



Vouchers Hurt Ohio Lawsuit

March 2026, Sycamore Advisory Commission

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Project

Goals:

- Evaluate impact of private school voucher expansion on:
 - Sycamore school's education funding
 - Sycamore school's student enrollment
- Understand how other districts have decided and the impact of their choices

Final product:

- Recommend to the Board of Education whether to join VHO lawsuit
- Suggest coalitions, partnerships and ways to communicate this issue with the public

EdChoice Vs. EdChoice Expansion Voucher Program

Initial EdChoice Voucher Program limited voucher program to:

- Students in low-performing school districts whose incomes were below 250% of poverty level (i.e., <\$82K/yr for family of four)

EdChoice Voucher Expansion Program expanded eligibility to:

- All school districts, all incomes
- Increased eligibility to 450% of the poverty line
- Above 450%, vouchers still offered, but at a prorated dollar value

- 88% of voucher recipients are non-low income and are awarded an avg of \$4,747
- *Ohio expects to spend \$1.16 billion for vouchers ('25-'26 school yr), 50% EdChoice*
- *Expects to spend \$1.2 billion for vouchers in '26-'27 school year*

Sources: Ohio Capital Journal Oct 2025; Ohio Department of Education report, WCPO News 2/17/26, Dayton Daily

The Vouchers Hurt Ohio lawsuit claims private school vouchers are unconstitutional and harmful to students

Background: A coalition of public school districts across Ohio are suing the State of Ohio over the EdChoice private school voucher program.

VHO Claims:

- Vouchers **drain \$ from public schools**, reduces state funding per student
- **Creates unconstitutional “second system”** of privately funded schools
- **Violates Ohio’s Constitutional requirement** for a thorough & efficient public school system
- **Worsens segregation and diverts tax dollars** to private, mostly religious schools without accountability

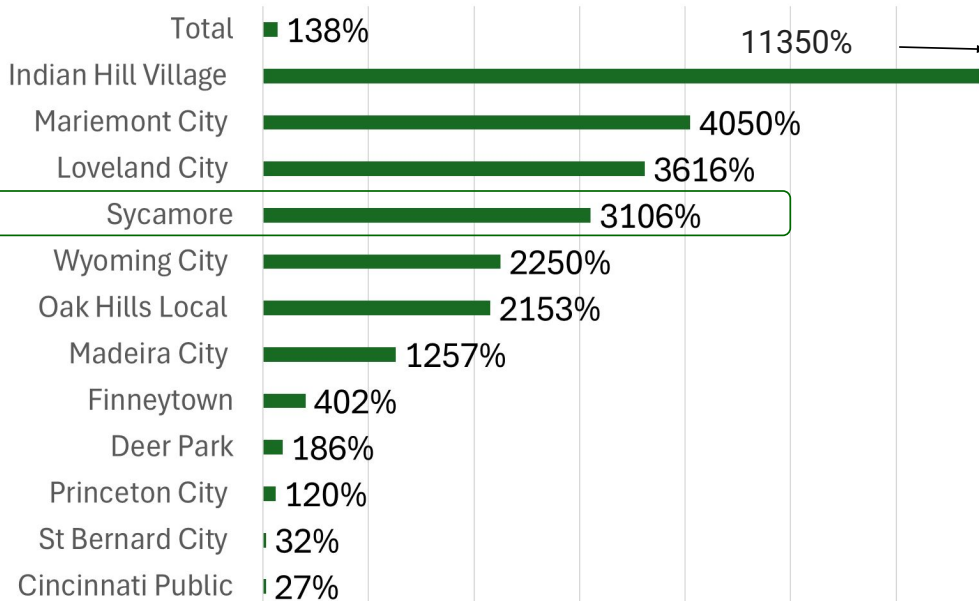


330+ districts or roughly 54% have joined the lawsuit

EdChoice Expansion and Sycamore Schools

EdChoice Expansion has increased voucher recipients in affluent, suburban locations more than urban in Hamilton County

% Increase in EdChoice Students vs. 2022



From 2022 to 2025, Sycamore Community has seen an increase of 3106% (from 18 to 577 students) utilizing EdChoice and EdChoice Exp vouchers.

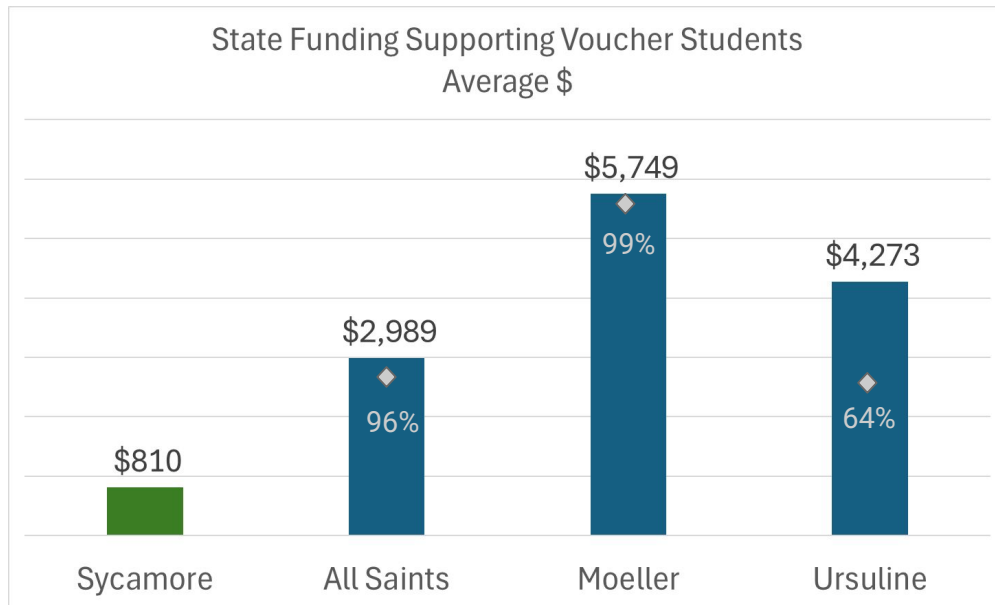
96.6% of Sycamore District's Voucher Recipients NOT for Low Income Qualified families.

On average, more state funds go to supporting students in local private schools than support Sycamore Community School students

Majority of private school students in Montgomery and Blue Ash receive state money to attend private school

Private schools admit students at will and without state mandated accountability

◆ Percent of students taking Vouchers



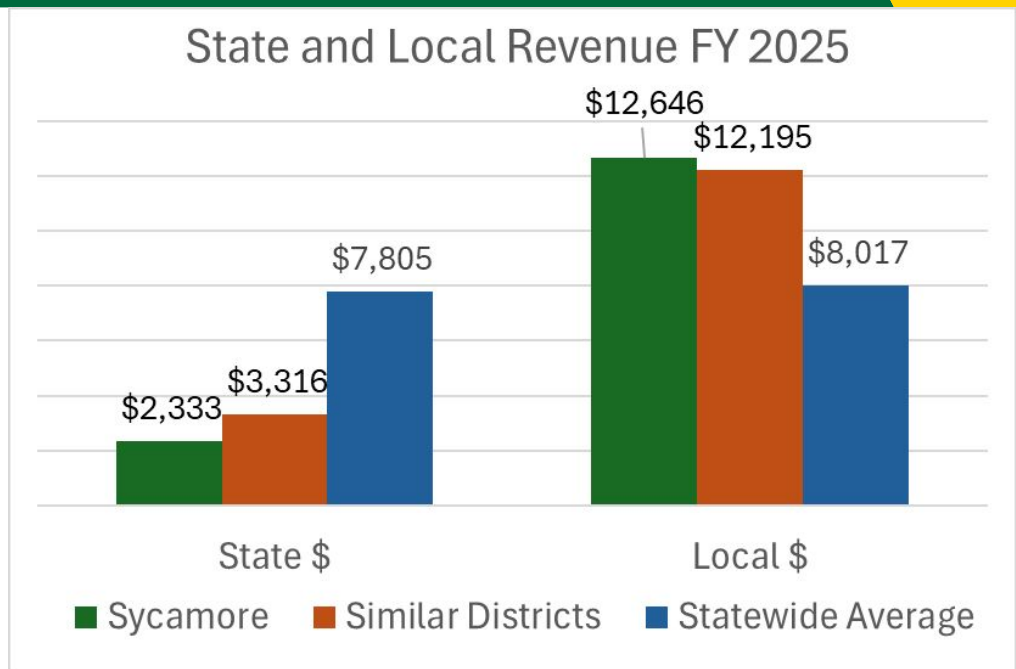
Sources: Ohio Department of Education and Workforce: Scholarship Payments Data

In 2025, Sycamore received fewer funds from state than peer districts and less than statewide average because we're a "wealthier school district"

On ODE Website, Sycamore's state revenue is listed at \$2333 rather than \$810 because it bundles in tax-relief reimbursements

Either way, **Sycamore receives fewer funds from the state** because Sycamore is considered "a wealthy district"

Similar districts have fundamentally similar revenue ratios, **relying on community property taxes** to finance



Source: Ohio Dept of Education's EdChoice Expansion Scholarship Program Fact Sheet for 2025-2026

Part I: Interviews with other school districts - Whether they joined, why and response

Lakota - We spoke with board president, Kelley Casper

- The district has over 2000 vouchers given and 98% of those families already attended private schools. The cost to join the lawsuit was \$34,000.
- The teachers union came to the board and offered to pay half of that - \$17,000. They have paid that amount every year.
- Lakota felt the cost was small enough to fight for students. They wanted to protect themselves.
- Schools should join the lawsuit to support each other.

Upper Arlington - We spoke with Board President, Jenny McKenna

- Upper Arlington has a levy in the Fall
- They have not received any major negative responses
- Big points in joining the lawsuit were:
 - Private schools don't have to accept everyone or follow IEPs
 - The vouchers are not a fiscally responsible use of Ohio funds
- Dollars spent are minimal vs. how much it will cost down the line

Mason - We spoke with superintendent and treasurer, Dr. Jonathan Cooper and Shaun Bevan

- Mason has not joined the lawsuit. They are relying on their legislators to fight for the school.
- There are about 900 students, in the Mason district, that attend private/parochial schools. Mason has roughly 10,000.

Part II: Interviews with school districts - Communication and alliances

Lakota School District voucher communication

Lakota School District directly addressed voucher program through district newsletter [Lakotaonline.com](https://lakotaonline.com) (April 18, 2025)

Included details on:

- How EdChoice vouchers work
- Enrollment at Lakota
- Vouchers' impact on Lakota schools
- Board vote
- Encouraged readers to contact legislators

The screenshot shows the Lakota School District website. At the top is a navigation bar with the Lakota Local Schools logo and links for SCHOOLS, PARENTS, STUDENTS, STAFF, and COMMUNITY. Below this is a red banner with links for ABOUT, ACADEMICS, DEPARTMENTS, GET INVOLVED, and RESOURCES. The main content area features a news article titled "How School Funding and the EdChoice Voucher Program Impacts Public School Funding" dated April 18, 2025. The article text states: "Ohio's EdChoice school voucher program allows parents to use public funding meant for their child's education to pay tuition at a private school of their choice. While this program aims to provide more". To the left of the article is a graphic with the text "Understanding the Impact of". To the right of the article is a button that says "<< BACK TO MORE DISTRICT NEWS".

Mason School District voucher communication and affiliations

General communication & partnerships

Communicates with community:

- 3-2-1 Newsletter, district newsletter
- Brew Up Conversations
- Board Meetings
- Business Advisory Committee: advice on finances and vouchers.

Maintains partnerships and alliances to support efforts & district goals:

- Alliance for High Quality Education
- Buckeye Assoc for Superintendents

Voucher Communication

Has **not** had conversations or communication on Vouchers

Board made decision not to vote on whether to support vouchers lawsuit

With current political climate, superintendent and treasurer looking to maintain relationships with legislators.

In past, district was comfortable reaching out to families for support

Upper Arlington SD voucher communication and affiliations

General communication & partnerships

General Communication:

- Coffee and Conversations
- Financial Adv. Board discussions

Partnerships:

- BASA
- OSCA
- OASCO

All three organizations advocated for not eliminating property taxes

Voucher Communication

Superintendent and CFO sent letters explaining property taxes

When UA School board voted to join lawsuit, superintendent emailed district families to inform them of board's decision

Response: gratitude for fighting; heard from parents usually quiet

Levy will be on ballot for Upper Arlington in Fall '26

Other Considerations

The Alliance for High Quality Education recommends Sycamore not engage in the EdChoice lawsuit

Overall Assessment

- ▶ Lawsuit may win intermediate appeal but **likely fails at Ohio Supreme Court**
- ▶ A legal win would not change long-term voucher policy; **legislature would rewrite law**
- ▶ **Political costs outweigh potential benefits**

Key Risks

- ▶ **Legislative retaliation: Damaged relationships** with lawmakers; Loss **weakens schools' influence** with the legislature that controls their funding
- ▶ **Minimal upside:** Voucher funds unlikely to shift to public schools; dollars will be redirected

Alliance Recommends

- ▶ Do **not** pursue EdChoice lawsuit; **focus on pragmatic reforms** to private schools receiving vouchers such as:
 - ▷ Academic accountability (state testing & transparency)
 - ▷ Fiscal accountability (audits & financial oversight)
 - ▷ Student accessibility (non-discriminatory admissions when capacity exists)

House Bill 671 was introduced recently with the aim of dissuading districts from joining lawsuit

Bill:

Introduced February 9th, 2026 by Ohio state Rep. Jamie Callender, R-Concord

Seeks to withhold and put in escrow all state foundation funding from school districts that joined Vouchers Hurt Ohio. Money returned once participation dropped.

Goal:

Intimidate school districts and scare districts from joining lawsuit

Status of Bill:

Introduced and in Committee

No support yet from other committee members

Reactions:

Nicknamed "Bully Bill"

Negative press

Questions on its constitutionality

May get amended to reduce scope
- to escrow funds used to join suit

Districts already face cuts in state funding because Ohio's "Fair Funding Plan" does not keep up with inflation

Overview

"Fair Funding Plan" is based on outdated "base costs" from 2022

Relying on 2022 "Base costs" ignores three years of inflation

"Net Loss" Effect: State spending for K-12 education increasingly insufficient

Impact

- ▶ Non-adjusted cost basis effectively **shifts financial burden onto local taxpayers** to support public school through local taxes:
 - ▷ On average, states fund 45% of education costs, but Ohio funds only 33.5%
 - ▷ By 2030, projected to only cover 19% of some schools' education costs

Will there be an impact to the November levy?

SIMPLE ANSWER: NO

The last Sycamore Bond Levy (2019) passed by a margin of **62%-38%**

If you feel Sycamore's participation in the lawsuit will alienate private school parents consider:

- a. It would take a 13% shift in voter preference to change the decision
- b. Many private school parents have children in the system, particularly in the elementary, middle and Jr. High schools
- c. Do you risk public support by NOT joining the lawsuit
- d. The uncontrollable risk factor in any levy is the economy
- e. The winning strategy revolves around getting targeted voters to the polls; parents with children in our schools...if that fails, the levy will fail

Levies pass or fail based on trust (have you managed the money well, transparency) and messaging/communication (what the levy pays for, what happens if it fails, operating vs. bond levy)

Where does the lawsuit stand?

Status of the case as of February 23rd

- ❖ Trial Court opinion:
 - stay on order
- ❖ Case now before 10th District Court of Appeals:
 - Expect a decision later this year or possibly early next year
 - Favorable venue, expectation that ruling is upheld
- ❖ Final ruling in 2027 or 2028:
 - Depends on Ohio Supreme Court's calendar
 - Not a favorable venue
 - Election year in 2026 (2 seats)
- ❖ Expectations:
 - Currently not favorable bench
 - Some expect law to be found constitutional or guidance to make it constitutional
 - However, EdChoice voucher unprecedented in vast \$\$ going directly to private schools

Sources: Dennis Willard of Vouchers Hurt Ohio, Alliance for Higher Education emails

Arguments and Recommendation

Arguments to join

- **Sycamore stands to lose support from Sycamore families:** Families move to district for schools; parents will be unhappy district not fighting for Ohio funds
- **If Sycamore loses money, we face either cuts or more frequent levies:** Reduction in staff, larger class sizes, transportation cuts, school services or extracurriculars and/or more frequent levies needed in future unless we fight!
- **Joining lawsuit doesn't have to cost district \$, could reduce/eliminate \$ to join:**
 - Funds could be contributed by donations, partnership with teacher organization (Lakota)
- **No clear repercussions from joining, significant downside if vouchers continue**
 - Lakota and Upper Arlington's legislator relationships still intact
- **Rep. Callendar's suit is "the bully bill":** and Sycamore stands up to bullies
- **At the end of the day, it's all coming from Ohio's one pot of funds**
 - Ohio spent > \$1 B last year for private schools and expects to spend approx \$1.6 B this year

source: NPR Cincinnati Edition March 3, 2026

Argument for EdChoice Vouchers

- When assessing education policy, primary focus on student impact
- Effect on students that use vouchers
- Effect on performance on public schools
- Integration effects
- Modest findings
- Questions about private school families and the levy

source: A Win-Win Solution, Empirical Evidence of School Choice. Greg Forster, Ph.D

Responses to VHO talking points

- VHO Claim: private schools have choice who to let in
 - more choice with vouchers. Choice is a good thing
- VHO Claim: No accountability on how students are taught
 - higher form of accountability
 - creates accountability on public schools (covid)
- VHO Claim: Budget concerns
 - good that funding increases
 - better problem to have
- VHO Claim: Vast majority are wealthy families
 - poor families are using this program.
 - new program, targeted students
- VHO Claim: fiduciary duty
 - no duty to join a losing lawsuit risk political target
- VHO Claim: constitutional
 - Inconsistent then to rely on pressure campaign.

Open discussion: do SAC members, as a representative sample of Sycamore families, think we should join?

From our group: 5 members believe we should join and one member is on the fence

- ▶ In either case, we agree on the need for communication after Sycamore's board of Education's decision has been made
- ▶ Communication helps Sycamore drive the narrative

Sources

Sources

- Ohio Department of Education website,
- Ohio Dept of Education 2025 report
- Ohio Capital Journal Oct 2025; Ohio Department of Education report, WCPO News 2/17/26
- Ohio Capital Journal Oct 2025
- Vouchers Hurt Ohio website
- Alliance for High Quality Education website
- EdChoice Vouchers program website
- Sycamore district office for statistics
- Ohio Capital Journal Oct 2025; Ohio Department of Education report, WCPO News 2/17/26
- WVXU Cincinnati Edition podcast - March 2nd, 2026
- A Win-Win Solution, Empirical Evidence of School Choice. Greg Forster, Ph.D

We could continue to gather information, if needed

Some statistics still need to be verified:

- ▶ Did our best with resources and timeline, but didn't get answers to all questions
- ▶ Waiting for additional answers from ODE before board presentation

Examples of data needs:

- ▶ Is funding Sycamore receives from state through the "Fair School Funding Plan" keeping up with needs? How far are we from statewide average?
- ▶ Given revenues and costs, what is net cost for each additional student who attends Sycamore?



Appendix

Ohio ranks near the top of states for private school funding

“Ohio’s increase in school voucher spending this year for the EdChoice Expansion Program sets up the state to rank near the top nationally when it comes to taxpayer use of voucher dollars to attend private schools.”

“This is not only because of the increase in voucher money for each child but also because of an expansion in eligibility, allowing everyone to receive some form of help to pay for their children’s education outside of their home school district.” (2023)

Sources: psi.com

VHO Lawsuit in a nutshell – counts 1-5

COUNT 1: The creation of one or more systems of uncommon schools is unconstitutional.

Funding for the EdChoice private school voucher program comes from the same line-item in the two-year state budget that funds public schools. Each public tax dollar that goes to private schools is a dollar less for public schools. That’s unconstitutional.

COUNT 2: Lawmakers have failed to adequately fund a thorough and efficient system. Private school vouchers force local school districts to raise local taxes through levies to make up the reduction in state dollars. That’s unconstitutional.

COUNT 3: Private school vouchers make segregation in public schools worse.

Private schools take public tax dollars while applying litmus tests to pick and choose their students based on academics, athletics, disciplinary records, financial status, race, and religion. That’s unconstitutional.

COUNT 4: No religious or other sect shall ever have any exclusive right to or control of any part of the school funds of the state. It’s there in black and white in the Ohio Constitution. More than 90 percent of private schools in Ohio are parochial with hundreds of millions of dollars going to sectarian schools. That’s unconstitutional.

COUNT 5: Ohio citizens hold all power under the Ohio Constitution. When we are successful, state lawmakers will not be permitted to fund the harmful private school voucher program or any other separate, but unequal system of schools. The EdChoice private school voucher program is unconstitutional.

EdChoice Expansion Income Eligibility '25-'26

EDCHOICE EXPANSION INCOME ELIGIBILITY REQUIREMENTS FOR 2025-2026

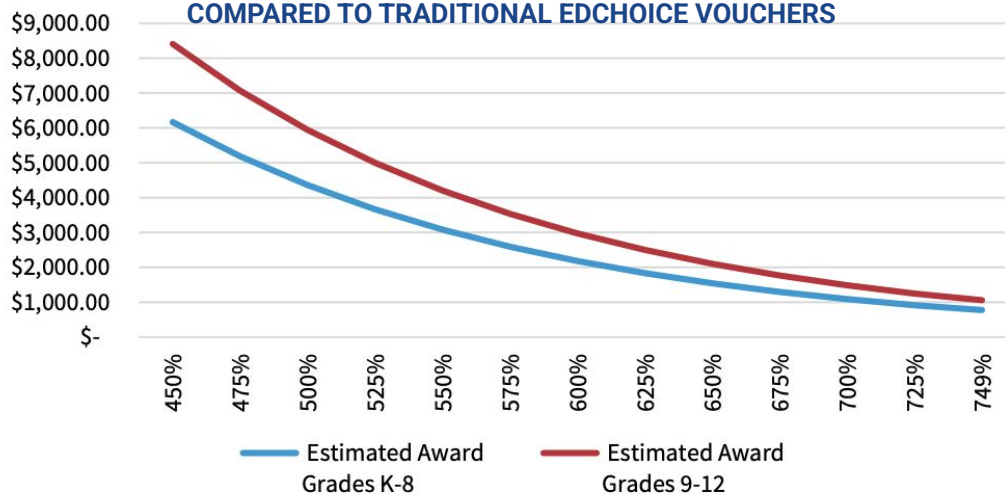
Federal Poverty Levels with Gross Annual Amounts								
Number in Family/ Household	200%	450%	500%	550%	600%	650%	700%	750%
1	\$31,300	\$70,425	\$78,250	\$86,075	\$93,900	\$101,725	\$109,550	\$117,350
2	\$42,300	\$95,175	\$105,750	\$116,325	\$126,900	\$137,475	\$148,050	\$158,625
3	\$53,300	\$119,925	\$133,250	\$146,575	\$159,900	\$173,225	\$186,550	\$199,875
4	\$64,300	\$144,675	\$160,750	\$176,825	\$192,900	\$208,975	\$225,050	\$241,125
5	\$75,300	\$169,425	\$188,250	\$207,075	\$225,900	\$244,725	\$263,550	\$282,375
6	\$86,300	\$194,175	\$215,750	\$237,325	\$258,900	\$280,475	\$302,050	\$323,625
7	\$97,300	\$218,925	\$243,250	\$267,575	\$291,900	\$316,225	\$340,550	\$364,875
8	\$108,300	\$243,675	\$270,750	\$297,825	\$324,900	\$351,975	\$379,050	\$406,125
For each additional person add:	\$11,000	\$24,750	\$27,500	\$30,250	\$33,000	\$35,750	\$38,500	\$41,250

Source: Office of the Asst. Secretary for Planning & Eval/US Dept of HHS

Source: Ohio Dept of Education's EdChoice Expansion Scholarship Program Fact Sheet for 2025-2026

In terms of income, EdChoice Expansion vouchers awarded for all incomes and pro-rates award at 450% of federal poverty level

EDCHOICE EXPANSION AWARD DISTRIBUTION PER FPL COMPARED TO TRADITIONAL EDCHOICE VOUCHERS



EdChoice Expansion uses sliding scale, awarding vouchers to ALL families

- Full amount until 450%
- Prorated amount above

Source: Ohio Dept of Education's EdChoice Expansion Scholarship Program Fact Sheet for 2025-2026

District Profile Report: Sycamore receives fewer funds from the State and more funds from the local community compared to peer and statewide average

Total Revenue according (Ohio Dept of Education)			
Revenue by District	Sycamore	Ave. of Similar Districts	Statewide Average
State Revenue Per-pupil	\$2,333.33	\$3,315.53	\$6,757.16
Local Revenue Per-pupil	\$12,646.09	\$12,195.17	\$8,582.79
Other Non-Tax Rev. Per-pupil	\$2,347.93	\$1,672.45	\$1,421.68
Federal Revenue Per-pupil	\$745.95	\$599.48	\$1,590.69
Total Revenue Per-pupil	\$18,073.30	\$17,782.63	\$18,352.33

Source: Ohio Dept of Education's EdChoice Expansion Scholarship Program Fact Sheet for 2025-2026

Policy Matters Ohio reports that Lawmakers underfund schools in SW Ohio by 2.75B

Lawmakers underfund Ohio schools by \$2.75B

The end of the Fair School Funding Plan



Southwest Local School District

Hamilton County

The **Fair School Funding Plan** was based on the actual cost of educating every student. It would have provided **an additional \$3.0 billion** to Ohio school districts over the biennium. Now including a new, misguided performance supplement, **Ohio's operating budget for FYs 2026-27 provides just 9.3%** of the additional state funding schools need to educate every student.

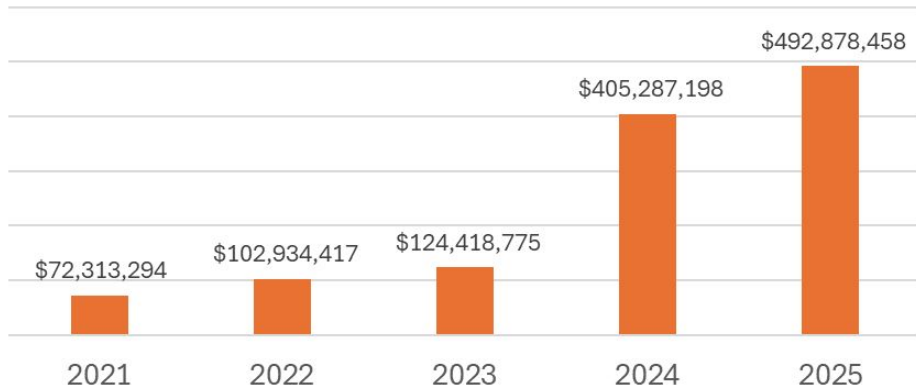
Change in funding for Southwest Local School District over the biennium, from FY25 funding levels

Funding under the Fair School Funding Plan	Change in formula funding	Funding under Ohio's budget for FYs 26-27
+\$7,350,664	-\$2,268,233	-\$2,268,233
	+	=
	Performance supplement	
	+\$0	

Ohio's budget shortchanges Southwest Local by \$9,618,897, providing -30.9% of additional funding needed over the biennium.

EdChoice Voucher Program has grown almost 500% over last 5 years with awards remaining with families no matter income level

State Expenditure on Ed Choice Expansion - Yearly Growth



Funding Mechanism: Legislative appropriation.

Once scholarship awarded ... the student shall remain eligible.. even if the student's family income rises above the amount specified ... provided student remains enrolled.

100,922 Participating Students ('24-'25)

\$4,958 Average Account Value (year)

Sources: <https://www.edchoice.org/school-choice/programs/ohio-income-based-scholarship-program/Ohio Capital>

Some private schools advertise using EdChoice vouchers explicitly, others eschew the funds altogether

About Us

Academics

Admission

School Life

The C

Cincinnati Country Day's website

The largest Ohio voucher program, EdChoice, is now available on an income-adjusted basis to every family. Until last year, these programs were limited to households with an income at or below 250% of the federal poverty level (approximately \$75,000 for a family of four). But now, families up to 450% of the federal poverty level (\$135,000) are eligible for the full voucher amount of approximately \$6,000 for grades K-8 and \$8,000 for high school. Families above that income threshold are still eligible for funding assistance, but on a sliding scale that can ultimately offer fairly minimal levels of support (support for income above \$240,000 is capped at approximately \$600 for K-8 and \$800 for 9-12).

The expanded voucher system is not without controversy. Some public school advocates have argued that vouchers improperly divert hundreds of millions of dollars away from public education – which educates the vast majority of Ohio students – to favor religious or private schools. These advocates point to data that suggests that many new recipients of the EdChoice expansion were already enrolled in private schools; thus, the expanded voucher did not actually make new school choices available to most families.

On the other hand, supporters argue that the voucher system is a more efficient and successful means of funding education since it supports parents – rather than schools – with state dollars. While the debate is likely to continue, a lawsuit currently pending in Columbus may soon determine the constitutionality of this new system.

In the meantime, private schools must elect whether to participate in the state voucher programs. Most private schools now accept the EdChoice program, but at Country Day, we have opted out. Why refuse this source of funding? A few reasons:



Archbishop
Moeller
High School

A life-long investment in a future filled with growth, and lifelong connections. We are committed to providing an exceptional educational experience accessible to families from all backgrounds. Our goal is to provide a quality education with the passion and drive to excel can become a reality for every student in the Moeller Family. Explore the resources available to help your child reach their full potential in education possible.

MERIT SCHOLARSHIPS

OHIO EDCHOICE

The state of Ohio offers tuition funding for all children attending private schools. There are two types of EdChoice Scholarships: Traditional and Expansion. Traditional scholarships are awarded to students on your home school district. Families residing in a designated school district will receive \$8,408 toward tuition. EdChoice Expansion is income-based. Families can receive between \$840 and \$8,408. Ohio families must complete the EdChoice application to be considered for additional financial aid from Moeller. Contact our associate director of enrollment, Angie Geier, with any questions at (513) 618-9616.

Moeller's website

Over 330 school districts have joined the lawsuit, roughly 54%..
Those opting not to join cited work with Alliance for Higher Quality Education

Nearby districts that have joined

Wyoming SD
Deer Park Community City SD
Princeton SD
Upper Arlington SD
Forest Hills
Cincinnati Public Schools (CPS)
Forest Hills School District
Hamilton City Schools
Middletown City School District
Lakota Local SD
North College Hill City Schools
Northwest Local School District

Nearby/similar districts have not joined

Mason SD
Solon SD
Orange SD
Mariemont SD
Indian Hills SD

Drop in state funds for schools while property taxes increase year over year due to outdated cost basis used in Fair Funding plan

- Ohio's share of K-12 education state funding has fallen from 44.8% ('02) to 33.5% today
- Ohio's rank in state funding vs other states dropped from 35 to 45
- Local property taxes now provide 53.1% of Ohio's school funding. The state contributes 33.5% and remaining 13.4% comes from federal and other local (non-property) sources.
- State now provides \$2,672 less per student than national average.
- Ohio ranks 20th in per-pupil spend overall, so not overspending but paying more locally instead of through state resources.
- While national average shows states fund about 45% of education costs, Ohio now funds only 33.5%.
- Gap leaves communities like ours to carry the weight through local property taxes