

# From the Grave, Based on Prejudice, James Blaine Strikes Again

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By a [4-3 vote](#), the Colorado Supreme Court said the Douglas County School Choice Program violated the Colorado Constitution's [Blaine Amendments](#) that prohibit allocation of public money to sectarian schools, even by parents. Statewide policies in several states have suffered the same fate. That will cost Douglas County quite a bit of money, and force 500 Douglas County families to return their children to schools they determined were a poor fit for their children.

If the U.S. Supreme Court does not seize this opportunity, probably based on the 2002 *Zelman v. Simmons-Harris* voucher ruling, to demolish the Blaine relic of anti-Catholic bias, the smart move in the states with strong Blaine Amendments, for now, is to discriminate against families that prefer religion in the curriculum for their children, and allow use of [vouchers, tax credits, and education savings account](#) (ESA) funds only at non-sectarian private schools. Even though sectarian options dominate the private school choices of the current school system, universal choice like the [Nevada ESA legislation](#) can quickly grow the non-sectarian private schooling options. Despite the unsavoriness of discriminating against anyone's notion of what is best for their children (subsidizing all schooling except church-run options), we cannot wait for private school choice until we muster the super-majorities needed to repeal state constitutional amendments to appropriately transform our K-12 school systems.