Frontiers Praises SCOTUS Voucher Ruling

Contributed by Jason Wright
Thursday, 27 June 2002

(Washington, D.C.) - The Establishment Clause was subjected to another round of judicial scrutiny on Thursday. In a 5-4 ruling, the Supreme Court upheld the constitutionality of Ohio's Pilot Project Scholarship Program.
For Immediate Release

June 28, 2002

(Washington, D.C.) - The Establishment Clause was subjected to another round of judicial scrutiny on Thursday. In a 5-4 ruling, the Supreme Court upheld the constitutionality of Ohio's Pilot Project Scholarship Program.

The program, which issues vouchers for disadvantaged children, gives educational choices to families by providing tuition aid to financially qualified students to attend a participating public or private school of their choice. The program further provides tutorial aid for students who choose to remain enrolled in public school. Under the program, private schools receive about half of the government assistance given to community schools and about one-third that given to magnet schools. Adjacent public schools would receive two to three times that given to private schools. Families who receive aid have to copay a portion of private school tuition, but pay nothing at a community, magnet, or traditional public school.

Based on controlling legal precedent, the Court held that a government aid program, which is neutral with respect to religion and provides assistance directly to a broad class of citizens, who direct government aid to religious schools wholly as the result of their own independent choice, is not readily subject to challenge under the Establishment Clause. Recognizing a valid secular purpose, the Court affirmed the constitutionality of the program.

Mike Freeman, Adjunct Scholar for Constitutional Issues at Frontiers of Freedom Institute, reacted to the ruling. "Frontiers recognizes this decision as a validation of a parent's right to control their child's education, and as an affirmation of the responsibility schools and educators have to provide a quality education to all children."

"Public school officials, long derelict in their educational duties, will now be forced to improve the quality of education for all students by leaving them at the mercy of a free market system. This victory for young disadvantaged scholars releases children from under the thumb of a failing school system, and ensures them a future through quality education," Freeman concluded.

For more information:

Jason Wright

(703) 246-0110

press@ff.org