities and amounts, the legislature receives budget recommendations from the State Board of Education and the governor, which it can choose to enact or not.

The State Board of Education

The State Board of Education sets policy for Ohio's public schools and directs planning and evaluation. These duties include setting policies to guide the administrative work of the Ohio Department of Education, approving Ohio Administrative Code rules relating to K-12 education, and adopting legislative and budget recommendations for Ohio public education.

The Board of Education consists of 19 members, including 11 who are elected and eight who are appointed by the governor. The chairs of the education committees of the Ohio House of Representatives and the Ohio Senate are ex officio members.

Each elected board member represents a district consisting of three contiguous Senate districts and serves a four-year term. The appointed members serve four-year terms. Four of the appointed members represent rural school districts and four represent urban school districts.

The board appoints and evaluates the Superintendent of Public Instruction, who serves as education secretary and manages day-to-day operations. It is the oversight authority for the Department of Education, whose responsibilities include such things as overseeing the administration of standardized tests, licensure for education professionals and academic requirements.

Local School Boards

While the state board sets policy in a broad sense, local boards implement those policies and set additional local policies. In Ohio today, state funding is provided to local districts with no requirement to direct that funding toward specific programs or strategies. Local boards decide how state and local money should be spent. Along with selecting and implementing curriculum, school boards hire the school superintendent and treasurer. Local boards are also the only player who can propose a local school tax levy.



Making Changes

Addressing HB 920

While it is still referred to by its legislative number, House Bill 920 – the law that restricts how much school districts can earn from a particular levy – actually is a provision of Ohio’s constitution. HB 920 was enacted as legislation in 1976, but its requirements were incorporated when the constitution was amended in 1980 to create the two classes of real property. As a result, while some school funding experts call for the legislature to revise HB 920, legislators have few options. Even though some experts argue that a strict interpretation of the constitution allows the legislature to create some local growth in revenue, revising HB 920 probably would require a constitutional amendment. Such an amendment could be initiated either by the legislature or a public referendum and would have to go before voters.

Changing the school funding formula

The formula that decides how state funds are allocated among local school districts has been challenged on several fronts. Full authority to change the formula rests with the legislature. Some education advocates have pushed for a constitutional amendment or a statewide ballot initiative to change the funding formula but that is usually either to force the legislature to make certain changes or as a way to get broad-based support for funding changes (usually for a tax increase), but neither of those approaches is required to change the formula.

Agreeing on the cost of an adequate education

It is the responsibility of legislature to determine the level of funding needed to provide an adequate education. The DeRolph case challenged how the legislature determined the level of funding and resulted in changes, including the use of a modified costing-out study.

Today, many feel that while there have been clear improvements in how we determine the cost to educate a child in Ohio, there is still debate over whether we have reached an adequate level. For this debate to end, there will need to be wide-spread agreement – among not only legislators, but the public, education stakeholders, and the governor – about the cost for an adequate education.

How is our current government addressing these education funding issues?

Gov. Ted Strickland will propose a school funding reform package early in 2009 that could include a number of these issues. The legislature will then address this proposal as part of the budget process that concludes in June, with lawmakers having the ability to modify, reject or add to the governor’s proposal. Public reaction to the governor’s proposals and legislative response are expected to shape the final package. If Strickland’s proposals are not enacted, the governor can pursue bringing the proposal – or parts of it – to the public in a state referendum.