



## DOJ backpedals on Louisiana voucher lawsuit

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The U.S. Department of Justice's motion asking Louisiana to stop giving vouchers to students in certain school districts was never intended to keep vouchers from students, the department is saying now.

It was just looking for information.

“The Justice Department is back-pedaling furiously on its motion. It appears, at least for now, to be abandoning its demand for an injunction. But its new approach is disingenuous. If this was really about data collection, it never would have demanded such drastic relief,” said Clint Bolick, vice president for litigation at the Goldwater Institute, who is representing Louisiana families, in an email.

Louisiana awarded vouchers to nearly 5,000 low-income students assigned to average-to-failing schools last year, giving them an opportunity to attend private schools. More than 90 percent of voucher recipients are minorities, and more than 80 percent are assigned to schools rated D or F, according to the program's website <sup>[2]</sup>.

At least 600 students' opportunities were — and may still be — in jeopardy.

In August, the department filed a motion <sup>[3]</sup> asking the court to forbid Louisiana from issuing vouchers to students <sup>[4]</sup> in districts not complying with the racial desegregation orders issued decades ago, and to require the state to file demographic information regarding the impact vouchers have on the racial makeup of the public schools.

The voucher program impeded the decades-old desegregation process by encouraging racial imbalance in the schools, the DOJ alleged.

The change in demographics is negligible, noted Jason Bedrick <sup>[5]</sup>, policy analyst at the Cato Institute's Center for Educational Freedom.

The DOJ amended the motion <sup>[6]</sup> Monday, claiming the department's "key objectives" in filing the August motion were to acquire information about voucher students and the program's impact on desegregation, and to obtain an agreement from Louisiana to review and file that information annually.

The controversy sparked by the August motion — including sharp words <sup>[7]</sup> from Louisiana Gov. Bobby Jindal and former Florida Gov. Jeb Bush — may be the reason for the DOJ's backpedaling, Bolick said.

"The original motion appears to have been staff-driven. Now it has become a major liability to the Obama Administration, which seems to be engaged in damage control and trying to save face," he wrote.