



JIM PETRO
ATTORNEY GENERAL
STATE OF OHIO

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April 7, 2005

VIA FAX AND FIRST CLASS MAIL

Donald McTigue
3886 North High Street
Columbus, OH 43214

Re: Proposed Initiated Constitutional Amendment – Educate Ohio

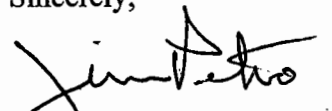
Dear Mr. McTigue:

In accordance with the provisions of Section 3519.01(A) of the Ohio Revised Code, a written petition bearing a copy of a proposed constitutional amendment was submitted for my examination, together with a summary of that proposed amendment, on March 18, 2005.

Having considered only the language of the constitutional amendment which you propose to submit to the Secretary of State for submission to the voters, and a summary of that proposed constitutional amendment appearing on the petition you have submitted, I am of the opinion that the summary is a fair and truthful statement of the measure to be proposed. I am therefore submitting to you the following certification, which will also be transmitted to the Secretary of State:

Without passing upon the advisability of the approval or rejection of the measure to be referred, but pursuant to the duties imposed upon the Attorney General's Office under Section 3519.01(A) of the Ohio Revised Code, I hereby certify that the summary is a fair and truthful statement of the proposed constitutional amendment titled "Educate Ohio."

Sincerely,


JIM PETRO
ATTORNEY GENERAL

JMP:ajm

Enclosure

cc: Chief Elections Counsel, Secretary of State



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April 7, 2005

VIA HAND-DELIVERY

Honorable J. Kenneth Blackwell
Ohio Secretary of State
180 E. Broad Street, 16th Floor
Columbus, OH 43266

Re: Proposed Initiated Constitutional Amendment – Educate Ohio

Dear Mr. Blackwell:

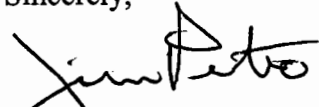
In accordance with the provisions of Section 3519.01(A) of the Ohio Revised Code, a written petition proposing an amendment to the Ohio Constitution was submitted for my examination, together with a summary of that initiated proposed amendment. A copy of the proposal and of the summary is enclosed.

Having considered only the language of the proposed constitutional amendment which the petitioners seek to submit to the Secretary of State for submission to the voters, and the summary of the proposed constitutional amendment appearing on the petition as submitted to my office, I conclude that the summary is a fair and truthful statement of the measure to be proposed, and have so certified this finding to the attorney representing the petitioners on this date as follows:

Without passing upon the advisability of the approval or rejection of the measure to be referred, but pursuant to the duties imposed upon the Attorney General's Office under Section 3519.01(A) of the Ohio Revised Code, I hereby certify that the summary is a fair and truthful statement of the proposed constitutional amendment titled "Educate Ohio."

I am hereby filing with you this letter containing the above certification and the attached petition containing the measure to be referred and the petitioners' summary.

Sincerely,


JIM PETRO
ATTORNEY GENERAL

JMP:ajm

Enclosure

cc: Chief Elections Counsel, Secretary of State

INITIATIVE PETITION

Number _____

County _____

Issued to _____
(NAME OF SOLICITOR)

Date of Issuance _____

Amendment to the Constitution Proposed by Initiative Petition to be Submitted Directly to the Electors

AMENDMENT

The Educate Ohio Amendment

SUMMARY

The proposed amendment would declare that every school aged child in Ohio has a fundamental right to a high quality public education. The amendment establishes the Ohio Educational Opportunities Commission consisting of nineteen members appointed by the Governor and representing the diverse geographic regions and educational needs of Ohio.

Every two years the Commission would be required to identify the components for high quality educational opportunities, which must be based on high academic standards and research based best practices. The components for high quality educational opportunities must be identified for all public school students at each instructional level and by type, meaning regular, special and vocational/technical education and gifted, disadvantaged and other special needs students. The components must include those necessary to prepare students to function at the highest level of their ability in post high school educational programs and to earn a suitable livelihood. The first such determination must be made within six months after the effective date of the amendment.

The State Board of Education would be required every two years to conduct expert studies and establish the total actual cost of the educational components identified by the Commission together with the costs of all other requirements imposed by law and certify these costs to the General Assembly. The first such certification must be made within fifteen months after the effective date of the amendment.

The General Assembly would be required every two years to provide funds to each school district equal to 100% of these costs minus the proceeds from fifteen mills of local property taxes allowed by this amendment. No school district shall receive a per public level of funding in any fiscal year less than that received in combined state revenue and local school district property taxes for current expenses during the most recent fiscal year prior to the first appropriation made pursuant to this amendment.

All real property tax millage for school district current expenses exceeding fifteen mills of valuation as determined under current assessment and valuation laws as of January 1, 2005 shall be discontinued effective with the appropriations required by this amendment.

TEXT OF PROPOSED AMENDMENT

Be it resolved by the people of the State of Ohio:

Article VI, Section 7

Every school-age child in Ohio has a fundamental right, enforceable in the courts of Ohio, to a high quality public education. In order to protect this right and enforce state compliance with the provisions of Sections 2 and 3 of Article VI of this constitution, there is hereby established the Ohio educational opportunities commission ("commission"). The commission shall be composed of nineteen members, appointed by the governor, representing the diverse geographic regions and educational needs of Ohio, eleven of whom shall be employed as educators in school districts with publicly elected boards of education. The terms of commission members shall not be more than four years.

The commission shall biennially identify the educational components for high quality educational opportunities, predicated on high academic standards and research-based best practices, for all public school students at each instructional level and by type, meaning regular, special, and vocational/technical education and gifted, disadvantaged and other special needs students. The components shall include those learning opportunities, services, educational resources, transportation services, facilities, and interscholastic and co-curricular activities necessary to prepare students to function at the highest level of their abilities in post-high school educational programs and to successfully earn a suitable livelihood and shall, together with such additional requirements as imposed by law, represent the minimum levels of educational opportunities to which all students have a fundamental right. The first such determination of educational components for high quality educational opportunities shall be made within six months after the effective date this amendment.

The state board of education shall biennially conduct expert studies and establish the total actual costs of the educational components for high quality educational opportunities identified by the commission together with the cost of all other requirements imposed by law and shall certify such costs to the general assembly. An inferential method shall not be used to establish such costs. The first determination of the total actual costs shall be made within fifteen months after the effective date of this amendment. The general assembly shall biennially provide funds to each school district equal to one hundred percent of the total actual costs as certified minus the proceeds from fifteen mills of local property taxes allowed by Section 8 of this Article.

Article VI, Section 8

All real property tax millage for school district current expenses exceeding fifteen mills of valuation as determined under current assessment and valuation laws as of January 1, 2005 shall be discontinued effective with the appropriations required by Article VI, Section 7 of this amendment. No school district shall receive a per pupil level of funding in any fiscal year less than that received in combined state revenue and local school district property taxes for current expenses during the most recent fiscal year prior to the first appropriation made pursuant to this amendment.