Fifty years after we declared war on poverty, less than a third of poor Florida black students read at grade level. Leaving race aside, this statistic shows why we have no time to waste on lawyers and courts and battles over educational turf. There is no magic potion for children who come to school hungry and diminished from lives of despair, but we should agree that they need as many tools as possible.

The Florida Tax Credit Scholarship is entering its 15th year, and now provides private learning options to more than 90,000 underprivileged students. Nearly three-fourths are minorities, more than half from single-parent homes. Their average household incomes are $25,000.

Eight years of testing show these students were struggling before they chose the scholarship and are now making solid academic progress. We also know that because the scholarship costs less than two-thirds of what districts would spend to educate these children that it saves money that can help traditional public schools.

This scholarship is clearly helping some of our most desperate students. Yet the state teachers union is trying to shut it down.

Last week, an appellate court rejected the union’s constitutional challenge, dismissing the case and resisting what it saw as attempts to settle political scores. “This,” the judges wrote, “is precisely the type of dispute into which the courts must decline to intervene under the separation of powers doctrine.”

The next appeal would be to the Florida Supreme Court, but for the sake of these children, we should now put this matter behind us. Two courts have ruled against the challenge, in no small part due to the fact that the U.S. Supreme Court and three other state supreme courts have ruled in favor of such scholarship programs.

Isn’t it time for us to put aside our differences and work together? We all believe that without public education, disadvantaged students may never get a shot at the American Dream. In the communities in which I work every day, I see young lives in the balance – children who could just as easily end up in prison as in corporate America. And I know first hand that some of these small mission-driven, often faith-based private schools are helping them turn the corner.

Some believe that learning options somehow threaten public education, when in fact they make it so much stronger. In January, I shared a stage in Tallahassee with Martin Luther King III, as 10,000 scholarship supporters gathered to protest the lawsuit.

“My view is, there is room for both,” he told a reporter. “It’s not an either/or. It should never have been framed that way. The question is, what is the best thing for the kids of our nation?”

It is time for us to leave the courtroom and work together to solve this problem. The scholarship is but one solution to this crucial problem. It cannot be taken away.

Bishop Victor R. Curry leads the New Birth Baptist Church in Miami and is chairman of the Save Our Scholarships Coalition.

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