



# Tax Credit Scholarships Continue to be Challenged in Florida

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Controversy has been stirring in Florida over the state's school choice policy, with activist groups challenging Florida's tax credit scholarship program. At the beginning of October, a Florida judge dismissed a challenge from the Florida Education Association concerning the school choice laws, saying that the plaintiffs could not sue the state because they had suffered no injury as a result of the school choice policy. The plaintiffs had challenged the existence of a tax credit scholarship program, which gave corporations tax credits in exchange for making donations to nonprofit scholarship organizations. Those organizations fund scholarships for low-income Florida children, allowing them to attend schools of their choice.

Today, 70,000 Florida children from low-income families are receiving these scholarships, allowing them to attend better schools that are more suited to their needs.

But Jason Bedrick of the Cato Institute reports that the Florida Education Association (FEA) is back, having amended its complaint and added a new set of plaintiffs. According to the FEA, the new plaintiffs (district teachers and parents) should have standing because expansion of the tax credit program threatens them. The FEA insists that the program would cause district schools to lose funding, which would be redirected to private schools.

Not so, says Bedrick:

- Florida's tax credit program does not take funds from the public schools and send them to private schools -- there is no redirecting of funds.
- Florida does allocate funding based on the number of students at a school, but one student leaving to pursue a scholarship opportunity does not hurt the district school that he leaves. It is no different, says Bedrick, from a student moving from one district to another or enrolling in private, rather than public, school -- both of which are possible even without the tax credit program.

Bedrick says the lawsuit, which "misunderstands" how the tax credit system works, should be dismissed.