

The Next Chapter of IJ's Educational Choice Work

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When IJ opened our doors in 1991, we set an ambitious goal: to resolve the two major constitutional questions concerning educational choice. The first was whether choice programs are permissible under the federal Constitution. The second was whether anti-religious Blaine Amendments, found in a majority of state constitutions, can be used to deny choice to families.

Over the past 32 years, IJ has secured a body of U.S. Supreme Court precedent that resolves both questions decidedly in favor of choice, as well as a body of state supreme court precedent rejecting the common state constitutional challenges to choice programs. In short, we've accomplished what we set out to do.

Notwithstanding these accomplishments, attacks on educational choice programs will continue; those who cling to the public school monopoly will stop at nothing to preserve it. But the nature of the fight for choice is changing. As we've seen in recent years, the legal battleground has increasingly moved from federal to state courts, and the lawsuits have increasingly focused on more narrow state constitutional and statutory claims that are often unique to the particular state in question. IJ has traditionally focused on constitutional questions with broad, national application, and we remain committed to that focus.

To that end, [**IJ is partnering with EdChoice**](#)—the foundation established by Nobel laureate Milton Friedman and his wife, Rose—to, in time, take over the responsibility of ensuring choice programs receive a robust legal defense. EdChoice is a longtime, trusted ally in the educational choice movement. IJ will continue to work alongside EdChoice as it gradually takes on this important role over a several-year transition period.

Even after this transition unfolds, educational freedom will remain a key part of IJ's work. Largely as a result of the proliferation of educational choice programs—as well as parental frustration with the failures of the public school system during the pandemic—a revolution in education has been playing out over the past few years. Parents are demanding more freedom over their children's education. Entrepreneurs, meanwhile, are developing new and exciting models for delivering education—models that don't fit the traditional paradigm. In response, the government has been doing what the government does: enforcing old regulations that don't account or allow for this freedom and innovation, or imposing new regulations that stifle it. These parents and entrepreneurs need a champion, and IJ plans to be that champion.

Like IJ, EdChoice has always been committed to educational freedom and to a vision in which every child can access the education that will best meet their needs. This transition will help bring us closer to realizing that vision. Here's to a fruitful partnership and a bright future in which every child has the opportunity they deserve!