

Agudath Israel Welcomes Nevada Supreme Court Decision Upholding Constitutionality of Scholarship Accounts

Agudath Israel calls upon Legislature to fix "funding technicality."

While today's Nevada Supreme Court decision (click [here](#) to read decision) striking down the state's Education Savings Account program was disappointing to the approximately 8000 scholarship applicants, it offered them a glimmer of hope. The ESA program would have deposited up to \$5700 each year in a savings account for parents who opt out of a public school education for their child. The funds could then be used for educational expenses such as tutoring, therapies, virtual school fees, and private school tuition.

Agudath Israel of America was gratified to see that the court rejected all of the opponents' arguments against the constitutionality of the program. The court concluded that the Legislature has the right to encourage other methods of education outside of traditional public schools and more importantly, that funds placed in education savings accounts belong to the parents and are not "public funds." Unfortunately, the court found that the funding of ESAs must be via an appropriation bill and that the appropriation bill passed after the passage of the ESA bill did not explicitly mention ESAs.

As Nevada Attorney General Paul Laxalt said in a statement, "there is only one step left to take in order to make the vision of educational choice a reality for thousands of Nevada families." The Nevada Legislature can, and must fix the

funding technicality as soon as possible.

“The court decision vindicates the supporters of school choice, including Agudath Israel of America, who have repeatedly argued in state and federal courts that providing funding to parents to choose the best educational option for their children is, in fact, constitutional,” said Agudath Israel of America’s national director of state relations, Rabbi A. D. Motzen.

Agudath Israel has been a longtime advocate for school choice and will continue to work with its constituents and coalition partners in Nevada to expand educational opportunities for all families.