



Ohio Legislative Service Commission

Resolution Analysis

Jennifer A. Parker

S.J.R. 2

130th General Assembly
(As Introduced)

Sens. Sawyer, Brown, Schiavoni, Turner, Cafaro, Tavares, Kearney, Gentile

RESOLUTION SUMMARY

- Proposes constitutional amendments to be submitted to the voters to require and fund a high quality education for each student enrolled in a public school.

CONTENT AND OPERATION

Achieving a high quality public education

The resolution sets forth specific actions that must be taken by the General Assembly

[i]n order to ensure that each student enrolled in a public primary or secondary school in this state has an enforceable state guaranteed right to the opportunity for a high quality public education regardless of the property value, income levels, or other demographic or geographic characteristics of the student's resident school district . . .¹

The specific actions are as follows:

(1) At least once every six years, the General Assembly must determine the educational components that make up a high quality public education and the actual cost of those components, including the rate at which the cost must be adjusted annually to reflect the projected rate of inflation for the intervening years between each determination made by the General Assembly.

¹ Proposed Article VI, Section 7(A), Ohio Constitution.

(2) On an annual basis, the General Assembly must appropriate the full amount of state funds necessary such that, when those funds are combined with the local revenue contribution prescribed below (under "**Tax Law changes**"), each public primary or secondary school has the funds to pay the actual cost of a high quality public education for each student enrolled in that school.

(3) The General Assembly must then direct that the full amount of the state funds appropriated in accordance with (2), above, be deposited into an education trust fund, which fund is to be established in the state treasury and used only for making payments to public primary and secondary schools for operating expenses.²

Definitions

For these purposes, a "**high quality public education**" means preparing each student enrolled in a public primary or secondary school for each next grade or program of education so that the student has the opportunity to be successful in that level or program and preparing that student so that, after graduation from high school, the student can carry out the duties of citizenship and function at the highest level of the student's abilities in post-secondary education or gainful employment. The term "**educational components**" means the curricular and extracurricular programs and services that make up a high quality public education for each type of student enrolled in a public primary or secondary school as determined by the General Assembly in accordance with (1), above. And "**actual cost**" is defined as the cost of ensuring the availability of each component of a high quality public education for each student enrolled in a public primary or secondary school, taking into account the educational needs of each type of student, the location and demographic circumstances of the student, and the programs and services necessary to fulfill the student's educational needs.³

Tax Law changes

The resolution mandates that laws be passed to require each school district to levy taxes on taxable property, or other taxes as may be authorized by law, in an amount to be prescribed by law but not exceeding 2% of the taxable value of taxable property in the school district for the purpose of providing the local revenue contribution toward the funding of the educational components prescribed above.⁴ However, school districts are to be prohibited from levying taxes between January 1,

² Proposed Article VI, Section 7(A)(1) to (3), Ohio Constitution.

³ Proposed Article VI, Section (7)(B), Ohio Constitution.

⁴ Proposed Article VI, Section 8(A) and proposed Article XII, Section 2a(B)(4), Ohio Constitution.



2014, and January 1, 2017, for the purpose of their local revenue contribution in an amount exceeding 3 ⁴/₁₀% of the taxable value of taxable property in the school district. If the taxes levied by a school district in 2016 for the purposes of its local revenue contribution exceed an amount equal to 2% of the taxable value of taxable property in the school district, the taxes so levied must be reduced in six substantially equal annual increments beginning with taxes levied in 2017.⁵

Lastly, school districts must be authorized to levy additional taxes, subject to constitutional limitations, to supplement the funding of the educational components with the local revenue contribution and the state funds prescribed above.⁶

Local Government Trust Fund

The resolution requires also that laws be passed to create the Local Government Trust Fund and to annually appropriate to the Fund an amount not less than the amount of state general revenue distributed directly to local governments for their general fund expenditure for the state's fiscal year ending in 2011. The amount appropriated is to be adjusted proportionately according to the per cent by which personal income of the state changes.⁷

Effective date and repeal

If adopted by a majority of the electors voting on this proposal at the general election to be held on November 5, 2013, the proposal will take effect July 1, 2014, and existing Section 2a of Article XII of the Ohio Constitution will be repealed from that effective date.

HISTORY

ACTION	DATE
Introduced	02-12-13

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⁵ Proposed Article VI, Section 8(B), Ohio Constitution.

⁶ Proposed Article VI, Section 8(C), Ohio Constitution.

⁷ Proposed Article XII, Section 8, Ohio Constitution.

