



Making Schools Work Better for all Children

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Special CER Newswire

Breaking News on School Choice:

In their opinion delivered today on the constitutionality of the Ohio School Choice program, the United States Court of Appeals for the Sixth Circuit found against the program on the grounds that it is not neutral with regard to religion, and therefore the program is in conflict with the Establishment clause of the First Amendment to the U.S. Constitution.

This ruling is consistent with the finding last year of the District court, which enjoined the program but stayed its order pending this court review.

The Ohio program allows about 4,000 poor children to have a choice of schools in a district that has been under state takeover for failure to provide an adequate education independently

As argued in an amicus brief filed by CER on behalf of several state and national groups supporting reform, "The Cleveland program is a life-line for hundreds of disadvantaged young people in Cleveland. It is their best hope for educational opportunity and serves as a bold exemplar of reform for other States and cities."

Attorneys closing following this case believe that upon appeal, the U.S. Supreme Court will agree to hear the case. The Institute of Justice which represented several parents in this case pointed out the dissent of Judge James Ryan on the Sixth Circuit, who "analyzed Supreme Court precedent that makes it 'unmistakably clear that the voucher program passes constitutional muster.'"

Additional analysis and information will be forthcoming in the CER weekly newswire tomorrow. In the meantime, the decision can be viewed at <http://pacer.ca6.uscourts.gov/opinions/main.php>



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