

School Privatization Champion, Fordham Institute, Weighs-In Against the EdChoice Voucher Constitutional Challenge

In two January 18 posts, two Fordham folks argue that the lawsuit misses its mark in its constitutional arguments and that the lawsuit twists the truth about school funding.

One Fordhamite argues that Ohio's education landscape is made up of districts, charters, stems, and privates; thus, it is a system. Further, the Fordhamite suggests that "systems" have different and unique parts, indicating that all the different education entities comprise the State's "system". The common school system is comprised of districts, not counterfeit school entities.

Still further, Fordham argues that all school entities have the goal of educating students; thus, the various entities comprise the "system" required by the Ohio Constitution—not exactly an originalist view of interpretation. These folks must want the Court to legislate from the bench since they don't respect the plain language and intent of Article VI, section 2.

The Fordhams think the US Supreme Court's decision two decades ago in the Cleveland Zelman Case settled the religion issues raised in the current complaint. The Fordhams suggest that parents, not the private schools, control the taxpayer funds for vouchers. Wrong! Parents choose the private school, and then receive vouchers based on the school selected. They then merely hand the voucher money over to the private school. They don't tell the private school how to use the voucher money.

The other Fordhamite wrote the piece regarding the claim that the lawsuit twists the truth about school funding. He indicates that the complaint is "riddled with sketchy data and questionable arguments" and ignores the program's benefits to voucher families.

This Fordhamite says that voucher students cost less than district students. This case is not about how school districts are funded or about benefits that could accrue to voucher students. It's about whether EdChoice vouchers fit the mold of a common school; hence, how vouchers violate the Ohio Constitution. EdChoice vouchers have no characteristics or attributes inherent in the common school system.

[The anti-voucher lawsuit misses the mark in its constitutional arguments | The Thomas B. Fordham Institute](#)

[EdChoice lawsuit twists the truth about school funding in Ohio | The Thomas B. Fordham Institute](#)