

Jay P. Greene's Blog

Jeb!'s Time Machine

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Education Week really buried their lede in [this story](#):

The voucher program was originally part of [Bush's] most notable education reform, the A-Plus Plan, which also required schools to be held accountable using A-F letter grades, and established a new series of standardized tests to measure students' academic performance.

But the Florida Supreme Court struck down the vouchers as unconstitutional in 2006. Then, in 2001, Bush signed into law a tax-credit scholarship program that has grown into the largest single school choice program of any state in the country as measured by the number of participating students, with about 70,000 low-income students using them in the most recent school year.

So does Jeb! have a time machine? Or perhaps he's a prophet?

I'm generally not one to pick on mere sloppy editing, but the *EdWeek* piece's framing repeats a myth peddled by opponents of the scholarship program (one that apparently even accurate chronology cannot dispel). Last month, lawyers for the teachers union that is challenging the scholarship program claimed in a [legal brief](#): "The challenged program is the successor program to the Opportunity Scholarship Program previously invalidated by both this Court and the Florida Supreme Court."

"Successor" is an odd way to describe something that was enacted five years before the thing it is supposedly succeeding.

The unions and their lawyers know the true chronology but they apparently do not feel bound by things like "facts" and "accuracy" (or perhaps they really do believe Jeb! has a time machine). The disinformation is a part of a deliberate campaign to undermine the legal case for the scholarship program. As Jon East of Step Up for Students [explains](#):

The claim is similar to those made publicly over the past year by Florida Education Association attorney Ron Meyer, and unfortunately has seeped its way into the broader media narrative around the program. Even in recent presidential campaign stories about former Gov. Jeb Bush's education record, outlets from *The 74* to the *New York Post* have reported versions of the claim as fact. The *Post* wrote, without attribution, that: "When a state court nixed the program in 2006, Bush created a new voucher system, funded by private businesses, that withstood a court challenge from teachers." A [column in the Florida Times-Union](#) last week also chimed in: "It became a government program, diverting tax dollars in the form of 'tax

credits' into a tuition-granting organization only after the voucher portion of Gov. Jeb Bush's A+ program was stricken by the courts."

The teachers union is trying to sell its lawsuit as a type of police action for *Bush v. Holmes*, the 2006 Supreme Court decision that overturned publicly funded school vouchers for students who were assigned to district schools judged to be failing. Meyer wants judges to believe lawmakers made a fast end-around on the Holmes decision.

I share East's amazement at "how easy it is to refute [the union's creative chronology] and yet how prominent a role it continues to play in the FEA's lawsuit narrative." Media outlets like *Education Week* shouldn't let them get away with it.

[h/t Patrick Gibbons for the story and the "time machine" quip, which I shamelessly stole]

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