

Education, Public Institutions, and Local Government Committee Votes on “Thorough and Efficient” Clause

March 19, 2015

After months of discussion, the Education, Public Institutions, and Local Government Committee of the Ohio Constitutional Modernization Commission voted to retain a provision calling for a “thorough and efficient” system of common schools found in Article VI, Section 2 of the Ohio Constitution.

Vice Chair Edward Gilbert presented a motion that the language contained in this constitutional provision remain the same as when it was first adopted as part of the Ohio Constitution in 1851. The motion was unanimously approved by the committee.

The vote serves as a preliminary step toward the committee approving a formal report and recommendation to be forwarded to the full Commission for its approval. A draft report and recommendation will be prepared by Commission staff to be considered on two occasions by the committee before it can be adopted. Once adopted by the committee it will be forwarded through the Coordinating Committee on to the full Commission for its consideration.

Once before the full Commission, the report and recommendation will be presented on two occasions. After each presentation, time will be allowed for public comment on the proposal.

Article VI, Section 2 reads, “the General Assembly shall make such provisions, by taxation, or otherwise, as, with income arising from the school trust fund, will secure a thorough and efficient system of common schools throughout the state; but no religious or other sect, or sects, shall ever have an exclusive right to, or control of, any part of the school funds of this state.”

The language in this section has resulted in litigation that has reached the Ohio Supreme Court four times in the matter of *DeRolph v. State of Ohio*.

In addition to approving the retention of Article VI, Section 2, the committee also approved a motion to retain Article VI, Section 1, relating to the General Assembly’s control over the disposition of property granted to the state for educational and religious purposes.

About the Ohio Constitutional Modernization Commission

The Ohio Constitutional Modernization Commission was created in 2011 by the Ohio General Assembly. It is modeled after the Ohio Constitutional Revision Commission which completed its work in the 1970s.