

Senate Testimony, May 2025

Over 70 years ago, a majority of Ohioans rightfully voted to protect our public education system from political interference. Since then, Ohio has benefited from the constitutional right to elect members to the State Board of Education (SBOE) from across the state. But in 2025, this system of accountability has come under direct attack in the state budget.

The creation of the SBOE in 1953 through a constitutional amendment was a deliberate and foundational act by the citizens of Ohio. Its purpose was to safeguard public education from excessive political interference by establishing a nonpartisan body with elected members and to ensure that public education policy would be guided by professionals and representatives from around the state and held accountable directly to the electorate.

The restructuring of the SBOE through the budget process represents a direct threat to the constitutional foundation and democratic principles upon which the SBOE was established.

The SBOE was designed to operate independently of partisan control, with elected members ensuring public accountability in education policy. Today's budget bill undermines both the intent of Ohio voters and the balance of powers outlined in the state constitution. This shift is not only a legal overreach—it is a dismantling of a system built to protect public education from political interference.

If legislative leaders wish to reform the SBOE and its constitutional responsibilities, they should respect the original intent by either passing a constitutional amendment for voter approval or, using clear, stand-alone legislation subject to full legislative procedure - not the budget process. Altering the SBOE authority or structure significantly impacts constitutional integrity and governance and therefore warrants direct legislative focus.

Stand-alone legislation allows for transparent and focused debate in legislative committees with testimony from stakeholders like educators, parents, and legal experts, and with media coverage and public scrutiny. In 2023, the Ohio Senate had the chance to restructure the SBOE through stand-alone legislation (SB1) but lawmakers failed to advance this bill.

By contrast, budget bills are thousands of pages long and passed under tight deadlines, limiting public awareness and engagement. The current Ohio state budget bill is over 4,000 pages but uses fewer than 50 words to reduce the SBOE to five members, all appointed by the Governor, no longer elected by the people.

Using the budget process to make major policy changes, especially to constitutional bodies, blurs the lines between budgeting and lawmaking. This can lead to legal challenges (as is currently happening in Ohio, see *Collins v. DeWine*) and precedents that weaken constitutional checks and balances.

Do not take away the people's right to elect representatives to safeguard public education from political interference. Significant changes to the SBOE should be done through stand-alone legislation, not through the budget bill.

Tom Jackson was elected to the State Board of Education in 2022 to represent Cuyahoga, Geauga and Summit counties in district 10.