



Historic Victory for School Choice and Children

CER Press Release
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Statement By Center For Education Reform President Jeanne Allen On Supreme Court Ruling Supporting School Choice For Cleveland Children

There is no longer any Constitutional cloud over whether or not policymakers can establish educational programs that allow parents to choose the school that best fits their child's needs, be it public or private. They can, and as a result, they will. Throughout the history of the United States the U.S. Supreme Court has been looked upon to resolve the most fundamental questions regarding how we conduct ourselves as a republic. Its decision today about whether or not parents, under our Constitution, are permitted to drive the education of their children is among the most important decisions to ever be rendered. (Link to [full text of U.S. Supreme Court Decision](#).) The High Court said that the state of Ohio was within its constitutional power to enact a program to help Cleveland's children gain access to schools that parents believe will serve them better than the schools that for more than twenty-five years have failed by every measure. The Court acknowledged that the context for enacting the school choice program is indeed a major factor in whether or not the state acted within its rights; a point argued in the brief filed by the Center for Education Reform. Indeed the majority opinion acknowledged that the Cleveland Scholarship Program was only one of a collection of education options available to parents ranging from open enrollment, to magnet schools, to charter schools and even publicly-funded tutoring. Justice O'Connor emphasized that the Court must look at all options to determine whether the program is valid. When the Ohio legislature established the Cleveland choice program it was acting diligently to provide a fair and equitable education to the children of Cleveland. The High Court found in favor of the Ohio school choice program, and thus in favor of parents being the stewards of the public money that is reserved for their child's education. No matter where the choice is made, if the state sanctioned it and the parents chose it, there can be no argument that school choice is constitutional. The door is now open for other states to follow suit. They will in time, but right now, this is a major decision that will influence the reform efforts of thousands of individuals and groups nationwide who are working to change the way the U.S. delivers education, from that of one, centrally-driven school system, to that of a system of schools that responds first and foremost to families and children. *See also [CER Newswire Special Edition, June 28, 2002](#) for more analysis, a brief legal summary, and a look at what the opposition is saying.*

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Additional Information:

- [Legal Summary of U.S. Supreme Court decision](#) in *Zelman v. Simmons-Harris*, 436 U.S. --- (2002).
- [Full text of U.S. Supreme Court Decision](#) (.pdf format).
- [CER amicus brief filed with the United States Supreme Court](#) (.pdf format).
- [Commentary by individuals and organizations](#) hailing the ruling.

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The Center for Education Reform is a national, independent, non-profit advocacy organization providing support and guidance to individuals, community and civic groups, policymakers and others who are working to bring fundamental reforms to their schools. For more information contact CER at 202-822-9000 or [send us an email](#).



