# How the United States Supreme Court Same-Sex Marriage Ruling Impacts School Districts

Aug 07, 2015

**Categories:**

Publications

In *Obergefell v. Hodges*, the United States Supreme Court legalized same-sex marriage nationwide, striking down Ohio's ban on the issuance of same-sex marriage licenses. The Court held that marriage is a fundamental right for all under the Constitution. As a result, under both state and federal law, lawfully married same-sex couples are now entitled to the same rights and benefits as married opposite-sex couples. This article outlines how the Court's ruling impacts Ohio schools.

School districts must now provide employees with same-sex spouses all the same benefits that are provided to employees with opposite-sex spouses. This includes federal and state benefits, benefits provided through school policy, and benefits offered as a result of a collective bargaining agreement. Any spousal benefit offered by a district must now be provided to employees that are in a lawful same-sex marriage, including any policy or benefit that refers to, or applies to, spouses or is based on marital status. Some examples include health benefits, leave of absence benefits, FMLA policies, beneficiary designations, Health Savings Accounts, COBRA rights, and child care.

## What you Need to Know

Prior to *Obergefell*, Ohio law did not recognize or authorize same-sex marriages, and the decision could be a significant change for school districts. To prevent legal liability, districts should update collective bargaining agreements, policies and benefit plans to comply with *Obergefell*. Also, districts should give notice to all employees of changes to employee benefits. Districts may consider sponsoring a limited enrollment window for benefit changes. Finally, since the ruling will likely result in changes to joint filing of state and federal taxes, districts should analyze how such changes could


2026 FBT Gibbons LLP. All rights reserved. ADVERTISING MATERIAL.

impact employee and FICA taxes. The attorneys at Frost Brown Todd are happy to assist you in reviewing your policies as well as analyzing how the ruling could affect employee and district taxes.

© 2026 FBT Gibbons LLP. May be considered attorney advertising in some jurisdictions.


2026 FBT Gibbons LLP. All rights reserved. ADVERTISING MATERIAL.

FBT Gibbons