



Reactions to ruling in Florida’s education adequacy lawsuit

Travis Pillow

May 24, 2016

This afternoon, Leon County Circuit Court Judge George Reynolds threw out a wide-ranging lawsuit challenging multiple education reform policies in Florida.

We’re compiling reactions and coverage from other outlets. [See our own coverage here.](#)

The Institute for Justice represented parents who use two of the country’s largest private school choice programs — [tax credit scholarships](#), and [McKay Scholarships for special needs students](#) — in the case.

“The evidence presented in this case shows that school choice works to improve public education, by encouraging school districts to keep eligible families satisfied with their public schools,” said Institute for Justice Attorney Ari Bargil. “When public schools can no longer take continued attendance of low-income children and children needing special education for granted, they will do a better job of serving those students.”

[According to the *Gainesville Sun*](#), the pro-bono legal team backing the case plans to appeal the ruling.

Southern Legal Counsel, a Gainesville-based law firm, represented the plaintiffs without pay. An appeal will come soon, the firm promised.

“Even though Florida’s constitution is the strongest educational mandate of all the states, the court incorrectly concluded that the constitution has no judicially manageable standards and that the court is prohibited from ordering relief due to separation of powers,” Southern Legal Counsel Executive Director Jodi Siegel wrote in a prepared statement. “Southern Legal Counsel plans to appeal this decision and continue to seek a high quality education for all children in Florida.”

In a statement, Education Commissioner Pam Stewart said the ruling highlights improvements in the state’s public education system.

The cornerstone of the state’s legal response was our students’ exceptional progress and performance. Judge Reynolds not only noted that success, he recognized that our policies demonstrate a commitment to continued progress as his order stated, ‘The State has adopted

rigorous academic standards and an accountability system, enhanced teacher quality, lowered class sizes, provided extensive choice options, made education funding a priority even during difficult economic conditions, and provided by law for a system in which student performance on multiple metrics has improved over time ... The record also shows that Florida students have continually improved on state assessments and Florida has reduced achievement gaps over time, even as the state standards and assessments have become more rigorous.’ We will continue working to ensure our state’s students have access to a world-class education that prepares them for success in college, career and life.

The *Orlando Sentinel* asked Florida Senate President Andy Gardiner whether the ruling has implications for a separate case, now pending before the First District Court of Appeal, which takes direct aim at Florida’s tax credit scholarships.

Gardiner also suggested Reynolds’ decision could have implications on a separate lawsuit brought by the Florida Education Association, the state’s largest teachers union, against a voucher program offering scholarships to parents to enroll their children in private schools.

“I am hopeful that today’s ruling will cause other groups to re-evaluate their attempts to deprive tens of thousands of students with unique abilities and students from low-income families of the educational opportunities their parents have selected,” Gardiner added.

School choice advocacy groups have pressured the union to drop the lawsuit, but FEA spokesman Mark Pudlow said his group isn’t budging.

“The ruling today was on a different case entirely. We have no plans to drop the lawsuit challenging the tax-credit voucher program,” Pudlow said.

Florida House Speaker Steve Crisafulli said in a statement that lawmakers have made education a priority.

Florida’s education policies have resulted in all-time high graduation rates, an overall increase in student achievement, and our low-income and minority students closing the “achievement gap” at a rate faster than the rest of the nation. Today’s order ensures our children will continue to receive the high quality education they deserve.

The Florida Coalition of School Board members — a new group of district officials who back educational choice and other reforms — welcomed the decision in a statement.

“What we knew to be true was upheld today,” said Erika Donalds, FCSBM President. “Choices do not detract from, but enhance student success. It is time to move forward, and keep the focus on our children. Let’s talk more about action than excuses.”

The James Madison Institute, a Tallahassee-based think tank, was quick out of the gate with a statement from William Mattox, the director of the J. Stanley Marshall Center for Educational Options:

Over the last quarter-century, student performance in Florida has improved dramatically, thanks to a number of innovative education reforms — including many which required little

or no increases in per-pupil spending. This helps to explain why a research team from Harvard and Stanford recently found that Florida delivers greater “bang-for-the-buck” in K-12 education than every other state in the nation. We are pleased to see Judge Reynolds recognize this fact. While we still have work to do to improve education in our state, Floridians have reason to be proud of what has been accomplished.”

The case took aim at many policies enacted under former Gov. Jeb Bush. who’s returning to the world of education advocacy.

https://twitter.com/JebBush/status/735210558723489792?ref_src=twsrc%5Etfw

And the advocacy group he helped found weighed in:

https://twitter.com/AFloridaPromise/status/735217856627888129?ref_src=twsrc%5Etfw

https://twitter.com/AFloridaPromise/status/735218051147124736?ref_src=twsrc%5Etfw

A former University of South Florida education historian, now at Arizona State University:

https://twitter.com/shermandorn/status/735218725377318914?ref_src=twsrc%5Etfw

https://twitter.com/shermandorn/status/735218725377318914?ref_src=twsrc%5Etfw

A *Gainesville Sun* reporter relays a reaction from a local school board member, who testified in the case on school choice and other topics.

https://twitter.com/DeborahJStrange/status/735204810471972864?ref_src=twsrc%5Etfw

Over on Jay P. Greene’s blog, Jason Bedrick of the Cato Institute writes that the case represents another legal win for school choice.

See more coverage from the *Gradebook*, *Sentinel School Zone*, *Post On Politics* and *Watchdog*.

We’ll update this post with more coverage and reactions as they appear.